

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee
 3 Representative Kerner offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Section 943.69, Florida Statutes, is created to
 8 read:

9 943.69 Care for Retired Law Enforcement Dogs Program Act.-

10 (1) SHORT TITLE.-This section may be cited as the "Care
 11 for Retired Law Enforcement Dogs Program Act."

12 (2) DEFINITIONS.-As used in this section, the term:

13 (a) "Law enforcement agency" means a lawfully established
 14 state or local public agency having primary responsibility for
 15 the prevention and detection of crime or the enforcement of the
 16 penal, traffic, highway, regulatory, game, immigration, postal,
 17 customs, or controlled substance laws.

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18 (b) "Retired law enforcement dog" means any dog that was
19 in the service of or employed by a law enforcement agency in
20 this state for the principal purpose of aiding in the detection
21 of criminal activity, enforcement of laws, or apprehension of
22 offenders but that no longer serves in the capacity of a law
23 enforcement dog. The retired law enforcement dog must have
24 received certification in obedience and apprehension work from a
25 certifying organization such as the National Police Canine
26 Association or other certifying organization.

27 (c) "Veterinarian" has the same meaning as provided in s.
28 474.202, Florida Statutes.

29 (d) "Veterinary care" means any veterinary medical service
30 described in s. 474.202(9) or s. 474.202(13), Florida Statutes.
31 The term includes annual wellness examinations, vaccines,
32 internal and external parasite prevention treatments, testing
33 and treatment of illnesses and diseases, medications, emergency
34 care and surgeries, specialties of veterinary medicine such as
35 veterinary oncology, and euthanasia, if each of the services is
36 provided by a veterinarian. The term also includes cremation.

37 (3) LEGISLATIVE FINDINGS.— The Legislature finds that:

38 (a) Law enforcement dogs have become an integral part of
39 many law enforcement efforts statewide, including suspect
40 apprehension through tracking and searching, evidence location,
41 drug and bomb detection, and search and rescue operations;

42 (b) Law enforcement agencies agree that the use of law
43 enforcement dogs is an extremely cost-effective means for crime

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44 control and that these dogs possess skills and abilities that
45 frequently exceed that of existing technology;

46 (c) The work of law enforcement dogs is often dangerous
47 and can cause these dogs to incur injuries at a rate higher than
48 the rate of injuries that occurs with nonworking dogs; and

49 (d) Law enforcement dogs provide significant contributions
50 to the residents of this state.

51 (4) ESTABLISHMENT OF PROGRAM.—The Care for Retired Law
52 Enforcement Dogs Program is created within the Department of Law
53 Enforcement to provide a stable funding source for former
54 handlers and adopters of retired law enforcement dogs to provide
55 veterinary care for these dogs.

56 (5) ADMINISTRATION.—The Department of Law Enforcement shall
57 contract with a corporation not for profit organized under
58 chapter 617, Florida Statutes, to administer and manage the Care
59 for Retired Law Enforcement Dogs Program. Notwithstanding the
60 competitive sealed bid procedures required under chapter 287,
61 Florida Statutes, the department shall enter into a contract
62 with a corporation that:

63 (a) Is dedicated to the protection or care of retired law
64 enforcement dogs;

65 (b) Holds exempt status under s. 501(a) of the Internal
66 Revenue Code as an organization described in s. 501(c)(3) of the
67 Internal Revenue Code;

68 (c) Has held its exempt status for at least 5 years;

69 (d) Agrees to be subject to review and audit at the

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70 discretion of the Auditor General to ensure accurate accounting
71 and disbursement of state funds; and

72 (e) Demonstrates the ability to effectively and
73 efficiently disseminate information and assist former handlers
74 and adopters of retired law enforcement dogs in understanding
75 the provisions of this section.

76 (6) FUNDING.—

77 (a) The corporation shall be the disbursing authority for
78 funds appropriated by the Legislature to the Department of Law
79 Enforcement for the Care for Retired Law Enforcement Dogs
80 Program. These funds shall be disbursed upon receipt of:

81 1. Valid documentation from the law enforcement agency
82 the dog retired from verifying that the dog was in the service
83 of or employed by such agency; and

84 2. A valid invoice, submitted by the former handler or
85 adopter of a retired law enforcement dog, from a veterinarian
86 for veterinary care provided in the state to a retired law
87 enforcement dog.

88 (b) Annual disbursements to any former handler or adopter
89 of a retired law enforcement dog are limited to \$1,500 per
90 retired law enforcement dog. A former handler or adopter of a
91 retired law enforcement dog may not accumulate unused funds from
92 one year for use in a future year.

93 (c) A former handler or adopter of a retired law
94 enforcement dog who seeks reimbursement for veterinary services
95 shall not receive reimbursement if funds for the Care for

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96 Retired Law Enforcement Dogs Program are depleted in the year
97 for which the reimbursement is sought.

98 (d) Funds appropriated for the Care for Retired Law
99 Enforcement Dogs Program shall be held in the Operating Trust
100 Fund of the Department of Law Enforcement in a separate
101 depository account in the name of the corporation and subject to
102 the provisions of the contract with the department. The contract
103 must provide:

104 1. The corporation must receive administrative fees,
105 including salaries and benefits, not to exceed 10 percent of
106 appropriated funds; and

107 2. That any funds held in the separate depository account
108 in the name of the corporation must revert to the department if
109 the contract expires or is terminated.

110 (e) Notwithstanding s. 216.301, Florida Statutes, and
111 pursuant to s. 216.351, Florida Statutes, the Executive Office
112 of the Governor shall, on July 1 of each year, certify forward
113 all unexpended funds appropriated pursuant to this section.
114 However, in no event shall the fund balance for the Care for
115 Retired Law Enforcement Dogs Program exceed \$400,000.

116 (7) RULEMAKING AUTHORITY.- The department shall adopt
117 rules and forms pursuant to ss. 120.536(1) and 120.54 to
118 implement the requirements of this section.

119 Section 2. Beginning in the 2014-2015 fiscal year and each
120 year thereafter, the sum of \$300,000 in recurring funds is
121 appropriated from the General Revenue Fund to the Department of

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122 Law Enforcement for the purpose of implementing the Care for
123 Retired Law Enforcement Dogs Program as created by this act.

124 Section 3. This act shall take effect July 1, 2014.
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128 **T I T L E A M E N D M E N T**

129 Remove everything before the enacting clause and insert:
130 An act relating to care for retired law enforcement dogs;
131 creating s. 943.69, F.S.; providing a short title; providing
132 definitions; providing legislative findings; creating the Care
133 for Retired Law Enforcement Dogs Program within the Department
134 of Law Enforcement; requiring the department to contract with a
135 corporation not for profit to administer the program and
136 providing criteria therefor; providing specific procedures for
137 how funds will be disbursed for the veterinary care of eligible
138 retired law enforcement dogs; limiting the amount of funds
139 available for any eligible retired law enforcement dog in any
140 one year; providing for the deposit of program funds; providing
141 for the reversion of funds to the department under certain
142 circumstances; providing for the carryforward of unexpended
143 appropriations for use in the program up to certain limits;
144 providing rulemaking authority; providing an annual
145 appropriation; providing an effective date.