

1 A bill to be entitled
 2 An act relating to cruelty to animals; amending s. 828.12,
 3 F.S.; increasing certain minimum mandatory fines and
 4 periods of incarceration for certain acts of cruelty to
 5 animals; providing applicability; providing an effective
 6 date.

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

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 10 Section 1. Subsection (2) of section 828.12, Florida
 11 Statutes, is amended to read:

12 828.12 Cruelty to animals.--

13 (2) A person who intentionally commits an act to any
 14 animal which results in the cruel death, or excessive or
 15 repeated infliction of unnecessary pain or suffering, or causes
 16 the same to be done, is guilty of a felony of the third degree,
 17 punishable as provided in s. 775.082 or by a fine of not more
 18 than \$10,000, or both.

19 (a) A person convicted of a violation of this subsection,
 20 where the finder of fact determines that the violation includes
 21 the knowing and intentional torture or torment of an animal that
 22 injures, mutilates, or kills the animal, shall be ordered to pay
 23 a minimum mandatory fine of \$4,000, shall be sentenced to a
 24 minimum mandatory term of incarceration of 6 months, \$2,500 and
 25 shall undergo psychological counseling or complete an anger
 26 management treatment program.

27 (b) Any person convicted of a second or subsequent
 28 violation of this subsection shall be required to pay a minimum

HB 43

2006

29 | mandatory fine of \$6,000 ~~\$5,000~~ and serve a minimum mandatory
30 | period of incarceration of 10 ~~6~~ months. In addition, the person
31 | shall be released only upon expiration of sentence, shall not be
32 | eligible for parole, control release, or any form of early
33 | release, and must serve 100 percent of the court-imposed
34 | sentence. Any plea of nolo contendere shall be considered a
35 | conviction for purposes of this subsection.

36 | Section 2. This act shall take effect July 1, 2006, and
37 | shall apply to offenses committed on or after that date.