

By the Committee on Community Affairs; and Senators Rich, Gaetz,
and Sobel

578-01886-12

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1 A bill to be entitled
2 An act relating to animal control or cruelty
3 ordinances; amending s. 828.27, F.S.; authorizing 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 for construction; providing an
15 effective date.

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

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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 may impose
27 and collect a surcharge of up to \$15 ~~\$5~~ upon each civil penalty
28 imposed for each violation of the ~~an~~ ordinance ~~relating to~~
29 ~~animal control or cruelty~~. One dollar of the surcharge may be

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

39 (c) If the surcharge funds collected to pay the costs of
40 training animal control officers exceed the amount needed to
41 conduct 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 an animal control or cruelty
46 ordinance.

47 Section 2. This act shall take effect July 1, 2012.