

<b>Tab 1</b>	<b>CS/SB 150</b> by <b>CJ, Gaetz (CO-INTRODUCERS) Arrington;</b> Compare to H 00079 Abandoning Restrained Animals During Natural Disasters
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<b>Tab 2</b>	<b>SB 374</b> by <b>Truenow;</b> Identical to H 00211 Farm Products
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<b>Tab 3</b>	<b>SB 560</b> by <b>Martin;</b> Identical to H 00595 Chemical Additives in Food Products
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<b>Tab 4</b>	<b>SB 572</b> by <b>Collins (CO-INTRODUCERS) Wright;</b> Identical to H 00593 Dangerous Dogs
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**AGRICULTURE**  
**Senator Truenow, Chair**  
**Senator Grall, Vice Chair**

**MEETING DATE:** Monday, March 3, 2025  
**TIME:** 3:30—5:30 p.m.  
**PLACE:** 301 Senate Building

**MEMBERS:** Senator Truenow, Chair; Senator Grall, Vice Chair; Senators Bernard, Boyd, Burton, and Rouson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 150</b> Criminal Justice / Gaetz (Compare H 79)	Abandoning Restrained Animals During Natural Disasters; Citing this act as “Trooper’s Law”; prohibiting the abandonment of an animal that is restrained outside during a natural disaster, etc.	CJ     02/11/2025 Fav/CS AG     03/03/2025 RC
2	<b>SB 374</b> Truenow (Identical H 211)	Farm Products; Revising the definition of the term “farm product”; providing that the collection, storage, processing, and distribution of a farm product is an activity of a bona fide farm operation which a governmental entity may not prohibit, restrict, regulate, or otherwise limit, etc.	AG     03/03/2025 CA RC
3	<b>SB 560</b> Martin (Identical H 595)	Chemical Additives in Food Products; Beginning on a specified date, prohibiting a food establishment from manufacturing, selling, or distributing food that contains specified chemical additives, etc.	AG     03/03/2025 AEG FP
4	<b>SB 572</b> Collins (Identical H 593)	Dangerous Dogs; Citing this act as the “Pam Rock Act”; requiring certain dog owners to securely confine their dogs in a proper enclosure; requiring, rather than authorizing, that dogs subject to certain dangerous dog investigations be confiscated, impounded, and held; requiring animal control authorities to provide certain information to the Department of Agriculture and Consumer Services and to destroy certain dogs; requiring the department to create and maintain a statewide Dangerous Dog Registry, etc.	AG     03/03/2025 JU FP

**COMMITTEE MEETING EXPANDED AGENDA**

Agriculture

Monday, March 3, 2025, 3:30—5:30 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other Related Meeting Documents		

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Criminal Justice

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**BILL:** CS/SB 150

**INTRODUCER:** Criminal Justice Committee and Senator Gaetz

**SUBJECT:** Animal Cruelty During a Declared State of Emergency

**DATE:** February 28, 2025      **REVISED:** 2/28/25 \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<u>Fav/CS</u>
2.	<u>Becker</u>	<u>Becker</u>	<u>AG</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>RC</u>	_____

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**Please see Section IX. for Additional Information:**  
COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 150 amends s. 828.13, F.S., to create a new offense of animal cruelty for abandoning an animal by using a restraint on the animal and leaving it restrained outside during a natural disaster. The offense is a third degree felony.<sup>1,2</sup>

The bill defines the terms “natural disaster” and “restraint.”

The bill names the act “Trooper’s Law.”

The bill has a positive indeterminate impact. *See Section V. Fiscal Impact Statement.*

The bill takes effect on October 1, 2025.

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<sup>1</sup> A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. Sections 775.082, F.S. and 775.083, F.S.

<sup>2</sup> As is the case with other animal cruelty offenses, the bill provides for the possibility of a fine that may be elevated above the typical fine. For example, the third degree felony fine is generally up to \$5,000 but this new offense provides for a fine up to \$10,000. Sections 775.082(3) F.S., 775.083(1)(g), F.S., and 820.13, F.S.

## II. Present Situation:

### **Dog Rescued by Florida Highway Patrol Trooper Tied Up During Hurricane Milton**

Hurricane Milton struck the state in early October 2024. During the storm, a Florida Highway Patrol trooper discovered a dog tied to a fence off I-75 surrounded by rising water. The dog, now named Trooper, was rescued and taken to the Tallahassee Humane Society, where he was subsequently adopted. This bill addresses that situation.<sup>3</sup>

### **General Animal Cruelty Statutes**

Section 828.12(1), F.S., provides first degree misdemeanor penalties<sup>4</sup> for certain cases involving cruelty to animals. A person commits the crime of animal cruelty if he or she:

- Unnecessarily overloads;
- Overdrives;
- Torments;
- Deprives of necessary sustenance or shelter;
- Unnecessarily mutilates, or kills any animal, or causes such to be done; or
- Carries in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner.

A person who is convicted of a violation of s. 828.12, F.S., may be prohibited by the court from owning, possessing, keeping, harboring, or having custody or control over any animal for a period of time determined by the court.<sup>5</sup>

Section 828.12(2), F.S., specifies that a person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty, a felony of the third degree.<sup>6</sup>

Also, s. 828.13(2)(a), (b), and (c) F.S., provide that a person commits a first degree misdemeanor<sup>7</sup> if he or she:

- Impounds or confines any animal in any place and fails to supply the animal during such confinement with a sufficient quantity of good and wholesome food and water;
- Keeps any animals in any enclosure without wholesome exercise and change of air; or
- Abandons to die any animal that is maimed, sick, infirm, or diseased;

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<sup>3</sup> Tallahassee Democrat, *Trooper, abandoned amid Hurricane Milton and sent to Leon County, finds 'fur-ever' home*, December 2, 2024, Kyla A. Sanford, available at <https://www.tallahassee.com/story/news/local/2024/12/02/trooper-dog-abandoned-amid-hurricane-milton-finds-fur-ever-home-leon-county-humane-society/76709656007/> (last visited February 28, 2025).

<sup>4</sup> A first degree misdemeanor is punishable by up to 1 year in the county jail or a \$1,000 fine or both. Sections 775.082, F.S., and 775.083, F.S. However, a violation of s. 828.12(1), F.S., may result in a fine of up to \$5,000. Section 828.12(1), F.S.

<sup>5</sup> Section 828.12(6), F.S.

<sup>6</sup> A third degree felony is punishable by up to 5 years imprisonment and a \$5,000 fine. Sections 775.082 and 775.083, F.S. However, a violation of s. 828.12(2), F.S., may result in a fine of up to \$10,000. Sections 775.082(3) F.S., 775.083(1)(g), F.S., and 828.12(2), F.S.

<sup>7</sup> A first degree misdemeanor is punishable by up to 1 year in the county jail or a \$1,000 fine or both. Sections 775.082, F.S., and 775.083, F.S. However, a violation of s. 828.13(2), F.S., may result in a fine of up to \$5,000. Sections 775.082, 775.083, and 828.13(2), F.S.

Section 828.13(3), F.S., prohibits a person who is the owner or possessor or has charge or custody of any animal who abandons such animal to suffer injury or malnutrition or abandons any animal in a street, road, or public place without providing for the care, sustenance, protection, and shelter of such animal which is punishable as a misdemeanor of the first degree.<sup>8</sup>

Section 828.13(1)(a), F.S., defines the term “abandon” to mean to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner. The term “owner” is defined as any owner, custodian, or other person in charge of an animal.

### **Emergency Powers, Disaster Preparedness**

Section 252.36, F.S., specifies that in the event of an emergency beyond local control, the Governor may assume direct operational control over all or any part of the emergency management functions within this state and is authorized to delegate such powers as she or he may deem prudent. The Governor has declared a state of emergency for various weather related conditions, including numerous hurricanes.<sup>9</sup>

Section 252.3568, F.S., provides, in accordance with s. 252.35, F.S.,<sup>10</sup> the Division of Emergency Management within the Executive Office of the Governor (Division) must address strategies for the evacuation of persons with pets in the shelter component of the state comprehensive emergency management plan and must include the requirement for similar strategies in its standards and requirements for local comprehensive emergency management plans. The Department of Agriculture and Consumer Services and the Department of Education must assist the division in determining strategies regarding this activity.

If a county maintains designated shelters, it must also designate a shelter that can accommodate persons with pets. The shelter must be in compliance with applicable FEMA Disaster Assistance Policies and Procedures and with safety procedures regarding the sheltering of pets established in the shelter component of both local and state comprehensive emergency management plans.

### **III. Effect of Proposed Changes:**

The bill creates a third degree felony<sup>11</sup> animal cruelty offense in s. 812.13, F.S., for abandoning an animal by using a restraint on the animal and leaving it restrained outside during a natural disaster.

The bill defines the following terms:

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<sup>8</sup> A first degree misdemeanor is punishable by up to 1 year in the county jail or a \$1,000 fine or both. Sections 775.082, F.S., and 775.083, F.S. However, a violation of s. 828.13(3), F.S., may result in a fine of up to \$5,000. Sections 775.082, and 775.083, F.S. and 828.13(3), F.S..

<sup>9</sup> See Fla. Exec. Order No. 24-215 (October 5, 2024), available at, <https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO-24-215-1.pdf> (Last visited February 28, 2025).

<sup>10</sup> Section 252.35, F.S., relates to Emergency management powers and the Division of Emergency Management.

<sup>11</sup> The third degree felony is punishable by up to 5 years imprisonment, and in these cases up to a \$10,000 fine. Sections 775.082(3) F.S., 775.083(1)(g), F.S., and 828.13(4).

- “Natural disaster” means a situation in which a hurricane, tropical storm, or tornado warning has been issued for a municipality or a county by the National Weather Service, or in which a municipality or county is under a mandatory or voluntary evacuation order.
- “Restraint” means a chain, rope, tether, leash, cable, or other device that attaches an animal to a stationary object or trolley system.

The bill names the act “Trooper’s Law.”

The bill takes effect on October 1, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has a positive indeterminate impact due to the penalties provided in the bill. It is unknown how many offenses of animal cruelty have taken place during a declared emergency, and therefore the prison bed impact cannot be determined.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 828.12

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS/150 by Criminal Justice on February 11, 2025:**

The committee substitute:

- Creates an animal cruelty offense in s. 828.13, F.S., for abandoning an animal by using a restraint on the animal and leaving it restrained it outside during a natural disaster.
- It defines the terms “natural disaster” and “restraint”.
- The CS names the act “Trooper’s Law”.

- B. **Amendments:**

None.



By the Committee on Criminal Justice; and Senator Gaetz

591-01944-25

2025150c1

1 A bill to be entitled  
 2 An act relating to abandoning restrained animals  
 3 during natural disasters; providing a short title;  
 4 amending s. 828.13, F.S.; defining terms; prohibiting  
 5 the abandonment of an animal that is restrained  
 6 outside during a natural disaster; providing criminal  
 7 penalties; providing an effective date.  
 8  
 9 Be It Enacted by the Legislature of the State of Florida:  
 10  
 11 Section 1. This act may be cited as "Trooper's Law."  
 12 Section 2. Section 828.13, Florida Statutes, is amended to  
 13 read:  
 14 828.13 Confinement of animals without sufficient food,  
 15 water, or exercise; abandonment of animals.—  
 16 (1) As used in this section:  
 17 (a) "Abandon" means to forsake an animal entirely or to  
 18 neglect or refuse to provide or perform the legal obligations  
 19 for care and support of an animal by its owner.  
 20 (b) "Natural disaster" means a situation in which a  
 21 hurricane, tropical storm, or tornado warning has been issued  
 22 for a municipality or a county by the National Weather Service,  
 23 or in which a municipality or county is under a mandatory or  
 24 voluntary evacuation order.  
 25 (c) "Owner" includes any owner, custodian, or other person  
 26 in charge of an animal.  
 27 (d) "Restraint" means a chain, rope, tether, leash, cable,  
 28 or other device that attaches an animal to a stationary object  
 29 or trolley system.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

591-01944-25

2025150c1

30 (2) A person who ~~Whoever~~:  
 31 (a) Impounds or confines any animal in any place and fails  
 32 to supply the animal during such confinement with a sufficient  
 33 quantity of good and wholesome food and water,  
 34 (b) Keeps any animals in any enclosure without wholesome  
 35 exercise and change of air, or  
 36 (c) Abandons to die any animal that is maimed, sick,  
 37 infirm, or diseased,  
 38  
 39 ~~commits is guilty of~~ a misdemeanor of the first degree,  
 40 punishable as provided in s. 775.082 or by a fine of not more  
 41 than \$5,000, or ~~by both imprisonment and a fine.~~  
 42 (3) A ~~Any~~ person who is the owner or possessor, or has  
 43 charge or custody, of any animal who abandons such animal to  
 44 suffer injury or malnutrition or abandons any animal in a  
 45 street, road, or public place without providing for the care,  
 46 sustenance, protection, and shelter of such animal commits is  
 47 ~~guilty of~~ a misdemeanor of the first degree, punishable as  
 48 provided in s. 775.082 or by a fine of not more than \$5,000, or  
 49 ~~by both imprisonment and a fine.~~  
 50 (4) A person who abandons an animal by using a restraint on  
 51 the animal and leaving that animal restrained outside during a  
 52 natural disaster commits a felony of the third degree,  
 53 punishable as provided in s. 775.082 or by a fine of not more  
 54 than \$10,000, or both.  
 55 Section 3. This act shall take effect October 1, 2025.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 374

INTRODUCER: Senator Truenow

SUBJECT: Farm Products

DATE: February 28, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	<b>Pre-meeting</b>
2.			CA	
3.			RC	

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**I. Summary:**

SB 374 revises the definition of “farm product” to include plants and plant products, regardless of whether such products are edible or nonedible.

The bill prohibits a governmental entity from adopting or enforcing any regulations to limit an activity of a bona fide farm operation involving a farm product on agricultural land.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**“Right to Farm” Laws; Generally**

In the 1970s, states began to identify the potential conflicts between farmers and developers as urban sprawl crept into rural, agricultural areas. One of the initial concerns was that the relocation of city dwellers into agricultural areas would result in a rash of very expensive nuisance lawsuits once the new neighbors were confronted with the sensory nature of farm life, complete with an inescapable array of odors, loud noises, dust, and other side-effects.<sup>1</sup>

In an effort to protect farms and agricultural operations from the encroaching sprawl, states passed anti-nuisance laws that are referred to as “Right to Farm” laws. These laws, enacted in all 50 states, protect agricultural production against some nuisance lawsuits. The laws do not grant absolute immunity but generally provide protections for defendants based upon a “coming to the nuisance” defense theory. These laws provide a liability shield for pre-existing agricultural

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<sup>1</sup> Alexia B. Borden and Thomas R. Head, III, *The “Right To Farm” In The Southeast – Does it Go Too Far?* (2007).

operations when changes are made to the use of nearby parcels, such that the plaintiffs are described as “coming to the nuisance.”<sup>2</sup> The Florida Right to Farm Act was enacted in 1979.<sup>3</sup>

### **Nuisance**

A nuisance is described as an activity, condition, or situation created by someone that significantly interferes with another person’s use or enjoyment of their property. A private nuisance affects a person’s private right that is not common to the public while a public nuisance is an interference that affects the general public, for example, a condition that is dangerous to health or community standards.<sup>4</sup>

### **The Florida Right to Farm Act**

The Florida Right to Farm Act protects farm operations from nuisance lawsuits if the operations comply with generally accepted agricultural and management practices.<sup>5</sup>

The Florida Right to Farm Act states that a farm operation cannot be classified as a public or private nuisance if the farm:

- Has been in operation for 1 year or more since its established date of operation;
- Was not a nuisance when it was established; and
- Conforms to generally accepted agricultural and management practices.<sup>6</sup>

However, the following four unsanitary conditions constitute evidence of a nuisance:

- The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life;
- The presence of improperly built or improperly maintained septic tanks, water closets, or privies;
- The keeping of diseased animals which are dangerous to human health, unless the animals are kept in accordance with a current state or federal disease control program; or
- The presence of unsanitary places where animals are slaughtered, which may give rise to diseases which are harmful to human or animal life.<sup>7</sup>

Additionally, a farm operation cannot be classified as a public or private nuisance due to a change:

- In ownership;
- In the type of farm product that is produced;
- In conditions in or around the locality of the farm; or
- Made in compliance with Best Management Practices adopted by local, state, or federal agencies.<sup>8</sup>

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<sup>2</sup> *Id.*

<sup>3</sup> Chapter 79-61, ss. 1-2, Laws of Fla.

<sup>4</sup> BLACK’S LAW DICTIONARY (11<sup>th</sup> ed. 2019).

<sup>5</sup> Section 823.14, F.S.

<sup>6</sup> Section 823.14(4)(a), F.S.

<sup>7</sup> *Id.*

<sup>8</sup> Section 823.14(4)(b), F.S.

The Florida Right to Farm Act, however, may not be construed to permit an existing farm operation to increase to a more excessive farm operation with regard to noise, odor, dust, or fumes where the existing operation is adjacent to an established homestead or business.<sup>9,10</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 163.3162, F.S., to revise the definition of “farm product” to mean plants and plant products as defined in s. 581.011, F.S., regardless of whether such plants and plant products are edible or nonedible, or any animal useful to humans and includes, but is not limited to, any product derived therefrom.

The bill prohibits a governmental entity from adopting or enforcing any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation, including, but not limited to, the collection, storage, processing, and distribution of a farm product on agricultural land.

**Section 2** reenacts s. 163.3177, F.S., to incorporate amendments to statute made by this act.

**Section 3** provides this act shall take effect July 1, 2025.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

#### D. State Tax or Fee Increases:

None.

#### E. Other Constitutional Issues:

None.

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<sup>9</sup> Section 823.14(5), F.S.

<sup>10</sup> In an effort to eliminate duplication of regulatory authority over farm operations, local governments may not adopt an ordinance or similar policy to prohibit or limit an activity of a bona fide farm operation on land that is classified as agricultural land in accordance with statute, where the activity is regulated through implemented best management practices or certain interim measures. The full text of this prohibition is contained in s. 823.14(6), F.S.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 163.3162 of the Florida Statutes.

This bill reenacts section 163.3177 of the Florida Statutes.

**IX. Additional Information:**

## A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

## B. Amendments:

None.



701220

LEGISLATIVE ACTION

Senate

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House

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The Committee on Agriculture (Truenow) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 43 and 44

insert:

Section 2. Subsection (28) of section 403.703, Florida Statutes, is amended to read:

403.703 Definitions.—As used in this part, the term:

(28) "Recovered materials" means metal, paper, glass, plastic, textile, or rubber materials that have known recycling potential, can be feasibly recycled, and have been diverted and



701220

11 source separated or have been removed from the solid waste  
12 stream for sale, use, or reuse as raw materials, whether or not  
13 the materials require subsequent processing or separation from  
14 each other. The term includes food waste, but ~~the term~~ does not  
15 include materials destined for any use that constitutes  
16 disposal. Recovered materials as described in this subsection  
17 are not solid waste.

18 Section 3. Paragraphs (g) and (i) of subsection (2) of  
19 section 403.706, Florida Statutes, are amended to read:

20 403.706 Local government solid waste responsibilities.—

21 (2)

22 (g) Local governments are encouraged to separate all  
23 plastics, metal, and all grades of paper for recycling before  
24 ~~prior to~~ final disposal and are further encouraged to recycle  
25 yard trash and other mechanically treated solid and food waste  
26 into compost available for agricultural and other acceptable  
27 uses.

28 (i) Each county is encouraged to consider plans for  
29 composting or mulching organic materials, including food waste,  
30 that would otherwise be disposed of in a landfill. The  
31 composting or mulching plans are encouraged to address  
32 partnership with the private sector.

33 Section 4. Subsection (2) of section 403.7065, Florida  
34 Statutes, is amended to read:

35 403.7065 Procurement of products or materials with recycled  
36 content.—

37 (2) For the purposes of this section, the term "recycled  
38 content" means materials that have been recycled that are  
39 contained in the products or materials to be procured,



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40 including, but not limited to, paper, aluminum, steel, plastic,  
41 glass, and composted material, including food waste. The term  
42 does not include the virgin component of internally generated  
43 scrap that is commonly used in the industrial or manufacturing  
44 processes from which it was generated or waste or scrap  
45 purchased from another manufacturer who manufactures the same or  
46 a closely related product.

47 Section 5. For the purpose of incorporating the amendment  
48 made by this act to section 403.703, Florida Statutes, in a  
49 reference thereto, paragraph (d) of subsection (4) of section  
50 377.814, Florida Statutes, is reenacted to read:

51 377.814 Municipal Solid Waste-to-Energy Program.—

52 (4) INCENTIVE GRANT PROGRAM.—The department, subject to  
53 appropriation, shall provide incentive grants to municipal solid  
54 waste-to-energy facilities to assist with the planning and  
55 designing for constructing, upgrading, or expanding a municipal  
56 solid waste-to-energy facility, including necessary legal or  
57 administrative expenses.

58 (d) Funds awarded under the incentive grant program may not  
59 be used to promote, establish, or convert a residential  
60 collection system that does not provide for the separate  
61 collection of residential solid waste from recovered materials  
62 as defined in s. 403.703.

63

64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete lines 2 - 8

67 and insert:

68 An act relating to organic materials; amending s.





701220

69 163.3162, F.S.; revising the definition of the term  
70 "farm product"; providing that the collection,  
71 storage, processing, and distribution of a farm  
72 product is an activity of a bona fide farm operation  
73 which a governmental entity may not prohibit,  
74 restrict, regulate, or otherwise limit; amending s.  
75 403.703, F.S.; revising the definition of the term  
76 "recovered materials"; amending s. 403.706, F.S.;  
77 encouraging local governments to recycle and compost  
78 food waste; amending s. 403.7065, F.S.; revising the  
79 definition of the term "recycled content"; reenacting  
80 s. 377.814(4) (d), F.S., relating to the Municipal  
81 Solid Waste-to-Energy Program, to incorporate the  
82 amendment made to s. 403.703, F.S., in a reference  
83 thereto; reenacting s.

By Senator Truenow

13-00648-25

2025374\_\_

1 A bill to be entitled  
 2 An act relating to farm products; amending s.  
 3 163.3162, F.S.; revising the definition of the term  
 4 "farm product"; providing that the collection,  
 5 storage, processing, and distribution of a farm  
 6 product is an activity of a bona fide farm operation  
 7 which a governmental entity may not prohibit,  
 8 restrict, regulate, or otherwise limit; reenacting s.  
 9 163.3177(7)(b), F.S., relating to the definition of  
 10 the term "rural agricultural industrial center," to  
 11 incorporate the amendment made to s. 163.3162, F.S.,  
 12 in a reference thereto; providing an effective date.  
 13  
 14 Be It Enacted by the Legislature of the State of Florida:  
 15  
 16 Section 1. Paragraph (c) of subsection (2) and paragraph  
 17 (a) of subsection (3) of section 163.3162, Florida Statutes, are  
 18 amended to read:  
 19 163.3162 Agricultural lands and practices.—  
 20 (2) DEFINITIONS.—As used in this section, the term:  
 21 (c) "Farm product" means plants and plant products ~~any~~  
 22 ~~plant~~, as defined in s. 581.011, regardless of whether such  
 23 plants and plant products are edible or nonedible, or any animal  
 24 useful to humans and includes, but is not limited to, any  
 25 product derived therefrom.  
 26 (3) DUPLICATION OF REGULATION.—Except as otherwise provided  
 27 in this section and s. 487.051(2), and notwithstanding any other  
 28 law, including any provision of chapter 125 or this chapter:  
 29 (a) A governmental entity may not exercise any of its

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 powers to adopt or enforce any ordinance, resolution,  
 31 regulation, rule, or policy to prohibit, restrict, regulate, or  
 32 otherwise limit an activity of a bona fide farm operation,  
 33 including, but not limited to, the collection, storage,  
 34 processing, and distribution of a farm product, on land  
 35 classified as agricultural land pursuant to s. 193.461, if such  
 36 activity is regulated through implemented best management  
 37 practices, interim measures, or regulations adopted as rules  
 38 under chapter 120 by the Department of Environmental Protection,  
 39 the Department of Agriculture and Consumer Services, or a water  
 40 management district as part of a statewide or regional program;  
 41 or if such activity is expressly regulated by the United States  
 42 Department of Agriculture, the United States Army Corps of  
 43 Engineers, or the United States Environmental Protection Agency.  
 44 Section 2. For the purpose of incorporating the amendment  
 45 made by this act to section 163.3162, Florida Statutes, in a  
 46 reference thereto, paragraph (b) of subsection (7) of section  
 47 163.3177, Florida Statutes, is reenacted to read:  
 48 163.3177 Required and optional elements of comprehensive  
 49 plan; studies and surveys.—  
 50 (7)  
 51 (b) As used in this subsection, the term "rural  
 52 agricultural industrial center" means a developed parcel of land  
 53 in an unincorporated area on which there exists an operating  
 54 agricultural industrial facility or facilities that employ at  
 55 least 200 full-time employees in the aggregate and process and  
 56 prepare for transport a farm product, as defined in s. 163.3162,  
 57 or any biomass material that could be used, directly or  
 58 indirectly, for the production of fuel, renewable energy,

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59 bioenergy, or alternative fuel as defined by law. The center may  
60 also include land contiguous to the facility site which is not  
61 used for the cultivation of crops, but on which other existing  
62 activities essential to the operation of such facility or  
63 facilities are located or conducted. The parcel of land must be  
64 located within, or within 10 miles of, a rural area of  
65 opportunity.

66 Section 3. This act shall take effect July 1, 2025.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 560

INTRODUCER: Senator Martin

SUBJECT: Chemical Additives in Food Products

DATE: February 28, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	<b>Pre-meeting</b>
2.			AEG	
3.			FP	

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**I. Summary:**

SB 560 prohibits food establishments from manufacturing, selling, or distributing a food that contains specified chemical additives.

The bill also provides penalties for violations of this act.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Food Establishments**

The Florida Department of Agriculture and Consumer Services (department) regulates the commercial food supply for compliance with state and federal regulations to minimize the risk of foodborne illness in food products processed, produced, stored, distributed, and sold in both retail and wholesale food businesses within the state of Florida.<sup>1</sup>

Regulated establishments include supermarkets and grocery stores, convenience stores, coffee shops, bakeries, retail meat markets, seafood markets, juice and smoothie bars, bottled water plants, ice and water vending machines, all food processing plants, food warehouses, food salvage stores, and certain mobile food units selling only prepackaged foods or non-potentially hazardous food items.<sup>2</sup>

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<sup>1</sup> *Food Establishments*, FDACS, available at <https://www.fdacs.gov/Business-Services/Food/Food-Establishments> (last visited Feb. 24, 2025).

<sup>2</sup> *Id.*

Florida law defines a food establishment as a factory, food outlet, or other facility manufacturing, processing, packing, holding, storing, or preparing food or selling food at wholesale or retail.<sup>3</sup>

### **Brominated Vegetable Oil**

Brominated vegetable oil (BVO) is a vegetable oil modified with the chemical bromine that was previously used in food. BVO was mostly used in beverages to prevent citrus flavoring from floating to the top. In the 1960s, the Food Drug Administration (FDA) limited the use of BVO in foods to 15 parts per million.<sup>4</sup> Beverages with BVO additives were required to display “BVO” on the packaging. After research suggesting that consuming BVO may target the thyroid and increase tissue levels of bromine, the FDA reconsidered the safety of BVO as a food additive. As of July 3, 2024, the FDA no longer considered the use of BVO safe after the National Institutes of Health (NIH) found the potential for adverse health effects in humans. As such, the FDA no longer allows for its use in food.<sup>5</sup>

### **Potassium Bromate**

Potassium bromate is a food additive used as an oxidizing agent.<sup>6</sup> The chemical can be used for malting barley to produce fermented malt beverages or distilled spirits. The FDA limits potassium bromate to not exceed 75 parts per million of bromate. In addition to limitations, the FDA requires proper labeling such as the name of the additive and adequate directions for use.<sup>7</sup> Potassium bromate is also often used in baking as bromated flour and enriched bromated flour—limited to 50 parts to each million parts of the finished bromated flour.<sup>8</sup> In 1999, the International Agency for Research on Cancer found data that suggests potassium bromate is possibly carcinogenic to humans.<sup>9</sup> Furthermore, in 1998, the New Jersey Department of Health and Senior Services identify potassium bromate as a hazardous substance, leading to health hazards such as a cancer and affects to the nervous system.<sup>10</sup> While the FDA has not placed any further restrictions on the use of the chemical, The California Food Safety Act, which takes effect in 2027, bans potassium bromate.<sup>11</sup>

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<sup>3</sup> Section 500.03(1)(p), F.S.

<sup>4</sup> *Brominated Vegetable Oil (BVO)*, The Food and Drug Administration, (2024), available at <https://www.fda.gov/food/food-additives-petitions/brominated-vegetable-oil-bvo> (last visited Feb. 24, 2025).

<sup>5</sup> *Id.*

<sup>6</sup> Potassium Bromate, National Library of Medicine, available at <https://pubchem.ncbi.nlm.nih.gov/compound/Potassium-Bromate> (last visited Feb. 24, 2025).

<sup>7</sup> Title 21 Code of Federal Regulations § 172.730

<sup>8</sup> Title 21 Code of Federal Regulations § 137.155

<sup>9</sup> International Agency for Research on Cancer, IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, *Some Chemicals that Cause Tumours of the Kidney or Urinary Bladder in Rodents and Some Other Substances*, Vol. 73, pp. 481-496 (1999), available at <https://publications.iarc.fr/Book-And-Report-Series/Iarc-Monographs-On-The-Identification-Of-Carcinogenic-Hazards-To-Humans/Some-Chemicals-That-Cause-Tumours-Of-The-Kidney-Or-Urinary-Bladder-In-Rodents-And-Some-Other-Substances-1999> (last visited Feb. 24, 2025).

<sup>10</sup> New Jersey Department of Health and Senior Services, Hazardous Substance Fact Sheet: Potassium Bromate (1998, revised 2005).

<sup>11</sup> California HSC Ch. 17 § 109025 (2023).

## Propylparaben

Propylparaben is a food additive recognized safe for use by the FDA, limited at a level not exceeding 0.1 percent in accordance with good manufacturing or feeding practice.<sup>12</sup> This chemical is mostly used as a preservative and antimicrobial agent by preventing the growth of microorganisms.<sup>13</sup> Research conducted by the Harvard School of Public health in 2013 suggests that the chemical is associated with fertility and reproductive issues.<sup>14</sup> While the FDA has not placed any further restrictions on the use of the chemical, The California Food Safety Act, which takes effect in 2027, bans propylparaben.<sup>15</sup>

## Red Dye 3

Red dye 3, referred to as FD&C Red No. 3 and formally known as the compound erythrosine, is a food additive used to synthetically dye foods a bright red color. The dye is mostly used in beverages, cereals, ice cream cones, frozen dairy desserts, and frosting.<sup>16</sup> To use color additives, manufacturers must submit a petition to the FDA requesting approval.<sup>17</sup> Based on the Delaney Clause of the Federal Food, Drug, and Cosmetic Act (FD&C Act), the FDA revoked approval of the use of red dye 3 due to its carcinogenic qualities found in rats.<sup>18</sup> The FDA issued the order on January 15, 2025, and it will take affect by January 2026.<sup>19</sup> In addition, the California Food Safety Act banned red dye 3.<sup>20</sup>

## Blue Dye 1

Blue dye 1, referred to as FD&C Blue No. 1, is a food additive used to synthetically dye foods blue. The dye is mostly used in beverages, cereals, frozen dairy desserts, and frosting.<sup>21</sup> The FDA approved blue dye 1 as safe for use to color foods under FDA regulations and generally in amounts consistent with good manufacturing practices. Products using blue dye 1 are subject to certification through batch certification and must be labeled as containing the dye.<sup>22</sup>

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<sup>12</sup> Title 21 Code of Federal Regulations § 184.1670.

<sup>13</sup> Title 21 Code of Federal Regulations § 170.3.

<sup>14</sup> Kristen W Smith, et al., *Urinary paraben concentrations and ovarian aging among women from a fertility center*, (2013), available at <https://pubmed.ncbi.nlm.nih.gov/23912598/> (last visited Feb. 24, 2025).

<sup>15</sup> California HSC Ch. 17 § 109025 (2023).

<sup>16</sup> *Color Additives Questions and Answers for Consumers*, The Food and Drug Administration, (2023), available at <https://www.fda.gov/food/color-additives-information-consumers/color-additives-questions-and-answers-consumers> (last visited Feb. 24, 2025).

<sup>17</sup> *FD&C Red No. 3*, The Food and Drug Administration, (2025), available at <https://www.fda.gov/industry/color-additives/fdc-red-no-3> (last visited Feb. 24, 2025).

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> California HSC Ch. 17 § 109025 (2023).

<sup>21</sup> *Color Additives Questions and Answers for Consumers*, The Food and Drug Administration, (2023), available at <https://www.fda.gov/food/color-additives-information-consumers/color-additives-questions-and-answers-consumers> (last visited Feb. 24, 2025).

<sup>22</sup> Title 21 Code of Federal Regulations § 74.101.

## Yellow Dye 5

Yellow dye 5, referred to as FD&C Yellow No. 5 and formally known as the chemical compound tartrazine, is a synthetic food dye used to dye foods yellow. The dye is mostly used in cereals, snacks, beverages, condiments, baked goods, and yogurt.<sup>23</sup> The FDA approved yellow dye 5 as safe for use to color foods under FDA regulations and consistent with good manufacturing practices. Products using yellow dye 5 are subject to certification through batch certification and must be labeled as containing the dye.<sup>24</sup>

## Benzidine

Benzidine is a manufactured chemical primarily used to produce dyes.<sup>25</sup> The FDA restricts benzidine to no more than 1 part per billion in certain food dyes, such as yellow dye 5 and yellow dye 6 and no more than 20 parts per billion for dyes such as red dye 33.<sup>26</sup> The chemical may result in adverse effects such as skin allergies. In addition, the Department of Health and Human Services (DHHS), the World Health Organization (WHO), and the EPA deemed benzidine a human carcinogen.<sup>27</sup>

## Butylated Hydroxyanisole

Butylated hydroxyanisole (BHA) is an antioxidant used in foods to prevent rancidity of fats and oils. BHA is mostly used in foods such as dehydrated potato shred, active dry yeast, beverages and desserts from dry mixes, and breakfast cereal. BHA is commonly used alone or in combination with Butylated hydroxytoluene (BHT). The FDA limits total Butylated hydroxyanisole by parts per million specific to each food.<sup>28</sup> In addition, packaging must show labeling for the chemical.<sup>29</sup> Research from the International Agency for Research on Cancer found evidence that BHA causes cancer in animals; however, no data was available to conclude BHA is a human carcinogen.<sup>30</sup>

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<sup>23</sup> *Color Additives Questions and Answers for Consumers*, The Food and Drug Administration, (2023), available at <https://www.fda.gov/food/color-additives-information-consumers/color-additives-questions-and-answers-consumers> (last visited Feb. 24, 2025).

<sup>24</sup> Title 21 Code of Federal Regulations § 74.705.

<sup>25</sup> Agency for Toxic Substances and Disease Registry, ToxFAQs™ for Benzidine, (2011), available at <https://www.cdc.gov/TSP/ToxFAQs/ToxFAQsDetails.aspx?faqid=568&toxid=105> (last visited Feb. 24, 2025).

<sup>26</sup> Title 21 Code of Federal Regulations § 74.705, § 74.706, § 74.1333.

<sup>27</sup> *Supra* 23

<sup>28</sup> International Agency for Research on Cancer, IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, *Some Naturally Occurring and Synthetic Food Components, Furocoumarins and Ultraviolet Radiation*, Vol. 40, pp 125-127 (1986), available at <https://publications.iarc.fr/Book-And-Report-Series/Iarc-Monographs-On-The-Identification-Of-Carcinogenic-Hazards-To-Humans/Some-Naturally-Occurring-And-Synthetic-Food-Components-Furocoumarins-And-Ultraviolet-Radiation-1986> (last visited Feb. 24, 2025).

<sup>29</sup> Title 21 Code of Federal Regulations § 172.110.

<sup>30</sup> *Supra* 27

## Butylated Hydroxytoluene

Butylated hydroxytoluene (BHT) is an antioxidant used in foods to preserve and stabilize flavors, colors, and freshness.<sup>31</sup> BHT is mostly used in foods such as dehydrated potato shred, breakfast cereals, emulsion stabilizers for shortenings, potato flakes, and more. BHT is also used as an antioxidant and stabilizer in paper and plastic food packaging materials.<sup>32</sup> BHT is commonly used alone or in combination with Butylated hydroxyanisole (BHA). The FDA limits total Butylated hydroxytoluene by parts per million specific to each food.<sup>33</sup> In addition, packaging must show labeling for the chemical.<sup>34</sup> Research from the International Agency for Research on Cancer found no evidence that BHT causes cancer in humans.<sup>35</sup>

### III. Effect of Proposed Changes:

**Section 1** creates s. 500.454, F.S., to prohibit, beginning January 1, 2028, a food establishment from manufacturing, selling, or distributing a food that contains any of the following chemical additives:

- Brominated vegetable oil.
- Potassium bromate.
- Propylparaben.
- Red dye 3.
- Blue dye 1.
- Yellow dye 5.
- Benzidine.
- Butylated hydroxyanisole.
- Butylated hydroxytoluene.

The bill provides that a food establishment that violates this act is subject to a Class II administrative fine, pursuant to s. 570.971, F.S., for a first violation. For a second violation, a food establishment is subject to a Class III administrative fine.

**Section 2** provides that this act shall take effect July 1, 2025.

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<sup>31</sup> International Agency for Research on Cancer, IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, *Some Naturally Occurring and Synthetic Food Components, Furocoumarins and Ultraviolet Radiation*, Vol. 40, pp 163 (1986), available at <https://publications.iarc.fr/Book-And-Report-Series/Iarc-Monographs-On-The-Identification-Of-Carcinogenic-Hazards-To-Humans/Some-Naturally-Occurring-And-Synthetic-Food-Components-Furocoumarins-And-Ultraviolet-Radiation-1986> (last visited Feb. 24, 2025).

<sup>32</sup> *Id.* pp. 164

<sup>33</sup> Title 21 Code of Federal Regulations § 172.115

<sup>34</sup> *Id.*

<sup>35</sup> International Agency for Research on Cancer, IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, *Some Naturally Occurring and Synthetic Food Components, Furocoumarins and Ultraviolet Radiation*, Vol. 40, pp 191 (1986), available at <https://publications.iarc.fr/Book-And-Report-Series/Iarc-Monographs-On-The-Identification-Of-Carcinogenic-Hazards-To-Humans/Some-Naturally-Occurring-And-Synthetic-Food-Components-Furocoumarins-And-Ultraviolet-Radiation-1986> (last visited Feb. 24, 2025).



**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

May have indeterminate impact on food establishments who change food distributors to comply with this act.

## C. Government Sector Impact:

The Florida Department of Agriculture and Consumer Services may require additional staff to conduct food inspections to comply with this act.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 500.454 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Martin

33-00353-25

2025560\_\_

1 A bill to be entitled  
 2 An act relating to chemical additives in food  
 3 products; creating s. 500.454, F.S.; beginning on a  
 4 specified date, prohibiting a food establishment from  
 5 manufacturing, selling, or distributing food that  
 6 contains specified chemical additives; providing  
 7 penalties; providing an effective date.  
 8

9 Be It Enacted by the Legislature of the State of Florida:

10 Section 1. Section 500.454, Florida Statutes, is created to  
 11 read:

12 500.454 Prohibited chemical additives; penalties.-

13 (1) Beginning January 1, 2028, a food establishment may not  
 14 manufacture, sell, or distribute a food that contains any of the  
 15 following chemical additives:

16 (a) Brominated vegetable oil.

17 (b) Potassium bromate.

18 (c) Propylparaben.

19 (d) Red dye 3.

20 (e) Blue dye 1.

21 (f) Yellow dye 5.

22 (g) Benzidine.

23 (h) Butylated hydroxyanisole.

24 (i) Butylated hydroxytoluene.

25 (2) A food establishment that violates subsection (1) is  
 26 subject to an administrative fine in the Class II category  
 27 pursuant to s. 570.971 for a first violation. For a second or  
 28 subsequent violation of subsection (1), such establishment is  
 29

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30 subject to an administrative fine in the Class III category  
 31 pursuant to that section.

32 Section 2. This act shall take effect July 1, 2025.

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 572

INTRODUCER: Senators Collins and Wright

SUBJECT: Dangerous Dogs

DATE: February 28, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	<b>Pre-meeting</b>
2.			JU	
3.			FP	

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**I. Summary:**

SB 572, which may be cited as the “Pam Rock Act,” amends requirements relating to dangerous dogs.

Specifically, the bill requires a dog owner that has knowledge of their dog’s dangerous propensities to securely confine the dog in a proper enclosure. It also provides requirements and penalties for owners of dangerous dogs involved in injury or death to humans or animals. The bill establishes the Statewide Dangerous Dog Registry and requirements for the registry.

The bill provides requirements and penalties for dogs that have not been declared dangerous that are involved in the injury or death of humans.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Dangerous Dogs**

Part II of ch. 767, F.S., outlines the state’s “Dangerous Dogs” provisions, originally enacted in 1990.<sup>1</sup> The Legislature found that “dangerous dogs are an increasingly serious and widespread threat to the safety and welfare of the people of this state because of unprovoked attacks which cause injury to persons and domestic animals; that such attacks are in part attributable to the failure of the owners to confine and properly train and control their dogs; that existing laws inadequately address this growing problem; and that it is appropriate and necessary to impose uniform requirements on the owners of dangerous dogs.”<sup>2</sup>

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<sup>1</sup> Ch. 90-180, Laws of Fla.

<sup>2</sup> Section 767.10, F.S.

A “dangerous dog” is defined as a dog that:

- Has aggressively bitten, attacked, endangered, or inflicted severe injury on a person on public or private property;
- Has more than one time severely injured or killed a domestic animal while the dog is off the owner’s property; or
- Has, when unprovoked, chased or approached a person in public in a menacing fashion, or with an attitude of attack.<sup>3</sup>

### *Process for Classification of Dogs as Dangerous*

An animal control officer<sup>4</sup> is typically the person who would investigate an incident involving a dog. In areas unserved by an animal control authority,<sup>5</sup> the sheriff assumes the duties required of an animal control officer.<sup>6</sup>

Upon receiving a report of a potentially dangerous dog, the animal control authority must investigate the incident, interview the owner, and require a sworn affidavit from any person who seeks to have a dog classified as dangerous.<sup>7</sup> An animal that is the subject of a dangerous dog investigation because of severe injury to a human being may be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held.<sup>8</sup> A dog that is being investigated as a dangerous dog that is not impounded with the animal control authority must be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation.<sup>9</sup>

The animal control authority may not declare a dog as dangerous if:

- The injured person was unlawfully on the property, or if lawfully on the property was tormenting, abusing, or assaulting the dog or its owner or a family member; or
- The dog was protecting a person within the immediate vicinity of the dog from an unjustified attack or assault.<sup>10</sup>

After investigating, the animal control authority must initially determine whether sufficient cause exists to classify the dog as dangerous and if sufficient cause is found, provide the owner an opportunity for a hearing before making a final determination regarding the classification or penalty.<sup>11</sup> The animal control authority must provide written notice of sufficient cause and proposed penalty to the owner by registered mail, certified hand delivery, or service in conformity with how service of process is made.

The owner has seven calendar days from receiving the notice to file a written request for a hearing. The hearing officer must hold the hearing as soon as possible, no more than 21 calendar

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<sup>3</sup> Section 767.11, F.S.

<sup>4</sup> Section 767.11(3), F.S.

<sup>5</sup> Section 767.11(5), F.S.

<sup>6</sup> Section 767.11(5) and (6), F.S.

<sup>7</sup> Section 767.12(1), F.S.

<sup>8</sup> Section 767.12(1)(a), F.S.

<sup>9</sup> Section 767.12(1)(b), F.S.

<sup>10</sup> Section 767.12(2)(a-b), F.S.

<sup>11</sup> Section 767.12(3), F.S.

days, and no sooner than five days after receiving the request for hearing.<sup>12</sup> If a hearing is not timely requested the authority's determination becomes final.

Within 14 days after the classification as a dangerous dog by the animal control authority, the owner must register the dog with the animal control authority and renew the certification annually. Vaccination, enclosure, warning sign, and identification requirements must then be followed. The owner must immediately notify the animal control authority if the dog is loose, bites or attacks a person or another animal, or if there is any other change in status. A dangerous dog must remain in its enclosure at all times unless it is muzzled and restrained by a chain or leash. Any violation of these requirements is a noncriminal infraction punishable by a fine, not to exceed \$500.<sup>13</sup>

In addition to civil penalties, the owner of a dangerous dog can be charged with the following criminal violations:

- 1st degree misdemeanor if the dog has previously been declared “dangerous” and it attacks or bites a person or domestic animal without provocation.<sup>14</sup>
- 2nd degree misdemeanor if the dog has not previously been declared “dangerous” but causes severe injury to or death of any human and the owner had prior knowledge of, but recklessly disregarded, the dog’s dangerous propensities.<sup>15</sup>
- 3rd degree felony if the dog has previously been declared “dangerous” and it attacks and causes severe injury to or death of any human.<sup>16</sup>

### ***Hunting Dogs***

Hunting dogs are exempt from this section when engaged in any legal hunt or training procedure. Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are exempt from this section when engaged in any legal procedures. Dogs that have been classified as dangerous may not be used for hunting purposes.<sup>17</sup>

### ***Other State Dangerous Dog Law***

At least 42 states have laws related to dangerous dogs and violations associated with their ownership.<sup>18</sup> Virginia and Pennsylvania require dangerous dog owners to register their dogs with their state’s online dog registry. Colorado, Oregon, and Pennsylvania have criminal penalties for harboring, maintaining, or owning a dangerous dog.<sup>19</sup>

## **III. Effect of Proposed Changes:**

**Section 1** Provides that this act may be cited as the “Pam Rock Act.”

<sup>12</sup> Section 767.12(3), F.S.

<sup>13</sup> Section 767.12 (7), F.S.

<sup>14</sup> Section 676.13(1), F.S.

<sup>15</sup> Section 767.136(1), F.S.

<sup>16</sup> Section 767.13(2), F.S.

<sup>17</sup> Section 767.12(6), F.S.

<sup>18</sup> Michigan State University, State Dangerous Dog Laws, available at <https://www.animallaw.info/topic/state-dangerous-dog-laws> (last visited February 24, 2025).

<sup>19</sup> *Id.*

**Section 2** amends s. 767.01, F.S., to require a dog owner that has knowledge of their dog's dangerous propensities to securely confine the dog in a proper enclosure.

**Section 3** amends s. 767.10, F.S., to provide that the Legislature intends to impose uniform requirements for owners of dogs.

**Section 4** amends s. 767.11, F.S., to provide the definition for "Department" to mean the Department of Agriculture and Consumer Services. The bill also amends the definition of "Proper enclosure" to include a locked, fenced yard, suitable to prevent the entry of young children and designed to prevent the dog from escaping over, under, or through the fence.

**Section 5** amends s. 767.12, F.S., to authorize animal control authorities to confiscate a dangerous dog to be placed in quarantine, for a time, or impounded and held. The bill also amends the parameters in which a dog may not be declared dangerous.

The bill provides that after a dangerous dog classification the animal control authority shall provide the department information for inclusion in the statewide Dangerous Dog Registry. The bill also provides that the animal control authority shall, if the dog is classified as a dangerous dog due to an incident that caused severe injury to a human being, destroy the dog in an expeditious and humane manner.

The bill requires owners of dangerous dogs to:

- Provide permanent identification of the dog by a tattoo on the inside thigh of the dog or the implantation of a microchip.
- Have the dog spayed or neutered.
- Obtain liability insurance coverage in the amount of at least \$100,000. This insurance must cover damages resulting from an attack by the dangerous dog causing bodily injury to a person. The owner must also provide proof of the required liability insurance coverage to the animal control authority for the area in which the dog is kept.

The bill requires dangerous dog owners, before selling or giving away a dangerous dog, to notify the local animal control authority that the dog is in their authority's jurisdiction.

The bill increases the maximum penalty for violating this section from \$500 to \$1,000 per violation.

**Section 6** creates s. 767.125, F.S., to establish the Statewide Dangerous Dog Registry. The bill authorizes the department to create a searchable online statewide database of dogs which have been declared dangerous by local authorities. The following information, at a minimum, should be provided in the registry:

- A current certificate of rabies vaccination for the dog.
- Evidence of a proper enclosure within which the dangerous dog will be confined and of the posting of the premises with a clearly visible warning sign at all entry points which informs both children and adults of the presence of a dangerous dog on the property.
- Evidence of permanent identification of the dog, such as a tattoo on the inside thigh or an implantation of a microchip.

- Evidence of the dog having been spayed or neutered.
- Evidence that the owner has obtained the required liability insurance.
- The dog's name and a photograph of the dog.
- The county in which the dog is located.
- The owner's name and address.

The bill grants the department rulemaking authority to administer the registry.

**Section 7** amends s. 767.13, F.S., to provide that the owner of a previously declared dangerous dog commits a misdemeanor if that dog attacks or bites a person or a domestic animal without provocation. The bill also requires that the dog must be immediately confiscated by an animal control authority, impounded for 10 business days and thereafter destroyed in an expeditious and humane manner. The bill provides the owner may request a hearing during the 10 business days after such notification.

The bill provides that the owner of a previously declared dangerous dog commits a third degree felony if that dog attacks and causes severe injury to or death of any human. The bill also requires that the dog must be immediately confiscated by an animal control authority, impounded for 10 business days, and thereafter destroyed in an expeditious and humane manner. The bill provides the owner may request a hearing during the 10 business days after such notification.

**Section 8** amends s. 767.135, F.S., to require that if a dog that has not been declared dangerous attacks and causes the death of a human that it must be confiscated, impounded for 10 days, and thereafter destroyed in an expeditious and humane manner. The bill provides the owner may request a hearing during the 10 business days after such notification.

**Section 9** amends s. 767.136, F.S., to provide that if a dog that has not been declared dangerous attacks and causes severe injury to, or the death of, a human, and the owner of the dog had knowledge of the dog's dangerous propensities, yet failed to secure the dog in a proper enclosure, the owner of the dog commits a second degree misdemeanor.

**Section 10** provides that the bill shall take effect July 1, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.



D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Owners of dangerous dogs will be required to obtain liability insurance coverage in an amount of at least \$100,000. The owners will also be required to:

- Provide a certificate of rabies vaccination for the dog.
- Properly enclose the dog and provide clearly visible warning signs at all entry points to inform the presence of a dangerous dog on the property.
- Permanently identify dangerous dogs through a tattoo on the inside thigh of the dog or the implantation of a microchip.
- Spay or neuter their dog.

Owners of dangerous and unclassified dogs who cause harm or death to humans or animals will be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure after the dog is impounded.

C. Government Sector Impact:

The Department of Agriculture and Consumer Services would incur expenses to create and maintain the database and could have the need for an additional FTE to take phone calls, process public records requests, monitor, and input data into the database. Animal control authorities may be required to destroy an increased amount of dogs and therefore may incur additional costs. Counties will also incur costs to confiscate and impound dangerous dogs for the 10 day period specified in this bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends the following sections of the Florida Statutes: 767.01, 767.10, 767.11, 767.12, 767.13, 767.135 and 767.136.

This bill creates section 767.125 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Collins

14-00115-25

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1 A bill to be entitled  
 2 An act relating to dangerous dogs; providing a short  
 3 title; amending s. 767.01, F.S.; requiring certain dog  
 4 owners to securely confine their dogs in a proper  
 5 enclosure; amending s. 767.10, F.S.; revising  
 6 legislative findings relating to dangerous dogs;  
 7 reordering and amending s. 767.11, F.S.; defining the  
 8 term "department"; revising definitions; amending s.  
 9 767.12, F.S.; requiring, rather than authorizing, that  
 10 dogs subject to certain dangerous dog investigations  
 11 be confiscated, impounded, and held; requiring, rather  
 12 than authorizing, that such dogs be held until the  
 13 completion of certain actions; revising the  
 14 circumstances under which an owner is responsible for  
 15 paying certain costs and fees; requiring that certain  
 16 dogs not impounded be confined in a proper enclosure  
 17 by the owner; requiring animal control authorities to  
 18 provide certain information to the Department of  
 19 Agriculture and Consumer Services and to destroy  
 20 certain dogs; revising the information that the owner  
 21 of a dog classified as a dangerous dog is required to  
 22 provide to an animal control authority; requiring such  
 23 owner to obtain dangerous dog liability insurance  
 24 coverage; providing requirements for such insurance;  
 25 revising the civil penalty for violations; creating s.  
 26 767.125, F.S.; requiring the department to create and  
 27 maintain a statewide Dangerous Dog Registry; providing  
 28 the purpose of the registry; requiring animal control  
 29 authorities to provide the department with certain

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30 information; requiring the department to adopt rules;  
 31 amending ss. 767.13 and 767.135, F.S.; making  
 32 technical changes; conforming provisions to changes  
 33 made by the act; amending s. 767.136, F.S.; revising  
 34 the circumstances under which the owner of a dog that  
 35 has not been declared dangerous is liable for such  
 36 dog's severe injury to, or the death of, a human;  
 37 providing an effective date.

38  
 39 Be It Enacted by the Legislature of the State of Florida:

40  
 41 Section 1. This act may be cited as the "Pam Rock Act."  
 42 Section 2. Section 767.01, Florida Statutes, is amended to  
 43 read:

44 767.01 Dog owner's liability for damages to persons,  
 45 domestic animals, or livestock.—

46 (1) A dog owner is ~~Owners of dogs shall be~~ liable for any  
 47 damage done by the owner's dog ~~their dogs~~ to a person or to any  
 48 animal included in the definitions of "domestic animal" and  
 49 "livestock" as provided by s. 585.01.

50 (2) If a dog owner has knowledge of the dog's dangerous  
 51 propensities, the owner must securely confine the dog in a  
 52 proper enclosure as defined in s. 767.11.

53 Section 3. Section 767.10, Florida Statutes, is amended to  
 54 read:

55 767.10 Legislative findings.—The Legislature finds that  
 56 dangerous dogs are an increasingly serious and widespread threat  
 57 to the safety and welfare of the people of this state because of  
 58 unprovoked attacks which cause injury to persons and domestic

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59 animals; that such attacks are in part attributable to the  
60 failure of owners to confine and properly train and control  
61 their dogs; that existing laws inadequately address this growing  
62 problem; and that it is appropriate and necessary to impose  
63 uniform requirements for dog ~~the owners of dangerous dogs~~.

64 Section 4. Section 767.11, Florida Statutes, is reordered  
65 and amended to read:

66 767.11 Definitions.—As used in this part ~~act~~, unless the  
67 context clearly requires otherwise:

68 ~~(3)(1)~~ “Dangerous dog” means a ~~any~~ dog that according to  
69 the records of the appropriate authority:

70 (a) Has aggressively bitten, attacked, or endangered or has  
71 inflicted severe injury on a human being on public or private  
72 property;

73 (b) Has more than once severely injured or killed a  
74 domestic animal while off the owner’s property; or

75 (c) Has, when unprovoked, chased or approached a person  
76 upon the streets, sidewalks, or any public grounds in a menacing  
77 fashion or apparent attitude of attack, provided that such  
78 actions are attested to in a sworn statement by one or more  
79 persons and dutifully investigated by the appropriate authority.

80 (4) “Department” means the Department of Agriculture and  
81 Consumer Services.

82 ~~(8)(2)~~ “Unprovoked” means that the victim who has been  
83 conducting himself or herself peacefully and lawfully has been  
84 bitten or chased in a menacing fashion or attacked by a dog.

85 ~~(7)(3)~~ “Severe injury” means any physical injury that  
86 results in broken bones, multiple bites, or disfiguring  
87 lacerations requiring sutures or reconstructive surgery.

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88 ~~(6)(4)~~ “Proper enclosure ~~of a dangerous dog~~” means, while  
89 on the owner’s property, a ~~dangerous~~ dog is securely confined:

90 (a) Indoors;

91 (b) In a locked, fenced yard, suitable to prevent the entry  
92 of young children and designed to prevent the dog from escaping  
93 over, under, or through the fence; or

94 (c) In a securely enclosed and locked pen or structure,  
95 suitable to prevent the entry of young children and designed to  
96 prevent the ~~dog animal~~ from escaping. ~~The Such~~ pen or structure  
97 must ~~shall~~ have secure sides and a secure top to prevent the dog  
98 from escaping over, under, or through the structure and ~~must~~  
99 shall also provide protection from the elements.

100 ~~(1)(5)~~ “Animal control authority” means an entity acting  
101 alone or in concert with other local governmental units and  
102 authorized by them to enforce the animal control laws of the  
103 city, county, or state. In those areas not served by an animal  
104 control authority, the sheriff shall carry out the duties of the  
105 animal control authority under this part ~~act~~.

106 ~~(2)(6)~~ “Animal control officer” means any individual  
107 employed, contracted with, or appointed by the animal control  
108 authority for the purpose of aiding in the enforcement of this  
109 part ~~act~~ or any other law or ordinance relating to the licensure  
110 of animals, control of animals, or seizure and impoundment of  
111 animals and includes any state or local law enforcement officer  
112 or other employee whose duties in whole or in part include  
113 assignments that involve the seizure and impoundment of an ~~any~~  
114 animal.

115 ~~(5)(7)~~ “Owner” means a ~~any~~ person, a firm, a corporation,  
116 or an organization possessing, harboring, keeping, or having

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117 control or custody of an animal or, if the animal is owned by a  
118 person ~~under the age of 18 years of age or younger~~, that  
119 person's parent or guardian.

120 Section 5. Section 767.12, Florida Statutes, is amended to  
121 read:

122 767.12 Classification of dogs as dangerous; owner  
123 ~~requirements; penalty certification of registration; notice and~~  
124 ~~hearing requirements; confinement of animal; exemption; appeals;~~  
125 ~~unlawful acts.-~~

126 (1) An animal control authority shall investigate reported  
127 incidents involving any dog that may be dangerous and, if  
128 possible, shall interview the owner and require a sworn  
129 affidavit from any person, including any animal control officer  
130 or enforcement officer, desiring to have a dog classified as  
131 dangerous.

132 (a) An animal that is the subject of a dangerous dog  
133 investigation for behavior described in s. 767.11(3)(a) or (c)  
134 ~~must because of severe injury to a human being~~ may be  
135 immediately confiscated by an animal control authority; ~~placed~~  
136 in quarantine, if necessary, for the proper length of time; ~~or~~  
137 impounded; and held. The animal must ~~may~~ be held pending the  
138 outcome of the investigation and any hearings or appeals related  
139 to the dangerous dog classification or any penalty imposed under  
140 this section. If the dog is to be destroyed, the dog may not be  
141 destroyed while an appeal is pending. The owner is responsible  
142 for payment of all boarding costs and other fees as may be  
143 required to humanely and safely keep the animal pending any  
144 hearing or appeal, unless it is determined that the dog is not  
145 dangerous.

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146 (b) An animal that is the subject of a dangerous dog  
147 investigation for behavior described in s. 767.11(3)(b) may be  
148 immediately confiscated by an animal control authority; placed  
149 in quarantine, if necessary, for the proper length of time; or  
150 impounded and held. An animal that ~~which~~ is not impounded with  
151 the animal control authority must be humanely and safely  
152 confined by the owner in a proper enclosure ~~securely fenced or~~  
153 enclosed area. The animal shall be confined in such manner  
154 pending the outcome of the investigation and the resolution of  
155 any hearings or appeals related to the dangerous dog  
156 classification or any penalty imposed under this section. The  
157 owner shall provide the address at which the animal resides  
158 ~~shall be provided~~ to the animal control authority. A dog that is  
159 the subject of a dangerous dog investigation may not be  
160 relocated or have its ownership transferred pending the outcome  
161 of the investigation and any hearings or appeals related to the  
162 dangerous dog classification or any penalty imposed under this  
163 section. If a dog is to be destroyed, the dog may not be  
164 relocated or have its ownership transferred.

165 (2) A dog may not be declared dangerous if any of the  
166 following apply:

167 (a) The threat, injury, or damage was sustained by a person  
168 who, at the time, was unlawfully on the property or who, while  
169 lawfully on the property, was tormenting, abusing, or assaulting  
170 the dog or its owner or a family member.

171 (b) The dog was protecting or defending a human being  
172 within the immediate vicinity of the dog from an unjustified  
173 attack or assault.

174 (3) After the investigation, the animal control authority

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175 shall make an initial determination as to whether there is  
 176 sufficient cause to classify the dog as dangerous and, if  
 177 sufficient cause is found, as to the appropriate penalty ~~under~~  
 178 ~~subsection (5)~~. The animal control authority shall afford the  
 179 owner an opportunity for a hearing ~~before~~ prior to making a  
 180 final determination regarding the classification or penalty. The  
 181 animal control authority shall provide written notification of  
 182 the sufficient cause finding and proposed penalty to the owner  
 183 by registered mail ~~or~~ certified hand delivery, or service in  
 184 conformance with the provisions of chapter 48 relating to  
 185 service of process. The owner may file a written request for a  
 186 hearing regarding the dangerous dog classification, penalty, or  
 187 both, within 7 calendar days after receipt of the notification  
 188 of the sufficient cause finding and proposed penalty. If the  
 189 owner requests a hearing, the hearing must ~~shall~~ be held as soon  
 190 as possible, but not later than 21 calendar days and not sooner  
 191 than 5 days after receipt of the request from the owner. If a  
 192 hearing is not timely requested regarding the dangerous dog  
 193 classification or proposed penalty, the determination of the  
 194 animal control authority as to such matter is ~~shall become~~  
 195 final. Each applicable local governing authority shall establish  
 196 hearing procedures that conform to this subsection.

197 (4) Upon a dangerous dog classification and penalty  
 198 becoming final after a hearing or by operation of law pursuant  
 199 to subsection (3), the animal control authority shall do all of  
 200 the following:

201 (a) Provide a written final order to the owner by  
 202 registered mail ~~or~~ certified hand delivery or service. The  
 203 owner may appeal the classification ~~or~~ penalty, or both, to the

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204 circuit court in accordance with the Florida Rules of Appellate  
 205 Procedure after receipt of the final order. If the dog is not  
 206 held by the animal control authority, the owner must confine the  
 207 dog in a proper enclosure ~~securely fenced or enclosed area~~  
 208 pending resolution of the appeal. Each applicable local  
 209 governing authority must establish appeal procedures that  
 210 conform to this paragraph ~~subsection~~.

211 (b) Provide the information required by s. 767.125(2) to  
 212 the department for the dangerous dog's inclusion in the  
 213 statewide Dangerous Dog Registry.

214 (c) If the dog is classified as a dangerous dog due to an  
 215 incident that caused severe injury to a human being, destroy the  
 216 dog in an expeditious and humane manner.

217 (5) ~~(a)~~ Except as otherwise provided in paragraph (4) (c)  
 218 ~~(b)~~, the owner of a dog classified as a dangerous dog shall do  
 219 all of the following:

220 (a) ~~1-~~ Upon Within 14 days after issuance of the final order  
 221 classifying the dog as dangerous or the conclusion of any appeal  
 222 that affirms such final order, obtain a certificate of  
 223 registration for the dog from the animal control authority  
 224 serving the area in which he or she resides, and renew the  
 225 certificate annually. Animal control authorities may ~~are~~  
 226 ~~authorized to~~ issue such certificates of registration, and  
 227 renewals thereof, only to persons who are at least 18 years of  
 228 age and who present to the animal control authority sufficient  
 229 evidence of all of the following:

230 1.a- A current certificate of rabies vaccination for the  
 231 dog.

232 2.b- A proper enclosure to confine the a dangerous dog and

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233 the posting of the premises with a clearly visible warning sign  
 234 at all entry points which informs both children and adults of  
 235 the presence of a dangerous dog on the property.

236 ~~3.e-~~ Permanent identification ~~of the dog~~, such as a tattoo  
 237 on the inside thigh of the dog or ~~electronic~~ implantation of a  
 238 microchip.

239 4. The dog having been spayed or neutered.

240 5. Liability insurance as required by paragraph (b).

241

242 The appropriate governmental unit may impose an annual fee for  
 243 the issuance of certificates of registration required by this  
 244 section.

245 (b) Upon issuance of the final order classifying the dog as  
 246 dangerous or the conclusion of any appeal that affirms such  
 247 final order, obtain liability insurance coverage in an amount of  
 248 at least \$100,000 to cover damages resulting from an attack by  
 249 the dangerous dog causing bodily injury to a person and provide  
 250 proof of the required liability insurance coverage to the animal  
 251 control authority for the area in which the dog is kept.

252 ~~(c)2-~~ Immediately notify the appropriate animal control  
 253 authority when the dog:

254 ~~1.a-~~ Is loose or unconfined;~~-~~

255 ~~2.b-~~ Has bitten a human being or attacked another animal;~~-~~

256 ~~3.e-~~ Is sold, given away, or dies; ~~or-~~

257 ~~4.d-~~ Is moved to another address.

258 (d) Before ~~selling or giving away the a~~ dangerous dog ~~is~~  
 259 ~~sold or given away~~, the ~~owner shall~~ provide the name, address,  
 260 and telephone number of the new owner to the animal control  
 261 authority. The new owner must comply with ~~all of the~~

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262 ~~requirements of~~ this section and any implementing local  
 263 ordinances, even if the animal is moved from one local  
 264 jurisdiction to another within ~~this the state, and. The animal~~  
 265 ~~control officer~~ must notify the animal control authority ~~be~~  
 266 ~~notified by the owner of a dog classified as dangerous~~ that the  
 267 dog is in the authority's ~~his or her~~ jurisdiction.

268 ~~(e)3-~~ Not allow ~~permit~~ the dog to be outside a proper  
 269 enclosure unless the dog is muzzled and restrained by a  
 270 substantial chain or leash and under control of a competent  
 271 person. The muzzle must be made in a manner that will not cause  
 272 injury to the dog or interfere with its vision or respiration  
 273 but will prevent it from biting a person or an animal. The owner  
 274 may exercise the dog on the owner's property in a proper  
 275 enclosure ~~securely fenced or enclosed area that does not have a~~  
 276 ~~top~~, without a muzzle or leash, if the dog remains within the  
 277 owner's ~~his or her~~ sight and only members of the immediate  
 278 household or persons 18 years of age or older, if applicable,  
 279 are allowed in the enclosure when the dog is present. When being  
 280 transported, such dogs must be safely and securely restrained  
 281 within a vehicle.

282 ~~(b) If a dog is classified as a dangerous dog due to an~~  
 283 ~~incident that causes severe injury to a human being, based upon~~  
 284 ~~the nature and circumstances of the injury and the likelihood of~~  
 285 ~~a future threat to the public safety, health, and welfare, the~~  
 286 ~~dog may be destroyed in an expeditious and humane manner.~~

287 (6) Hunting dogs are exempt from this section when engaged  
 288 in any legal hunt or training procedure. Dogs engaged in  
 289 training or exhibiting in legal sports such as obedience trials,  
 290 conformation shows, field trials, hunting/retrieving trials, and

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291 herding trials are exempt from this section when engaged in any  
 292 legal procedures. However, such dogs at all other times in all  
 293 other respects are subject to this and local laws. Dogs that  
 294 have been classified as dangerous may not be used for hunting  
 295 purposes.

296 (7) A person who violates ~~any provision of~~ this section  
 297 commits a noncriminal infraction, punishable by a fine not to  
 298 exceed \$1,000 per violation ~~\$500~~.

299 Section 6. Section 767.125, Florida Statutes, is created to  
 300 read:

301 767.125 Statewide Dangerous Dog Registry.-

302 (1) The department shall create and maintain a statewide  
 303 Dangerous Dog Registry that provides the public with a  
 304 searchable online statewide database of dogs that have been  
 305 declared dangerous by local animal control authorities.

306 (2) Each animal control authority shall, at a minimum,  
 307 report all of the following information regarding a dangerous  
 308 dog within its jurisdiction to the department for inclusion in  
 309 the registry:

310 (a) A current certificate of rabies vaccination for the  
 311 dog.

312 (b) Evidence of a proper enclosure within which the  
 313 dangerous dog will be confined and of the posting on the  
 314 premises of a clearly visible warning sign at all entry points  
 315 which informs both children and adults of the presence of a  
 316 dangerous dog on the property.

317 (c) Evidence of permanent identification, such as a tattoo  
 318 on the inside thigh of the dog or implantation of a microchip.

319 (d) Evidence of the dog having been spayed or neutered.

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320 (e) Evidence that the owner has obtained the required  
 321 liability insurance.

322 (f) The dog's name and a photograph of the dog.

323 (g) The county in which the dog is located.

324 (h) The owner's name and address.

325 (3) The department shall adopt rules to administer this  
 326 section.

327 Section 7. Subsections (1) and (2) of section 767.13,  
 328 Florida Statutes, are amended to read:

329 767.13 Attack or bite by dangerous dog; penalties;  
 330 confiscation; destruction.-

331 (1) If a dog that has previously been declared dangerous  
 332 attacks or bites a person or a domestic animal without  
 333 provocation, the owner commits ~~is guilty of~~ a misdemeanor of the  
 334 first degree, punishable as provided in s. 775.082 or s.  
 335 775.083. ~~In addition,~~ The dangerous dog must ~~shall~~ be  
 336 immediately confiscated by an animal control authority; ~~placed~~  
 337 in quarantine, if necessary, for the proper length of time; ~~or~~  
 338 impounded; and held for 10 business days after the owner is  
 339 given written notification under s. 767.12, and thereafter  
 340 destroyed in an expeditious and humane manner. ~~This 10-day time~~  
 341 ~~period shall allow~~ The owner may ~~to~~ request a hearing under s.  
 342 767.12 during the 10 business days after such notification. The  
 343 owner ~~is shall be~~ responsible for payment of all boarding costs  
 344 and other fees as may be required to humanely and safely keep  
 345 the animal during any appeal procedure.

346 (2) If a dog that has previously been declared dangerous  
 347 attacks and causes severe injury to or death of any human, the  
 348 owner commits ~~is guilty of~~ a felony of the third degree,



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349 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
 350 ~~In addition,~~ The dog must ~~shall~~ be immediately confiscated by an  
 351 animal control authority; ~~r~~ placed in quarantine, if necessary,  
 352 for the proper length of time; impounded; ~~and~~ ~~or~~ held for 10  
 353 business days after the owner is given written notification  
 354 under s. 767.12, and thereafter destroyed in an expeditious and  
 355 humane manner. ~~This 10-day time period shall allow~~ The owner may  
 356 ~~to~~ request a hearing under s. 767.12 during the 10 business days  
 357 after such notification. The owner is ~~shall~~ be responsible for  
 358 payment of all boarding costs and other fees as may be required  
 359 to humanely and safely keep the animal during any appeal  
 360 procedure.

361 Section 8. Section 767.135, Florida Statutes, is amended to  
 362 read:

363 767.135 Attack or bite by unclassified dog that causes  
 364 death; confiscation; destruction.—If a dog that has not been  
 365 declared dangerous attacks and causes the death of a human, the  
 366 dog must ~~shall~~ be immediately confiscated by an animal control  
 367 authority; ~~r~~ placed in quarantine, if necessary, for the proper  
 368 length of time; impounded; ~~and~~ ~~or~~ held for 10 business days  
 369 after the owner is given written notification under s. 767.12,  
 370 and thereafter destroyed in an expeditious and humane manner.  
 371 ~~This 10-day time period shall allow~~ The owner may ~~to~~ request a  
 372 hearing under s. 767.12 during the 10 business days after such  
 373 notification. If the owner files a written appeal under s.  
 374 767.12 or this section, the dog must be held and may not be  
 375 destroyed while the appeal is pending. The owner is responsible  
 376 for payment of all boarding costs and other fees as may be  
 377 required to humanely and safely keep the animal during any

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378 appeal procedure.

379 Section 9. Subsection (1) of section 767.136, Florida  
 380 Statutes, is amended to read:

381 767.136 Attack or bite by unclassified dog that causes  
 382 severe injury or death; penalties.—

383 (1) If a dog that has not been declared dangerous attacks  
 384 and causes severe injury to, or the death of, a human, and the  
 385 owner of the dog had knowledge of the dog's dangerous  
 386 propensities, yet failed to secure the dog in a proper enclosure  
 387 pursuant to s. 767.01(2) ~~demonstrated a reckless disregard for~~  
 388 ~~such propensities under the circumstances~~, the owner of the dog  
 389 commits a misdemeanor of the second degree, punishable as  
 390 provided in s. 775.082 or s. 775.083.

391 Section 10. This act shall take effect July 1, 2025.

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