

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Abruzzo offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 91-197 and insert:

5 This exemption does ~~shall~~ not apply to unlicensed ~~out-of-state~~
6 veterinarians practicing temporarily in the state. However, only
7 a veterinarian may immunize or treat an animal for diseases that
8 ~~which~~ are communicable to humans and that ~~which~~ are of public
9 health significance.

10 (b) A person hired on a part-time or temporary basis, or
11 as an independent contractor, by an owner to assist with herd
12 management and animal husbandry tasks for herd and flock
13 animals, including castration, dehorning, parasite control, and
14 debeaking, or a person hired on a part-time or temporary basis,
15 or as an independent contractor, by an owner to provide farriery
16 and manual hand floating of teeth on equines. This exemption

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17 does not apply to any person who has been convicted of a
18 violation of chapter 828 that relates to animal cruelty or a
19 similar offense in another jurisdiction.

20 (6) State agencies, accredited schools, institutions,
21 foundations, business corporations or associations, physicians
22 licensed to practice medicine and surgery in all its branches,
23 graduate doctors of veterinary medicine, or persons under the
24 direct supervision thereof, which or who conduct experiments and
25 scientific research on animals in the development of
26 pharmaceuticals, biologicals, serums, or methods of treatment,
27 or techniques for the diagnosis or treatment of human ailments,
28 or when engaged in the study and development of methods and
29 techniques directly or indirectly applicable to the problems of
30 the practice of veterinary medicine.

31 (7) Any veterinary aide, nurse, laboratory technician,
32 preceptor, or other employee of a licensed veterinarian who
33 administers medication or who renders auxiliary or supporting
34 assistance under the responsible supervision of a licensed
35 veterinarian, including those tasks identified by rule of the
36 board requiring immediate supervision. However, the licensed
37 veterinarian is ~~shall be~~ responsible for all such acts performed
38 under this subsection by persons under her or his supervision.

39 (8) A veterinarian, licensed by and actively practicing
40 veterinary medicine in another state, who is board certified in
41 a specialty recognized by the board and who responds to a
42 request of a veterinarian licensed in this state to assist with
43 the treatment on a specific case of a specific animal or with
44 the treatment on a specific case of the animals of a single

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45 owner, as long as the veterinarian licensed in this state
46 requests the other veterinarian's presence. A veterinarian who
47 practices under this subsection is not eligible to apply for a
48 premises permit under s. 474.215.

49
50 For the purposes of chapters 465 and 893, persons exempt
51 pursuant to subsection (1), subsection (2), or subsection (4)
52 are deemed to be duly licensed practitioners authorized by the
53 laws of this state to prescribe drugs or medicinal supplies.

54 Section 2. Effective October 1, 2010, section 500.451,
55 Florida Statutes, is amended to read:

56 500.451 Horse meat; ~~offenses sale for human consumption.~~

57 (1) It is unlawful for any person to:

58 (a) Sell in the markets of this state horse meat for human
59 consumption unless the horse meat is clearly stamped, marked,
60 and described as horse meat for human consumption.

61 (b) Knowingly transport, distribute, sell, purchase, or
62 possess horsemeat for human consumption that is not clearly
63 stamped, marked, and described as horsemeat for human
64 consumption or horsemeat that is not acquired from a licensed
65 slaughterhouse.

66 (2) A person that violates this section commits ~~is guilty~~
67 ~~of a felony misdemeanor~~ of the third ~~second~~ degree, punishable
68 as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084, except
69 that any person who commits a violation of this section shall be
70 sentenced to a minimum mandatory fine of \$3,500 and a minimum
71 mandatory period of incarceration of 1 year.

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72 (3) In addition to any penalties provided in subsection
73 (2), any license of any restaurant, store, or other business may
74 be suspended as provided in the applicable licensing law upon
75 conviction of an owner or employee of that business for a
76 violation of this section in connection with that business.

77 Section 3. Subsections (2) and (3) and paragraph (c) of
78 subsection (4) of section 828.073, Florida Statutes, are amended
79 to read:

80 828.073 Animals found in distress; when agent may take
81 charge; hearing; disposition; sale.—

82 (2) Any law enforcement officer or any agent of any county
83 or of any society or association for the prevention of cruelty
84 to animals appointed under the provisions of s. 828.03 may:

85 (a) Lawfully take custody of any animal found neglected or
86 cruelly treated by removing the animal from its present
87 location, or

88 (b) Order the owner of any animal found neglected or
89 cruelly treated to provide certain care to the animal at the
90 owner's expense without removal of the animal from its present
91 location,

92
93 and shall file a ~~forthwith~~ petition seeking relief under this
94 section in the county court judge of the county in which wherein
95 the animal is found within 10 days after the animal is seized or
96 an order to provide care is issued. The court shall schedule and
97 commence ~~for~~ a hearing on the petition, to be set within 30 days
98 after the petition is filed ~~date of seizure of the animal or~~
99 ~~issuance of the order to provide care and held not more than 15~~
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100 ~~days after the setting of such date,~~ to determine whether the
101 owner, if known, is able to provide adequately for the animal
102 and is fit to have custody of the animal. The hearing shall be
103 concluded and the court order entered thereon within 60 days
104 after the date the hearing is commenced. The Supreme Court shall
105 establish procedures to expedite the commencement of hearings on
106 petitions filed under this subsection. The timeframes set forth
107
108

109 -----
110 **T I T L E A M E N D M E N T**

111 Remove lines 3-18 and insert:

112 F.S.; revising a veterinary licensure exemption pertaining
113 to certain persons practicing temporarily in the state;
114 providing circumstances that render inapplicable a
115 veterinary licensure exemption pertaining to part-time and
116 independent contractors; amending s. 500.451, F.S.;
117 prohibiting specified acts relating to horsemeat for human
118 consumption; providing penalties; increasing the
119 classification of offenses related to horsemeat for human
120 consumption; providing for suspension of licenses of
121 certain businesses for offenses related to horsemeat;
122 providing mandatory minimum penalties; amending s. 828.073,
123 F.S.; revising procedures for law enforcement officers and
124 certain animal cruelty prevention agents to file petitions
125 in custody proceedings involving neglected animals;
126 directing the Supreme Court to establish procedures to

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127 expedite the commencement of such proceedings; exempting
128 animal owners