

By the Committees on Judiciary; Agriculture and Consumer Services; and Senator Sebesta

308-1883-01

1                                   A bill to be entitled  
2           An act relating to animal control; amending s.  
3           767.12, F.S.; revising provisions relating to  
4           procedures for having dogs declared dangerous;  
5           authorizing animal control authorities to make  
6           such declarations; providing for evidentiary  
7           hearings; requiring confinement of animals  
8           during the hearing process; requiring owners of  
9           dangerous dogs to purchase an annual  
10          certificate; providing for local governments to  
11          authorize certain regulations; providing that  
12          certain dogs brought into a jurisdiction to  
13          register and must comply with the act; amending  
14          s. 767.13, F.S.; requiring owners to pay for  
15          boarding during certain hearings and appeals  
16          and allowing the authority to euthanize an  
17          animal and obtain reimbursement from the owner  
18          under specified circumstances; amending s.  
19          767.14, F.S.; deleting an application  
20          exemption; amending s. 828.055, F.S.;  
21          authorizing additional drugs for which permits  
22          may be issued for the capture or euthanasia of  
23          animals; amending s. 828.058, F.S.; requiring  
24          chemical immobilization training, which  
25          training must be approved by the Board of  
26          Veterinary Medicine; amending s. 828.03, F.S.;  
27          requiring training for certain agents of  
28          counties or societies that may prosecute  
29          violators; amending s. 828.073, F.S.;  
30          authorizing officers and agents of  
31          municipalities to take actions with respect to

1 animals in distress and officers and agents of  
2 counties; amending s. 828.27, F.S.; redefining  
3 the term "animal control officer"; increasing  
4 training requirements; providing an effective  
5 date.

6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9 Section 1. Section 767.12, Florida Statutes, is  
10 amended to read:

11 767.12 Classification of dogs as dangerous;  
12 certification of registration; notice and hearing  
13 requirements; confinement of animal; exemption; appeals;  
14 unlawful acts.--

15 (1)(a) An animal control authority shall investigate  
16 reported incidents involving any dog that may be dangerous and  
17 shall, if possible, interview the owner and require a sworn  
18 affidavit from any person, including any animal control  
19 officer or enforcement officer, desiring to have a dog  
20 classified as dangerous. Any animal that is the subject of a  
21 dangerous dog investigation, that is not impounded with the  
22 animal control authority, shall be humanely and safely  
23 confined by the owner in a securely fenced or enclosed area  
24 pending the outcome of the investigation and resolution of any  
25 hearings related to the dangerous dog classification. The  
26 address of where the animal resides shall be provided to the  
27 animal control authority. No dog that is the subject of a  
28 dangerous dog investigation may be relocated or ownership  
29 transferred pending the outcome of an investigation or any  
30 hearings related to the determination of a dangerous dog

31

1 classification. In the event that a dog is to be destroyed,  
2 the dog shall not be relocated or ownership transferred.

3 (b) A dog shall not be declared dangerous if the  
4 threat, injury, or damage was sustained by a person who, at  
5 the time, was unlawfully on the property or, while lawfully on  
6 the property, was tormenting, abusing, or assaulting the dog  
7 or its owner or a family member. No dog may be declared  
8 dangerous if the dog was protecting or defending a human being  
9 within the immediate vicinity of the dog from an unjustified  
10 attack or assault.

11 (c) After the investigation, the animal control  
12 authority shall review data collected during the  
13 investigation, shall make an initial determination as to  
14 whether there is sufficient cause to classify the dog as  
15 dangerous, and may make ~~and shall afford the owner an~~  
16 ~~opportunity for a hearing prior to making~~ a final  
17 determination declaring the dog dangerous. The animal control  
18 authority shall provide written notification of the  
19 sufficient-cause ~~sufficient-cause~~ finding, to the owner, by  
20 certified ~~registered~~ mail, certified hand delivery, or service  
21 in conformance with the provisions of chapter 48 relating to  
22 service of process. The owner may file a written request for  
23 an evidentiary a hearing in county court or an administrative  
24 hearing, as determined by local ordinance, to challenge the  
25 sufficient-cause finding within 7 calendar days after ~~from the~~  
26 ~~date of~~ receipt of the notification of the sufficient-cause  
27 ~~sufficient-cause~~ finding. A ~~and, if requested, the~~ hearing  
28 shall be held as soon as possible, but not more than 21  
29 calendar days, or as soon thereafter as is practical, and no  
30 sooner than 5 days after receipt of the request from the  
31 owner. If the owner does not request a hearing within the

1 7-day period, the dog shall automatically be declared  
2 dangerous without further action.~~Each applicable local~~  
3 ~~governing authority shall establish hearing procedures that~~  
4 ~~conform to this paragraph.~~

5 (d) Upon receipt of notice of the finding of  
6 sufficient cause, the owner ~~Once a dog is classified as a~~  
7 ~~dangerous dog, the animal control authority shall provide~~  
8 ~~written notification to the owner by registered mail,~~  
9 ~~certified hand delivery or service, and the owner may file a~~  
10 ~~written request for a hearing in the county court to appeal~~  
11 ~~the classification within 10 business days after receipt of a~~  
12 ~~written determination of dangerous dog classification and must~~  
13 ~~confine the dog in a securely fenced or enclosed area pending~~  
14 ~~a resolution of the matter~~ appeal. The animal control  
15 authority may not impose any restrictions upon a dog that has  
16 not yet been classified as dangerous, except for confinement  
17 or impoundment of the animal and for prohibiting the  
18 relocation or transfer of ownership of the animal.~~Each~~  
19 ~~applicable local governing authority must establish appeal~~  
20 ~~procedures that conform to this paragraph.~~

21 (2) Within 14 days after a dog has been classified as  
22 dangerous by the animal control authority or the findings have  
23 been a dangerous dog classification is upheld by the county  
24 ~~court on appeal~~, the owner ~~of the dog~~ must obtain a  
25 certificate of registration for the dog from the animal  
26 control authority in ~~servin~~g the area in which he or she  
27 resides, which ~~and the~~ certificate must ~~shall~~ be renewed  
28 annually. ~~Animal control authorities are authorized to issue~~  
29 ~~such~~ Certificates of registration, and renewals ~~thereof~~, may  
30 be issued only to persons who are at least 18 years of age and  
31

1 who present ~~to the animal control authority~~ sufficient  
2 evidence of:

3 (a) A current certificate of rabies vaccination for  
4 the dog.

5 (b) A proper enclosure in which to confine the a  
6 ~~dangerous~~ dog and the posting of the premises with a clearly  
7 visible warning sign at all entry points that informs ~~both~~  
8 children and adults that ~~of the presence of~~ a dangerous dog is  
9 on the property.

10 (c) Permanent identification of the dog, such as a  
11 tattoo on the inside thigh or electronic implantation.

12

13 The appropriate local governmental unit may impose an annual  
14 fee for the issuance of certificates of registration and may  
15 impose more stringent requirements that it considers  
16 appropriate ~~required by this section~~.

17 (3) The owner shall immediately notify the appropriate  
18 animal control authority when a dog that has been classified  
19 as dangerous:

20 (a) Is loose or unconfined.

21 (b) Has bitten a human being or attacked another  
22 animal.

23 (c) Is sold, given away, or dies.

24 (d) Is moved to another address.

25

26 Before ~~Prior to~~ a dangerous dog is ~~being~~ sold or given away,  
27 the owner must ~~shall~~ provide the name, address, and telephone  
28 number of the new owner to the animal control authority. The  
29 new owner must comply with all of the requirements of this act  
30 and applicable ~~implementing~~ local ordinances, even if the  
31 animal is moved from one local jurisdiction to another within

1 | the state. The owner of an animal that is brought into this  
2 | state from another state where it was subjected to  
3 | restrictions similar to this section must comply with this  
4 | section.The local animal control authority ~~officer~~ must be  
5 | notified by the owner of a dog classified as dangerous or  
6 | subject to similar restrictions in another state that the dog  
7 | is in its ~~his or her~~ jurisdiction.

8 |         (4) It is unlawful for the owner of a dangerous dog to  
9 | permit the dog to be outside a proper enclosure unless the dog  
10 | is muzzled,~~and~~ restrained by a substantial chain or leash,  
11 | and under control of a competent person. The muzzle must be  
12 | made in a manner that will not cause injury to the dog or  
13 | interfere with its vision or respiration but will prevent it  
14 | from biting any person or animal. The owner may exercise the  
15 | dog in a securely fenced or enclosed area that does not have a  
16 | top, without a muzzle or leash, if the dog remains within his  
17 | or her sight.~~and~~ Only members of the immediate household who  
18 | are ~~or persons~~ 18 years of age or older are allowed in the  
19 | enclosure when the dog is present. When being transported,  
20 | such dogs must be safely and securely restrained within a  
21 | vehicle.

22 |         (5) Hunting dogs are exempt from the provisions of  
23 | this act when engaged in any legal hunt or training procedure.  
24 | Dogs engaged in training or exhibiting in legal sports such as  
25 | obedience trials, conformation shows, field trials,  
26 | hunting/retrieving trials, and herding trials are exempt from  
27 | the provisions of this act when engaged in any legal  
28 | procedures. However, such dogs at all other times in all other  
29 | respects are ~~shall be~~ subject to this and local laws. Dogs  
30 | that have been classified as dangerous may ~~shall~~ not be used  
31 | for hunting purposes.

1           (6) This section does not apply to dogs used by law  
2 enforcement officials for law enforcement work.

3           (7) Any person who violates any provision of this  
4 section is guilty of a noncriminal infraction, punishable by a  
5 fine not exceeding \$500.

6           Section 2. Section 767.13, Florida Statutes, is  
7 amended to read:

8           767.13 Attack or bite by dangerous dog; penalties;  
9 confiscation; destruction.--

10           (1) If a dog that has previously been declared  
11 dangerous attacks or bites a person or a domestic animal  
12 without provocation, the owner is guilty of a misdemeanor of  
13 the first degree, punishable as provided in s. 775.082 or s.  
14 775.083. In addition, the dangerous dog shall be immediately  
15 confiscated by an animal control authority, placed in  
16 quarantine, if necessary, for the proper length of time, or  
17 impounded and held for 10 business days after the owner is  
18 given written notification under s. 767.12, and thereafter  
19 destroyed in an expeditious and humane manner. This 10-day  
20 time period shall allow the owner to request a hearing under  
21 s. 767.12. The owner shall be responsible for payment of all  
22 boarding costs and other fees as may be required to humanely  
23 and safely keep the animal during any hearing process or  
24 appeal procedure. If an owner does not pay any required  
25 boarding costs, the animal control authority may euthanize the  
26 dog and obtain reimbursement from the owner.

27           (2) If a dog that has not been declared dangerous  
28 attacks and causes severe injury to or death of any human, the  
29 dog shall be immediately confiscated by an animal control  
30 authority, placed in quarantine, if necessary, for the proper  
31 length of time or held for 10 business days after the owner is

1 given written notification under s. 767.12, and thereafter  
2 destroyed in an expeditious and humane manner. This 10-day  
3 time period shall allow the owner to request a hearing under  
4 s. 767.12. The owner shall be responsible for payment of all  
5 boarding costs and other fees as may be required to humanely  
6 and safely keep the animal during any hearing process or  
7 appeal procedure. If an owner does not pay any required  
8 boarding costs, the animal control authority may euthanize the  
9 animal and obtain reimbursement from the owner.In addition,  
10 if the owner of the dog had prior knowledge of the dog's  
11 dangerous propensities, yet demonstrated a reckless disregard  
12 for such propensities under the circumstances, the owner of  
13 the dog is guilty of a misdemeanor of the second degree,  
14 punishable as provided in s. 775.082 or s. 775.083.

15 (3) If a dog that has previously been declared  
16 dangerous attacks and causes severe injury to or death of any  
17 human, the owner is guilty of a felony of the third degree,  
18 punishable as provided in s. 775.082, s. 775.083, or s.  
19 775.084. In addition, the dog shall be immediately confiscated  
20 by an animal control authority, placed in quarantine, if  
21 necessary, for the proper length of time or held for 10  
22 business days after the owner is given written notification  
23 under s. 767.12, and thereafter destroyed in an expeditious  
24 and humane manner. This 10-day time period shall allow the  
25 owner to request a hearing under s. 767.12. The owner shall be  
26 responsible for payment of all boarding costs and other fees  
27 as may be required to humanely and safely keep the animal  
28 during any appeal procedure. If the owner does not pay any  
29 required boarding costs, the animal control authority may  
30 euthanize the animal and obtain reimbursement from the owner.

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1           (4) Except as provided in this act if the owner files  
2 a written hearing request ~~appeal~~ under s. 767.12 or this  
3 section, the dog must be held and may not be destroyed while  
4 the hearing or appeal is pending.

5           (5) If a dog attacks or bites a person who is engaged  
6 in or attempting to engage in a criminal activity at the time  
7 of the attack, the owner is not guilty of any crime specified  
8 under this section.

9           Section 3. Section 767.14, Florida Statutes, is  
10 amended to read:

11           767.14 Additional local restrictions  
12 authorized.--Nothing in this act shall limit any local  
13 government from placing further restrictions or additional  
14 requirements on owners of dangerous dogs or developing  
15 procedures and criteria for the implementation of this act,  
16 provided that no such regulation is specific to breed and that  
17 the provisions of this act are not lessened by such additional  
18 regulations or requirements. ~~This section shall not apply to~~  
19 ~~any local ordinance adopted prior to October 1, 1990.~~

20           Section 4. Section 828.055, Florida Statutes, is  
21 amended to read:

22           828.055 ~~Sodium pentobarbital~~;Permits for drug use in  
23 chemical capture and euthanasia of ~~domestic~~ animals.--

24           (1) The Board of Pharmacy shall adopt rules providing  
25 for the issuance of permits authorizing the purchase,  
26 possession, and use of legend drugs, including controlled  
27 substances listed in chapter 893, as recommended by the Board  
28 of Veterinary Medicine for ~~sodium pentobarbital and sodium~~  
29 ~~pentobarbital with lidocaine~~ by county or municipal animal  
30 control agencies state agencies with animal related duties, or  
31 humane societies registered with the Secretary of State for

1 the purpose of euthanizing injured, sick, ~~or~~ abandoned or  
2 otherwise unclaimed domestic animals that ~~which~~ are in their  
3 lawful possession.

4 (a) County or municipal animal control agencies, state  
5 agencies with animal related duties, or humane societies with  
6 government contracts for animal control may purchase, possess,  
7 and use permitted legend drugs for the purpose of  
8 tranquilizing or sedating and euthanizing injured, sick,  
9 abandoned, or otherwise unclaimed animals that are in their  
10 lawful possession, and for chemical immobilization of animals  
11 when other methods of capture are ineffective or impractical.

12 (b) Humane societies without government contracts for  
13 animal control may purchase, possess, and use permitted legend  
14 drugs only for the purpose of tranquilizing or sedating and  
15 euthanizing injured, sick, abandoned, or otherwise unclaimed  
16 animals that are in their lawful possession.

17 (2) The rules shall set forth a list of legend drugs  
18 permitted for the agencies listed in paragraph (1)(a) and  
19 those listed in paragraph (1)(b) and guidelines for the proper  
20 storage and handling of these legend drugs ~~sodium~~  
21 ~~pentobarbital and sodium pentobarbital with lidocaine~~ and such  
22 other provisions as may be necessary to ensure that the drugs  
23 are used solely for the purpose set forth in this section.  
24 The rules shall also provide for an application fee not to  
25 exceed \$50 and a biennial renewal fee not to exceed \$50.

26 (3)~~(2)~~ Any county or municipal animal control agency  
27 or any humane society registered with the Secretary of State  
28 may apply to the Department of Health ~~Business and~~  
29 ~~Professional Regulation~~ for a permit to purchase, possess, and  
30 use legend drugs, including controlled substances listed in  
31 chapter 893, ~~sodium pentobarbital or sodium pentobarbital with~~

1 ~~lidocaine~~ pursuant to subsection (1). Upon certification by  
2 the board that the applicant meets the qualifications set  
3 forth in the rules, the department shall issue the permit.

4 ~~(4)(3)~~ The board may revoke or suspend the permit upon  
5 a determination that the permittee is using legend drugs  
6 ~~sodium pentobarbital or sodium pentobarbital with lidocaine~~  
7 for any purpose other than that set forth in this section or  
8 if the permittee fails to follow the rules of the board  
9 regarding proper storage and handling.

10 Section 5. Section 828.058, Florida Statutes, is  
11 amended to read:

12 828.058 Euthanasia and chemical immobilization of  
13 animals ~~dogs and cats~~.--

14 (1) Sodium pentobarbital, a sodium pentobarbital  
15 derivative, or other agent the Board of Veterinary Medicine  
16 recommends to the Board of Pharmacy for inclusion ~~may approve~~  
17 by rule shall be the only agents ~~methods~~ used for euthanasia  
18 of animals ~~dogs and cats~~ by public or private agencies, animal  
19 shelters, or other facilities which are operated for the  
20 collection and care of stray, neglected, abandoned, or  
21 unwanted animals. A lethal solution shall be used in the  
22 following order of preference:

- 23 (a) Intravenous injection by hypodermic needle;  
24 (b) Intraperitoneal injection by hypodermic needle;  
25 (c) Intracardial injection by hypodermic needle; or  
26 (d) Solution or powder added to food.

27 (2) Animals ~~A dog or cat~~ may be sedated ~~tranquilized~~  
28 with an approved and humane agent that the Board of Veterinary  
29 Medicine recommends to the Board of Pharmacy ~~substance~~ before  
30 euthanasia is performed or when immobilizing animals in order  
31 to facilitate capture or control.

1           (3) Public or private agencies, animal shelters, or  
2 other facilities that are operated for the collection and care  
3 of stray, neglected, abandoned or unwanted animals are not  
4 permitted to use succinylcholine chloride, curare, curariform  
5 mixtures, any substance which acts as a neuromuscular blocking  
6 agent, or a chamber which causes a change in body oxygen ~~may~~  
7 ~~not be used~~ on animals ~~a dog or cat~~ for any purpose. However,  
8 whenever an emergency situation exists which requires the  
9 immediate euthanasia of an injured, diseased, or dangerous  
10 animal, a law enforcement officer, a veterinarian, or an agent  
11 of a local animal control unit or the designee of such an  
12 agent may humanely destroy the animal, as provided in s.  
13 828.05.

14           (4)(a) Euthanasia shall be performed only by a  
15 licensed veterinarian or an employee or agent of a public or  
16 private agency, animal shelter, or other facility that is  
17 operated for the collection and care of stray, neglected,  
18 abandoned, or unwanted animals, provided the employee or agent  
19 has successfully completed a 16-hour euthanasia technician  
20 certification course. The curriculum for such course must be  
21 approved by the Board of Veterinary Medicine and must include,  
22 at a minimum, the pharmacology, proper administration, and  
23 storage of euthanasia solutions; federal and state laws  
24 regulating the storage and accountability of euthanasia  
25 solutions; euthanasia technician stress management; and proper  
26 disposal of euthanized animals. An employee or agent  
27 ~~performing euthanasia before October 1, 1993, must obtain~~  
28 ~~certification by October 1, 1994. An employee or agent who~~  
29 ~~begins performing euthanasia on or after October 1, 1993, must~~  
30 obtain certification before performing any euthanasia.  
31 However, a certified veterinarian technician who is an

1 employee or agent as defined in the subsection, may perform  
2 euthanasia without completing the certification course  
3 required by this subsection. Euthanasia must be performed in a  
4 humane and proficient manner.

5 (b) Chemical immobilization shall be performed only by  
6 a veterinarian, certified veterinary technician, employee of a  
7 state agency with animal related responsibilities, animal  
8 control personnel, or personnel from a humane society that is  
9 registered with the Secretary of State and has a government  
10 contract for animal control. Except for veterinarians or  
11 certified veterinary technicians, all other persons performing  
12 chemical immobilization must have successfully completed a  
13 16-hour chemical immobilization certification course. The  
14 curriculum for such course must be approved by the Board of  
15 Veterinary Medicine and must include, as a minimum, the  
16 pharmacology, proper administration, record keeping, and  
17 storage of chemical immobilization solutions; chemical  
18 immobilization technology; animal behavior; postimmobilization  
19 procedures; and marksmanship training.

20 (5)(b) No animal dog or cat may be left unattended  
21 between the time euthanasia procedures are first begun and the  
22 time death occurs, nor may its body be disposed of until death  
23 is confirmed by a qualified person. In the case of chemical  
24 immobilization, no animal may be left unattended between the  
25 time of chemical immobilization and return to sternal  
26 recumbency.

27 (6)(5) The state attorney may bring an action to  
28 enjoin any violation of this act.

29 (7)(6) Any person who violates the provisions of this  
30 act is guilty of a misdemeanor of the first degree, punishable  
31 as provided in s. 775.082 or s. 775.083.

1           Section 6. Subsection (3) is added to section 828.03,  
2 Florida Statutes, to read:

3           828.03 Agents of counties, societies, etc., may  
4 prosecute violators.--

5           (3) Any agent appointed after July 1, 2001, under this  
6 section shall successfully complete the 40 hour minimum  
7 standards training course required by s. 828.27(4)(a)1. within  
8 1 year of appointment. If such agents utilize devices to  
9 chemically immobilize an animal, they must complete the 16  
10 hours of training required by s. 828.27(1)(b). They shall also  
11 be required to comply with s. 828.27(4)(a)3. regarding  
12 postcertification continuing education training. Any agent who  
13 was appointed prior to July 1, 2001, under this statute is not  
14 required to complete the minimum standards training course.

15           Section 7. Subsections (2) and (3), paragraph (a) of  
16 subsection (4), paragraph (b) of subsection (7) of section  
17 828.073, Florida Statutes, are amended to read:

18           828.073 Animals found in distress; when agent may take  
19 charge; hearing; disposition; sale.--

20           (2) Any law enforcement officer or any agent of any  
21 county or municipality or of any society or association for  
22 the prevention of cruelty to animals appointed under the  
23 provisions of s. 828.03 may:

24           (a) Lawfully take custody of any animal found  
25 neglected or cruelly treated by removing the animal from its  
26 present location, or

27           (b) Order the owner of any animal found neglected or  
28 cruelly treated to provide certain care to the animal at the  
29 owner's expense without removal of the animal from its present  
30 location,

31

1 and shall forthwith petition the county court judge of the  
2 county wherein the animal is found for a hearing, to be set  
3 within 30 days after the date of seizure of the animal or  
4 issuance of the order to provide care and held not more than  
5 15 days after the setting of such date, to determine whether  
6 the owner, if known, is able to provide adequately for the  
7 animal and is fit to have custody of the animal. The hearing  
8 shall be concluded and the court order entered thereon within  
9 60 days after the date the hearing is commenced. No fee shall  
10 be charged for the filing of the petition. Nothing herein is  
11 intended to require court action for the taking into custody  
12 and making proper disposition of stray or abandoned animals as  
13 lawfully performed by animal control agents.

14 (3) The officer or agent of any county or municipality  
15 or of any society or association for the prevention of cruelty  
16 to animals taking charge of any animal pursuant to the  
17 provisions of this section shall have written notice served,  
18 at least 5 days prior to the hearing set forth in subsection  
19 (2), upon the owner of the animal, if he or she is known and  
20 is residing in the county where the animal was taken, in  
21 conformance with the provisions of chapter 48 relating to  
22 service of process. The sheriff of the county shall not  
23 charge a fee for service of such notice. If the owner of the  
24 animal is known but is residing outside of the county wherein  
25 the animal was taken, notice of the hearing shall be by  
26 publication in conformance with the provisions of chapter 49.

27 (4)(a) The officer or agent of any county or  
28 municipality or of any society or association for the  
29 prevention of cruelty to animals taking charge of an animal as  
30 provided for in this section shall provide for the animal  
31 until either:

1           1. The owner is adjudged by the court to be able to  
2 provide adequately for, and have custody of, the animal, in  
3 which case the animal shall be returned to the owner upon  
4 payment by the owner for the care and provision for the animal  
5 while in the agent's or officer's custody; or

6           2. The animal is turned over to the officer or agent  
7 as provided in paragraph (c) and a humane disposition of the  
8 animal is made.

9           (7) In any case in which an animal is offered for  
10 auction under the provisions of this section, the proceeds  
11 shall be:

12           (b) Applied, secondly, to the care and provision for  
13 the animal by the officer or agent of any county or  
14 municipality or of any society or association for the  
15 prevention of cruelty to animals taking charge.

16           Section 8. Paragraph (b) of subsection (1) and  
17 paragraph (a) of subsection (4) of section 828.27, Florida  
18 Statutes, are amended to read:

19           828.27 Local animal control or cruelty ordinances;  
20 penalty.--

21           (1) As used in this section, the term:

22           (b) "Animal control officer" means any person employed  
23 or appointed by a county or municipality who is authorized to  
24 investigate, on public or private property, civil infractions  
25 relating to animal control or cruelty and to issue citations  
26 as provided in this section. An animal control officer is not  
27 authorized to bear firearms ~~arms~~ or make arrests; however,  
28 such officer may carry a device to chemically subdue and  
29 tranquilize an animal, provided that such officer has  
30 successfully completed a minimum of 16 hours of training in  
31 ~~marksmanship, equipment handling, safety and animal care, and~~



1 ~~can demonstrate proficiency in~~ chemical immobilization of  
2 animals as outlined in s. 828.058(4)~~in accordance with~~  
3 ~~guidelines prescribed in the Chemical Immobilization~~  
4 ~~Operational Guide of the American Humane Association.~~ In  
5 addition, with approval of the local governing authority, an  
6 animal control officer may carry a legal firearm other than a  
7 handgun in the official conveyance when such firearm is  
8 carried solely for the lawful use outlined in s. 828.05(3) and  
9 provided that such officer has successfully completed a  
10 state-approved gun safety course and the euthanasia  
11 certification course outlined in s. 828.058(4)(a).

12 (4)(a)1. County-employed animal control officers  
13 shall, and municipally employed animal control officers may,  
14 successfully complete a 40-hour minimum standards training  
15 course. Such course shall include, but is not limited to,  
16 training for: animal cruelty investigations, search and  
17 seizure, animal handling, courtroom demeanor, and civil  
18 citations. The course curriculum must be approved by the  
19 Florida Animal Control Association. An animal control officer  
20 who successfully completes such course shall be issued a  
21 certificate indicating that he or she has received a passing  
22 grade.

23 2. Any animal control officer who is authorized prior  
24 to January 1, 1990, by a county or municipality to issue  
25 citations is not required to complete the minimum standards  
26 training course.

27 3. In order to maintain valid certification, every 2  
28 years each certified county-employed animal control officer  
29 shall complete 8 ~~4~~ hours of postcertification continuing  
30 education training. Such training may include, but is not  
31 limited to, training for: animal cruelty investigations,

1 search and seizure, animal handling, courtroom demeanor, and  
2 civil citations.

3 Section 9. This act shall take effect upon becoming a  
4 law.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7 COMMITTEE SUBSTITUTE FOR  
8 CS/SB 2058

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9 Makes three technical corrections.

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