

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1320

INTRODUCER: Senator Soto

SUBJECT: Community Cats

DATE: March 28, 2013

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhvein	Halley	AG	Pre-meeting
2.	_____	_____	CA	_____
3.	_____	_____	JU	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

SB 1320 provides that community cats, outdoor free-roaming cats that lack visible owner identification, are considered a domestic species.¹ The release of a community cat by a community cat program does not constitute abandonment or unlawful release of the cat. The bill provides that a county or municipality is not precluded from enacting an ordinance related to community cat programs designed to humanely curtail community cat population growth. In addition, the bill provides that a county or municipality that adopts an ordinance related to such community cat programs is immune from all criminal and civil liability for its adoption of such an ordinance. Lastly, the bill provides that a veterinarian or community cat caregiver who provides services or care for a cat in a community cat program is immune from criminal and civil liability for any decisions made or services rendered through a community cat program except for willful and wanton misconduct.

This bill amends section 828.27 of the Florida Statutes.

II. Present Situation:

Community cat programs are a humane way to manage abandoned, stray, or feral cat populations. These programs, commonly referred to as trap/neuter/return (TNR), are non-lethal, comprehensive management plans in which healthy, homeless, free-roaming cats are humanely trapped, evaluated, and sterilized by a licensed veterinarian, vaccinated against rabies, ear-tipped (an international symbol for a sterilized cat), and then returned to their original habitat. The ultimate goal of a community cat program is to humanely curtail the population growth of free-

¹ As defined in s. 585.01, F.S.

roaming cats over a period of time by preventing them from reproducing.² One unaltered female cat and her offspring can produce up to 370,000 kittens in seven years.

Community cat programs have not only proven to be effective in curtailing outdoor cat populations, but also provide countless other community benefits. For instance, they have proven to significantly reduce shelter admissions and their operating costs. They also create safer communities and promote public health by reducing the number of unvaccinated cats.

III. Effect of Proposed Changes:

Section 1 amends s. 828.27, F.S., to provide definitions for the terms “community cat,” “community cat caregiver,” and “community cat program.” It provides that release of a community cat by a community cat program is not abandonment or unlawful release of the cat under specified circumstances. It authorizes counties and municipalities to enact ordinances relating to community cat programs to curtail community cat population growth and provides immunity for such ordinances. It also provides that a veterinarian or community cat caregiver who provides services or cares for cats in a community cat program is immune from criminal and civil liability, except in cases of willful and wanton misconduct.

Section 2 provides that this act shall take effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

² Laura M. Nirenberg, Esq., “Florida Community Cat Act: A Humane Approach to Managing Free-Roaming Cats,” *Best Friends Animal Society*, 2013.

C. Government Sector Impact:

According to studies,³ implementing a TNR program can result in reduced costs for local governments associated with trapping, holding, and euthanizing stray, abandoned, and feral cats.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

³ John Dunham & Associates, *The Fiscal Impact of Trap, Neuter and Return Policies in Controlling Feral Cat Populations in the United States*, 2010.