

CS/HB 1121

2013

1 A bill to be entitled
2 An act relating to community cats; amending s. 828.27,
3 F.S.; providing definitions; providing that release of
4 a community cat by a community cat program is not
5 abandonment or unlawful release of the cat under
6 specified provisions; providing that counties and
7 municipalities may enact ordinances relating to
8 community cat programs to curtail community cat
9 population growth; providing immunity for such
10 ordinances; providing an exception; providing an
11 effective date.

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

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15 Section 1. Paragraphs (c) through (g) of subsection (1) of
16 section 828.27, Florida Statutes, are redesignated as paragraphs
17 (f) through (j), respectively, new paragraphs (c), (d), and (e)
18 are added to that subsection, a new subsection (7) is added to
19 that section, and present subsection (7) of that section is
20 amended, to read:

21 828.27 Local animal control or cruelty ordinances;
22 penalty.—

23 (1) As used in this section, the term:

24 (c) "Community cat" means an outdoor, free-roaming cat
25 that lacks visible owner identification.

26 (d) "Community cat caregiver" means any person other than
27 an owner or custodian who provides food, water, or shelter to
28 one or more community cats as part of a community cat program.

29 | (e) "Community cat program" means a program in which an
 30 | eligible cat is examined by a licensed veterinarian, sterilized,
 31 | vaccinated for rabies and any other diseases deemed appropriate
 32 | by the veterinarian, ear-tipped, then returned to the area where
 33 | it was originally captured immediately after any recovery period
 34 | as recommended by a veterinarian.

35 | (7) (a) Community cats are considered a domestic animal
 36 | under s. 585.01 and release of a community cat by a community
 37 | cat caregiver associated with a community cat program is not
 38 | abandonment or unlawful release of the cat under this chapter.

39 | (b) A county or municipality may enact any ordinances
 40 | necessary to establish a community cat program designed to
 41 | curtail community cat population growth, and nothing in this
 42 | subsection shall prevent any county or municipality from
 43 | enacting such ordinances.

44 | (8) ~~(7)~~ Nothing contained in This section does not shall
 45 | prevent any county or municipality from enacting any ordinance
 46 | relating to animal control or cruelty which is identical to the
 47 | provisions of this chapter or any other state law, except as to
 48 | penalty. However, no county or municipal ordinance relating to
 49 | animal control or cruelty may shall conflict with the provisions
 50 | of this chapter or any other state law. Notwithstanding the
 51 | provisions of this subsection, the governing body of any county
 52 | or municipality may is authorized to enact ordinances
 53 | prohibiting or regulating noise from any domesticated animal,
 54 | violation of which shall be punishable upon conviction by a fine
 55 | not to exceed \$500 or by imprisonment in the county jail for a
 56 | period not to exceed 60 days, or by both such fine and

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57 | imprisonment, for each violation of such ordinance. This
58 | subsection does ~~shall~~ not apply to animals on land zoned for
59 | agricultural purposes.

60 | Section 2. This act shall take effect upon becoming a law.