

By Representative Silver

1 A bill to be entitled
2 An act relating to the inhumane treatment of
3 exotic mammals; prohibiting the killing or
4 wounding, or allowing the killing or wounding,
5 of an exotic mammal that is tied, staked out,
6 or otherwise enclosed within a specified area
7 for the purpose of gain, amusement, or sport;
8 prohibiting the sale or purchase of an exotic
9 mammal used in violation of the act; specifying
10 certain actions that do not constitute a
11 violation of the act; providing penalties;
12 providing for recovery of costs incurred in
13 investigating and prosecuting a violation of
14 the act; providing an effective date.

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

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18 Section 1. (1) A person may not instigate, aid, or
19 abet as a principal, agent, employee, or participant, or
20 participate in the earnings from, or intentionally maintain or
21 allow any place to be used for the shooting, killing, or
22 wounding with a firearm or any deadly weapon of any exotic
23 mammal that is tied, staked out, or released from confinement
24 in the presence of a person who intends to kill or wound it,
25 caged or otherwise intentionally confined in a man-made
26 enclosure of 3,500 acres or less, for enjoyment, gain,
27 amusement, or sport, or for the collection of a trophy or a
28 contest prize.

29 (2) A person may not purchase or sell any exotic
30 mammal used in violation of subsection (1).

31 (3) This section does not prohibit:

1 (a) The lawful hunting of exotic mammals in the wild
2 or lawful fishing.

3 (b) A licensed veterinarian from treating or
4 euthanizing an exotic mammal if the veterinarian determines
5 that the exotic mammal's death is in the exotic mammal's best
6 interest and uses only means intended to minimize the exotic
7 mammal's suffering.

8 (c) The slaughter of exotic mammals for food
9 production when food production is the primary reason for the
10 slaughter.

11 (d) Biomedical research authorized under the federal
12 Animal Welfare Act, 7 U.S.C. ss. 2131, et seq.

13 (4) A person who violates this section commits the
14 inhumane treatment of exotic mammals, a felony of the third
15 degree, punishable as provided in s. 775.082, s. 775.083, or
16 s. 775.084, Florida Statutes. If a person violates this
17 section with respect to more than one exotic mammal, the
18 violation of the section with respect to each exotic mammal
19 constitutes a separate offense.

20 (5) The state attorney may file a civil suit under
21 this section to recover:

22 (a) Civil penalties provided by other laws or
23 ordinances.

24 (b) The costs incurred by a law enforcement agency in:

25 1. Seizing and holding an exotic mammal involved in a
26 violation of this section.

27 2. Investigating a violation of this section.

28 3. Prosecuting a violation of this section, including
29 reasonable attorney's fees and expert witness fees.

30 Section 2. This act shall take effect October 1, 1997.

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HOUSE SUMMARY

Provides that it is a third-degree felony to intentionally shoot, kill, or wound an exotic mammal that is tied, staked out, or released from confinement within an enclosure of 3,500 acres or less for the purpose of gain, amusement, or sport. Provides that it is a third-degree felony to sell or purchase an exotic mammal used for such purposes. Authorizes the state attorney to recover the costs of investigating and prosecuting a person who violates the act.