

1 A bill to be entitled
2 An act relating to dogs; amending s. 767.11,
3 F.S.; redefining the term "dangerous dog";
4 amending s. 767.13, F.S.; providing penalties
5 for a dog owner that disregards the dog's
6 dangerous propensities; providing an effective
7 date.

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

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

13 767.11 Definitions.--As used in this act, unless the
14 context clearly requires otherwise:

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

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

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

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

25 (d) Has, when unprovoked, chased or approached a
26 person upon the streets, sidewalks, or any public grounds in a
27 menacing fashion or apparent attitude of attack, provided that
28 such actions are attested to in a sworn statement by one or
29 more persons and dutifully investigated by the appropriate
30 authority.

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

3 767.13 Attack or bite by dangerous dog; penalties;
4 confiscation; destruction.--

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

22 Section 3. This act shall take effect July 1, 1998.
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