

By the Committee on Agriculture and Consumer Services; and  
Senator Sebesta

303-2193-99

1                                   A bill to be entitled  
2           An act relating to the sale of dog and cat fur;  
3           creating s. 828.123, F.S.; prohibiting the  
4           killing of a dog or cat with the sole intent of  
5           selling or giving away the pelt of the animal;  
6           providing a third degree felony penalty for  
7           violation; prohibiting the possession, import  
8           into this state, selling, buying, giving away,  
9           or acceptance of any pelt of a dog or cat with  
10          the sole intent of selling or giving away the  
11          pelt; providing a first degree misdemeanor  
12          penalty for violation; prohibiting the  
13          possession, import into the state, selling,  
14          buying, giving away, or acceptance of any dog  
15          or cat with the sole intent of killing such dog  
16          or cat, or having such dog or cat killed, for  
17          the purpose of selling or giving away the pelt  
18          of such animal; providing a third degree felony  
19          penalty for violation; providing that it is  
20          unlawful to engage in the business of a dealer  
21          or buyer in the pelts of any dog or cat or to  
22          purchase such pelts or furs; prohibiting common  
23          carriers from knowingly shipping, transporting,  
24          or receiving such pelts; providing penalties;  
25          creating s. 828.1231, F.S.; providing that it  
26          is unlawful to sell any item of clothing made  
27          in whole or in part from dog or cat fur;  
28          providing that it is unlawful to sell any dog  
29          or cat pelt; providing penalties; providing an  
30          effective date.  
31

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

2

3 Section 1. Section 828.123, Florida Statutes, is  
4 created to read:

5 828.123 Killing dog or cat with intent of selling or  
6 giving away pelt; possession, sale, or importation of pelt  
7 with intent of selling or giving away; penalty.--

8 (1) A person who kills any dog or cat with the sole  
9 intent of selling or giving away the pelt of such animal  
10 commits a felony of the third degree, punishable as provided  
11 in s. 775.082 or by a fine of not more than \$10,000, or by  
12 both imprisonment and a fine.

13 (2) A person who possesses, imports into this state,  
14 sells, buys, gives away, or accepts any pelt of a dog or cat  
15 with the sole intent of selling or giving away the pelt of the  
16 dog or cat commits a misdemeanor of the first degree,  
17 punishable as provided in s. 775.082 or by a fine of \$5,000,  
18 or by both imprisonment and a fine.

19 (3) A person who possesses, imports into the state,  
20 sells, buys, gives away, or accepts any dog or cat with the  
21 sole intent of killing such dog or cat, or having such dog or  
22 cat killed, for the purpose of selling or giving away the pelt  
23 of such animal commits a felony of the third degree,  
24 punishable as provided in s. 775.082 or by a fine of not more  
25 than \$10,000, or by both imprisonment and a fine.

26 (4) It is unlawful for any person to knowingly engage  
27 in the business of a dealer or buyer in the pelts or furs of  
28 any dog or cat in the state or to purchase such pelts or furs  
29 within the state. No common carrier shall knowingly ship or  
30 transport or receive for transportation any dog or cat pelts  
31 or furs within the state. Any person who violates this

1 subsection commits a felony of the third degree, punishable as  
2 provided in s. 775.082, s. 775.083, or s. 775.084.

3 Section 2. Section 828.1231, Florida Statutes, is  
4 created to read:

5 828.1231 Sale of garments or items of clothing  
6 containing dog or cat fur prohibited; sale of pelt of any dog  
7 or cat prohibited; penalty.--

8 (1) It is unlawful for any person to knowingly sell or  
9 offer for sale, directly or indirectly, at wholesale or at  
10 retail, in this state any garment, or any item of clothing or  
11 apparel that is made, in whole or in part, from the fur of any  
12 dog or cat, or which contains or to which is attached any dog  
13 or cat fur.

14 (2) It is unlawful for any person to knowingly sell or  
15 offer for sale, directly or indirectly, at wholesale or at  
16 retail, or to give away, in this state the pelt of any dog or  
17 cat.

18 (3) Any person who violates the provisions of this  
19 section commits a misdemeanor of the first degree, punishable  
20 as provided in s. 775.082, s. 775.083, or s. 775.084. Upon a  
21 second or subsequent conviction for a violation of this  
22 subsection, the offender commits a felony of the third degree,  
23 punishable as provided in s. 775.082, s. 775.083, or s.  
24 775.084.

25 (4) Any law enforcement agency, or humane officer as  
26 defined in s. 828.03, may institute proceedings in the  
27 appropriate circuit court to enforce compliance with the  
28 provisions of this section. Any law enforcement agency, or  
29 humane officer as defined in s. 828.03, may seek a civil  
30 penalty of up to \$5,000 for each violation.

31

1           Section 3. This act shall take effect upon becoming a  
2 law.

3  
4                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
5                   COMMITTEE SUBSTITUTE FOR  
6                   Senate Bill 1262

7 Committee Substitute for Senate Bill 1262 is different from  
8 Senate Bill 1262 in that it:

- 9 -       Creates section 828.1231, F.S., rather than section  
10       501.151, F.S., relating to the sale of garments or items  
11       of clothing containing dog or cat fur prohibited; sale  
12       of pelt of any dog or cat prohibited; penalty.  
13 -       Removes an unnecessary reference to section 372.66,  
14       F.S., relating to licensure of fur and hide dealers.  
15 -       Identifies the unspecified department as any law  
16       enforcement agency or humane officer.  
17 -       Clarifies that it is unlawful for a person to knowingly  
18       sell or offer for sale any clothing or apparel made from  
19       the fur of a dog or cat.  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31