

By Senator Rich

34-00800A-11

2011676__

1 A bill to be entitled
 2 An act relating to animal control or cruelty
 3 ordinances; amending s. 828.27, F.S.; requiring a
 4 county or municipality enacting an ordinance relating
 5 to animal control or cruelty to impose a specified
 6 surcharge on the civil penalty for violations of the
 7 ordinance; specifying use of the proceeds of the
 8 surcharge; prohibiting the governing body of a county
 9 or municipality from charging owners of animals more
 10 than a certain amount for the spaying or neutering of
 11 their animals in specified circumstances; authorizing
 12 the animal control authority to allocate certain
 13 excess funds to the program to spay and neuter cats
 14 and dogs; providing construction; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Paragraph (b) of subsection (4) of section
 20 828.27, Florida Statutes, is amended, and paragraphs (c) and (d)
 21 are added to that subsection, to read:

22 828.27 Local animal control or cruelty ordinances;
 23 penalty.—

24 (4)

25 (b) The governing body of a county or municipality enacting
 26 an ordinance relating to animal control or cruelty shall ~~may~~
 27 impose and collect a surcharge of \$15 ~~up to \$5~~ upon each civil
 28 penalty imposed for each violation of the ~~an~~ ordinance ~~relating~~
 29 ~~to animal control or cruelty.~~ One dollar of the surcharge may be

34-00800A-11

2011676__

30 retained by the clerk of the court, \$5 of the surcharge proceeds
31 ~~from such surcharges~~ shall be used to pay the costs of training
32 for animal control officers, and the remainder of the surcharge
33 shall be used to subsidize the costs to spay or neuter dogs and
34 cats in the possession of the animal control authority or whose
35 owners voluntarily submit their animals for sterilization.
36 Owners of such animals may not be charged more for the spaying
37 or neutering than the cost of sterilization less the subsidy
38 paid from the surcharge.

39 (c) If the surcharge funds collected to pay the costs of
40 training animal control officers exceed the funds needed to
41 conduct the training for the animal control officers in a given
42 locality, the animal control authority may apply the excess
43 surcharge funds to the program to spay and neuter cats and dogs.

44 (d) This subsection does not require the governing body of
45 a county or municipality to enact such an ordinance.

46 Section 2. This act shall take effect July 1, 2011.