

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Agriculture offered the following:

Substitute Amendment for Amendment (922787) (with title amendment)

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

Section 1. Subsection (1) of section 767.11, Florida Statutes, is amended to read:

767.11 Definitions.--As used in this act, unless the context clearly requires otherwise:

(1) "Dangerous dog" means any dog that according to the records of the appropriate authority:

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

(b) Has, without provocation, ~~more than once~~ severely injured or killed a domestic animal while off the owner's property;

(c) Has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or

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1 (d) Has, when unprovoked, chased or approached a
2 person upon the streets, sidewalks, or any public grounds in a
3 menacing fashion or apparent attitude of attack, provided that
4 such actions are attested to in a sworn statement by one or
5 more persons and dutifully investigated by the appropriate
6 authority.

7 Section 2. Subsection (2) of section 767.13, Florida
8 Statutes, is amended to read:

9 767.13 Attack or bite by dangerous dog; penalties;
10 confiscation; destruction.--

11 (2) If a dog that has not been declared dangerous
12 attacks ~~and causes severe injury to or death of~~ any human, the
13 dog ~~may~~ shall be immediately confiscated by an animal control
14 authority, placed in quarantine, if necessary, for the proper
15 length of time or held for 10 business days after the owner is
16 given written notification under s. 767.12, and thereafter
17 destroyed in an expeditious and humane manner. This 10-day
18 time period shall allow the owner to request a hearing under
19 s. 767.12. The owner shall be responsible for payment of all
20 boarding costs and other fees as may be required to humanely
21 and safely keep the animal during any appeal procedure. In
22 addition, if the owner of the dog had prior knowledge of the
23 dog's dangerous propensities, yet disregarded ~~demonstrated a~~
24 ~~reckless disregard for~~ such propensities under the
25 circumstances, the owner of the dog is guilty of a misdemeanor
26 of the second degree, punishable as provided in s. 775.082 or
27 s. 775.083.

28 Section 3. This act shall take effect July 1, 1998.
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1 ===== T I T L E A M E N D M E N T =====
2 And the title is amended as follows:
3 remove from the title of the bill: the entire title
4
5 and insert in lieu thereof:
6 A bill to be entitled
7 An act relating to dogs; amending s. 767.11,
8 F.S.; redefining the term "dangerous dog";
9 amending s. 767.13, F.S.; providing penalties
10 for a dog owner that disregards the dog's
11 dangerous propensities; providing an effective
12 date.
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