

HB 1377

2014

1 A bill to be entitled

2 An act relating to cats and dogs; creating s. 828.291,
3 F.S.; requiring specified disclosures concerning the
4 breeders of cats and dogs offered for sale in the
5 state that were bred by holders of specified federal
6 licenses; creating s. 828.295, F.S.; defining the term
7 "flea market"; prohibiting sales and other specified
8 transactions involving live cats and dogs at flea
9 markets; providing exceptions; providing criminal
10 penalties for violations; providing an effective date.

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

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14 Section 1. Section 828.291, Florida Statutes, is created
15 to read:

16 828.291 Cats and dogs offered for sale; disclosure of
17 source.—For each cat or dog offered for sale by a person located
18 within this state that was bred by the holder of a Class A or
19 Class B animal dealer license issued by the United States
20 Department of Agriculture (USDA) under the Animal Welfare Act,
21 the printed name, city and state of residence, and USDA license
22 numbers assigned to the breeder of the cat or dog, must be
23 displayed continuously on or next to the enclosure of the dog or
24 cat for sale and must be continuously displayed in any print or
25 electronic advertisements for the sale of a cat or dog, and must
26 be easily readable by a customer.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27 Section 2. Section 828.295, Florida Statutes, is created
 28 to read:

29 828.295 Sales of live cats and dogs prohibited at flea
 30 markets.—

31 (1) As used in this section, the term "flea market" means
 32 a swap meet or flea market, open-air market, or other organized
 33 event at which two or more persons offer merchandise for sale or
 34 exchange.

35 (2) A person may not willfully sell, offer for sale or
 36 exchange, offer for donation, display, or donate any live dog or
 37 cat at any flea market.

38 (3) This section does not apply to county-operated or
 39 municipally-operated animal control agencies or to nonprofit
 40 humane organizations that qualify as exempt charitable
 41 organizations under s. 501(c)(3) of the Internal Revenue Code.

42 (4) A person who violates this section:

43 (a) For the first violation, commits a misdemeanor of the
 44 second degree, punishable as provided in s. 775.082 or s.
 45 775.083.

46 (b) For a second or subsequent violation, commits a
 47 misdemeanor of the first degree, punishable as provided in s.
 48 775.082 or s. 775.083.

49 Section 3. This act shall take effect October 1, 2014.