

1 A bill to be entitled
 2 An act relating to animal control or cruelty ordinances;
 3 amending s. 828.27, F.S.; requiring a county or
 4 municipality enacting an ordinance relating to animal
 5 control or cruelty to reduce the civil penalty for
 6 violations of the ordinance under certain circumstances;
 7 requiring the county or municipality to impose a surcharge
 8 on the civil penalty; specifying use of the proceeds of
 9 the surcharge; providing an effective date.

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

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13 Section 1. Paragraphs (d) through (g) of subsection (2) of
 14 section 828.27, Florida Statutes, are redesignated as paragraphs
 15 (e) through (h), respectively, paragraph (b) of subsection (4)
 16 is amended, and a new paragraph (d) is added to subsection (2)
 17 of that section, to read:

18 828.27 Local animal control or cruelty ordinances;
 19 penalty.--

20 (2) The governing body of a county or municipality is
 21 authorized to enact ordinances relating to animal control or
 22 cruelty, which ordinances must provide:

23 (d) A reduced civil penalty not to exceed 25 percent of
 24 the civil penalty normally imposed if the civil infraction
 25 involves a dog or cat with intact sexual organs and the person
 26 who has committed the civil infraction is the owner of the
 27 animal and has the animal spayed or neutered.

28 (4)

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29 (b) The governing body of a county or municipality
30 enacting an ordinance relating to animal control or cruelty
31 shall ~~may~~ impose and collect a surcharge of ~~up to~~ \$5 upon each
32 civil penalty imposed for each violation of the ~~an~~ ordinance
33 ~~relating to animal control or cruelty~~. At least 75 percent of
34 the proceeds from such surcharges shall be used for subsidizing
35 the costs of spaying or neutering dogs and cats whose owners
36 voluntarily submit their animals for sterilization and whose
37 owners are not charged more for the spaying or neutering than
38 the costs of sterilization less the subsidy paid from the
39 surcharges. The remaining proceeds shall be used to pay the
40 costs of training for animal control officers and other costs of
41 administering the ordinance.

42 Section 2. This act shall take effect July 1, 2009.