

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1262

SPONSOR: Agriculture and Consumer Services Committee and Senator Sebesta

SUBJECT: Sale of Dog and Cat Fur

DATE: April 21, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Henderson</u>	<u>Poole</u>	<u>AG</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill prohibits knowingly selling any clothing item made from dog or cat fur or pelt. It also prohibits killing any dog or cat for the purpose of selling or giving away the pelt of the animal. In addition, individuals may not knowingly ship, transport or receive pelts. It further prohibits the possession, import into this state, selling, buying, giving away or accepting any pelt of a dog or cat. Violators of this act will be guilty of penalties under sections 775.082, 775.083, or 775.084, Florida Statutes.

This bill creates sections 828.123 and 828.1231, Florida Statutes.

II. Present Situation:

The state of California prohibits the killing of any dog or cat for the purpose of selling or accepting the pelt of the animal. It further prohibits the possession, sale or importation with the intent of selling or giving away the pelt (California Penal Code s. 598 a).

Currently, the federal law only requires that fur-items valued at more than \$150 be labeled as to the type of fur that has been used.

III. Effect of Proposed Changes:

Section 1. Creates s. 828.123, F.S., Any person who kills any dog or cat for the purpose of selling or giving away the pelt of the animal commits a third degree felony and is subject to penalties under s. 775.082, F.S. Any person who possesses, imports into this state, sells, buys, or gives away, or accepts the pelt of any dog or cat commits a first degree misdemeanor and is subject to penalties under s. 775.082, F.S. Furthermore, any person who possesses, imports into this state, sells, buys, gives away, or accepts any dog or cat for the purpose of killing or having the animal killed to sell or give away the pelt of the animal commits a third degree felony and is subject to penalties under s. 775.082, F.S. Prohibits an individual from knowingly engaging in the

business of a dealer or buyer of pelts or furs of any dog or cat. Furthermore, no individual shall knowingly ship, transport or receive for transport any dog or cat pelts or furs within the state. Violators of this provision are guilty of a third degree felony and subject to penalties under s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S.

Section 2. Creates s. 828.1231, F.S., Prohibits knowingly selling, directly or indirectly, at wholesale or retail any garment that is made from or in part of any dog or cat fur or pelt. Violators of this provision are guilty of a first degree misdemeanor and subject to penalties under s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S. Subsequent violators of this provision will be guilty of third degree felony and subject to penalties under s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S. Any law enforcement agency or humane officer may begin proceedings within the circuit court to enforce compliance of the provision. Furthermore, any law enforcement agency or humane officer may seek a civil penalty of up to \$5,000 for each violation.

Section 3. Provides that this bill will take effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
