

By Senator Fasano

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1 A bill to be entitled
2 An act relating to an animal abuse registry; creating
3 "Dexter's Law"; defining terms; creating an animal
4 abuse registry within the Department of Law
5 Enforcement; requiring the clerk of court in the
6 judicial circuit in which a person's conviction for an
7 animal abuse offense occurred to forward a copy of the
8 judgment document of the conviction and other
9 specified information to the department within a
10 specified timeframe after the date of judgment;
11 requiring that the department maintain the animal
12 abuse registry and make the registry available for
13 public inquiry on the Internet; requiring that a
14 person convicted of an animal abuse offense register
15 with the animal abuse registry; setting forth the
16 information from the abuser to be recorded in the
17 registry; requiring that each person registered with
18 the animal abuse registry update his or her
19 registration information each time he or she moves
20 from one residential address to another or, if his or
21 her residential address does not change, annually
22 following the date of his or her first registration;
23 requiring each person who is required to register with
24 the animal abuse registry to do so each year that the
25 person resides in this state; requiring that each
26 person on the registry pay an annual administrative
27 fee to the department; directing that the fees be used
28 to pay the administrative costs of maintaining the
29 registry; providing that a person who fails to

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30 register with the department, fails to update critical
31 information, or fails to pay the annual administrative
32 fee, commits a misdemeanor of the first degree;
33 providing criminal penalties; providing an effective
34 date.

35
36 Be It Enacted by the Legislature of the State of Florida:

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38 Section 1. This act may be cited as "Dexter's Law."

39 Section 2. Animal abuse registry; registration required;
40 penalties.-

41 (1) DEFINITIONS.-As used in this section, the term:

42 (a) "Animal" means a mammal other than a human being or a
43 bird, amphibian, fish, or reptile, wild or domestic, living or
44 dead.

45 (b) "Animal abuser" or "abuser" means a person who has been
46 convicted of committing an animal abuse offense.

47 (c) "Animal abuse offense" means the commission of any act
48 that constitutes the criminal offense of:

49 1. Cruelty to animals under s. 828.12, Florida Statutes;

50 2. Fighting or baiting animals under s. 828.122, Florida
51 Statutes;

52 3. Killing a dog or cat with the intent to sell or give
53 away its pelt under s. 828.123, Florida Statutes;

54 4. Killing or aggravated abuse of horses or cattle under s.
55 828.125, Florida Statutes;

56 5. Sexual activities involving animals under s. 828.126,
57 Florida Statutes; or

58 6. Confinement of animals without sufficient food, water,

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59 or exercise under s. 828.13, Florida Statutes.

60 (d) "Conviction" means a determination of guilt as the
61 result of a trial or the entry of a plea of guilty or nolo
62 contendere, regardless of whether adjudication is withheld. The
63 term includes, but is not limited to, a conviction by a federal
64 or military tribunal, including courts-martial conducted by the
65 Armed Forces of the United States, or entry of a plea of guilty
66 or nolo contendere resulting in a sanction in any state of the
67 United States or other jurisdiction. A sanction includes, but is
68 not limited to, a fine, probation, community control, parole,
69 conditional release, control release, or incarceration in a
70 private correctional facility, local detention facility, state
71 prison, or federal prison.

72 (e) "Department" means the Department of Law Enforcement.

73 (2) CREATION OF THE ANIMAL ABUSE REGISTRY.-

74 (a) An animal abuse registry is created within the
75 Department of Law Enforcement. The registry shall contain the
76 name and other information of each animal abuser living in this
77 state who has been convicted of an animal abuse offense.

78 (b) Commencing October 1, 2012, the clerk of court in the
79 judicial circuit in which a person's conviction for an animal
80 abuse offense occurs shall forward, electronically or otherwise,
81 to the department a copy of the judgment document for each
82 conviction, the abuser's home address, and other information set
83 out in subsection (3) for each person convicted on or after
84 October 1, 2012, of an animal abuse offense. The clerk shall
85 forward the information to the department within 45 days
86 following the date of judgment.

87 (c) The animal abuse registry shall be maintained by the

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88 department and made available for public inquiry on the
89 Internet.

90 (3) REQUIREMENT TO REGISTER.—

91 (a) A person 18 years of age or older who resides in this
92 state and is convicted of an animal abuse offense on or after
93 October 1, 2012, must register with the animal abuse registry.
94 The person shall register with the department through the
95 clerk's office in the county where he or she maintains a
96 permanent residence.

97 (b) Each person who is required to register with the animal
98 abuse registry shall cooperate with the clerk to forward the
99 following information to the department at the time of his or
100 her conviction of an animal abuse offense and on the anniversary
101 date of the conviction:

102 1. The abuser's name and any aliases by which he or she is
103 known.

104 2. The abuser's date of birth.

105 3. The abuser's permanent residential address.

106 4. Any electronic mail address used by the abuser.

107 5. All animal abuse offense convictions, by conviction
108 date.

109 6. A photograph of the abuser's head and shoulders from the
110 front.

111
112 The department may use the driver license photograph of the
113 abuser maintained by the Department of Highway Safety and Motor
114 Vehicles for the registry. If no driver license photograph is
115 available, the department shall use the photograph taken at the
116 abuser's arraignment.

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117 (c) Each person registered with the animal abuse registry
118 shall update his or her registration information each time he or
119 she moves from one residential address to another or, if his or
120 her residential address does not change, annually from the date
121 of his or her first registration.

122 (d) Each person who is required to register with the animal
123 abuse registry must do so each year that the person resides in
124 this state.

125 (4) ADMINISTRATIVE FEES.—Each person who is required to
126 register with the animal abuse registry must pay an annual fee
127 of \$50 to the department. These fees shall be used to pay the
128 administrative costs of maintaining the registry.

129 (5) PENALTIES.—A person who is required to register with
130 the animal abuse registry and who fails to do so, fails to
131 annually update the registry information, or fails to pay the
132 annual administrative fee commits a misdemeanor of the first
133 degree, punishable as provided in s. 775.082 or s. 775.083,
134 Florida Statutes.

135 Section 3. This act shall take effect October 1, 2012.