

By Senators Sebesta and Forman

20-149-00

See HB

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

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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.

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