

Bill No. CS for SB 2066

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Thomas moved the following amendment:

**Senate Amendment (with title amendment)**

On page 27, between lines 9 and 10,

insert:

Section 28. Section 588.12, Florida Statutes, is amended to read:

588.12 Livestock at large; legislative findings.--There is hereby found and declared a necessity for a statewide livestock law embracing all ~~lands~~public roads of the state and necessity that its application be uniform throughout the state, except as hereinafter provided.

Section 29. Subsection (3) of section 588.13, Florida Statutes, is amended to read:

588.13 Definitions.--In construing ss. 588.12-588.25 the following words, phrases, or terms shall be held to mean:

(3) Livestock "running at large" or "straying" shall mean any livestock found or being on any public land, or land belonging to a person other than the owner of the livestock, without the landowner's permission, and posing a threat to

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1 ~~public safety public road of this state and either apparently~~  
2 ~~a neglected animal or not under manual control of a person.~~

3 Section 30. Section 588.14, Florida Statutes, is  
4 repealed.

5 Section 31. Section 588.16, Florida Statutes, is  
6 amended to read:

7 588.16 Authority to impound livestock running at large  
8 or strays.--It shall be the duty of the sheriff or her or his  
9 deputies or designees, or any other law enforcement officer of  
10 the county, the county animal control center, or state highway  
11 patrol officers, where livestock is found to be running at  
12 large or straying, to take up, confine, hold, and impound any  
13 such livestock, to be disposed of as hereinafter provided.

14 Section 32. Subsection (1) of section 588.17, Florida  
15 Statutes, is amended to read:

16 588.17 Disposition of impounded livestock.--

17 (1) Upon the impounding of any livestock by the  
18 sheriff or his or her deputies or designees, or any other law  
19 enforcement officers of the county, the county animal control  
20 center, or state highway patrol officers, the sheriff shall  
21 forthwith serve written notice upon the owner, advising such  
22 owner of the location or place where the livestock is being  
23 held and impounded, of the amount due by reason of such  
24 impounding, and that unless such livestock be redeemed within  
25 3 days from date thereof that the same shall be offered for  
26 sale.

27 Section 33. Section 588.18, Florida Statutes, is  
28 amended to read:

29 588.18 Livestock at large; fees.--The fees allowed for  
30 impounding, serving notice, care and feeding, advertising, and  
31 disposing of impounded animals shall be determined by the

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1 sheriff of each county. Damages done by the sheriff, sheriff's  
 2 designees, or any other law enforcement officer in pursuit, or  
 3 in the capture, handling, or care of the livestock are the  
 4 sole responsibility of the sheriff or other law enforcement  
 5 agency. ~~as follows:~~

6 ~~(1) For impounding each animal, the sum of \$20 and~~  
 7 ~~mileage incurred, at the rate of 20 cents per mile.~~

8 ~~(2) For serving any notice and making return thereon,~~  
 9 ~~the sum of \$10 and mileage incurred, at the rate of 20 cents~~  
 10 ~~per mile.~~

11 ~~(3) For feed and care of impounded animals, the sum of~~  
 12 ~~\$5 per day per animal.~~

13 ~~(4) For advertising or posting notices of sale of~~  
 14 ~~impounded animals, the same as provided by law for advertising~~  
 15 ~~property for sale under process.~~

16 ~~(5) For sale or other dispositions of impounded~~  
 17 ~~animals, the sum of \$5.~~

18 ~~(6) For report of sale of impounded animals, the sum~~  
 19 ~~of \$2.50.~~

20 Section 34. Section 588.19, Florida Statutes, is  
 21 amended to read:

22 588.19 Failure to secure purchaser or insufficient  
 23 funds to defray certain costs.--If there be no bidder for such  
 24 livestock at the sale aforesaid, and the sheriff has been  
 25 unable to locate the owner through the notice procedures  
 26 described in this chapter, the sheriff shall sell the  
 27 livestock at the nearest livestock auction yard. The proceeds  
 28 from the sale shall be used to reimburse the expenses incurred  
 29 in capturing, maintaining and selling the livestock, and in  
 30 attempting to locate the owner. Any money remaining after all  
 31 expenses are paid shall be given to the owner of the

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1 ~~livestock, if known, the sheriff shall either offer the~~  
2 ~~livestock for adoption or kill, or cause to be killed, the~~  
3 ~~same and shall dispose of the carcass thereof; if there be any~~  
4 ~~money received by him or her on account of the said disposal,~~  
5 ~~the same shall be disbursed in the manner hereinafter~~  
6 ~~provided; and, if there be no ready sale for said carcass, In~~  
7 ~~the alternative, the sheriff may shall forthwith~~ deliver the  
8 carcass to a public institution of the county, state, or  
9 municipality within said county or to any private charitable  
10 institution, in the order herein set forth, according to their  
11 needs.

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13 (Redesignate subsequent sections.)

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 On page 4, line 3, after the semicolon

19

20 insert:

21 amending s. 588.12, F.S.; revising legislative  
22 findings of livestock at large; revising  
23 definitions; repealing s. 588.14, F.S.;  
24 relating to duty of owners; amending s. 588.16,  
25 F.S.; amending authority to impound livestock  
26 running at large; amending s. 588.17, F.S.;  
27 revising disposition of impounded livestock;  
28 amending s. 588.18, F.S.; revising fees for  
29 livestock at large; amending s. 588.19, F.S.;  
30 revising procedures for defraying costs  
31 incurred in impoundment;