

By the Committee on Criminal Justice; and Senator Abruzzo

591-03107-14

20141406c1

1 A bill to be entitled
2 An act relating to care for retired law enforcement
3 dogs; creating s. 943.69, F.S.; providing a short
4 title; providing definitions; providing legislative
5 findings; creating the Care for Retired Law
6 Enforcement Dogs Program within the Department of Law
7 Enforcement; requiring the department to contract with
8 a corporation not for profit to administer the program
9 and providing criteria therefor; providing specific
10 procedures for how funds will be disbursed for the
11 veterinary care of eligible retired law enforcement
12 dogs; limiting the amount of funds available for any
13 eligible retired law enforcement dog in any one year;
14 providing for the deposit of program funds; providing
15 for the reversion of funds to the department under
16 certain circumstances; providing for the carryforward
17 of unexpended appropriations for use in the program up
18 to certain limits; authorizing the department to adopt
19 rules and forms; providing appropriations; providing
20 an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

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24 Section 1. Section 943.69, Florida Statutes, is created to
25 read:

26 943.69 Care for Retired Law Enforcement Dogs Program.-

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

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

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30 (a) "Law enforcement agency" means a lawfully established
31 state or local public agency having primary responsibility for
32 the prevention and detection of crime or the enforcement of the
33 penal, traffic, highway, regulatory, game, immigration, postal,
34 customs, or controlled substance laws.

35 (b) "Retired law enforcement dog" means any dog that was in
36 the service of or employed by a law enforcement agency in this
37 state for the principal purpose of aiding in the detection of
38 criminal activity, enforcement of laws, or apprehension of
39 offenders but that no longer serves in the capacity of a law
40 enforcement dog. The retired law enforcement dog must have
41 received certification in obedience and apprehension work from a
42 certifying organization such as the National Police Canine
43 Association or other certifying organization.

44 (c) "Veterinarian" has the same meaning as provided in s.
45 474.202.

46 (d) "Veterinary care" means any veterinary medical service
47 described in s. 474.202(9) or s. 474.202(13). The term includes
48 annual wellness examinations, vaccines, internal and external
49 parasite prevention treatments, testing and treatment of
50 illnesses and diseases, medications, emergency care and
51 surgeries, specialties of veterinary medicine such as veterinary
52 oncology, and euthanasia, if each of the services is provided by
53 a veterinarian. The term also includes cremation.

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

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

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59 (b) Law enforcement agencies agree that the use of law
60 enforcement dogs is an extremely cost-effective means for crime
61 control and that these dogs possess skills and abilities that
62 frequently exceed that of existing technology;

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

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

68 (4) ESTABLISHMENT OF PROGRAM.—The Care for Retired Law
69 Enforcement Dogs Program is created within the Department of Law
70 Enforcement to provide a stable funding source for former
71 handlers and adopters of retired law enforcement dogs to provide
72 veterinary care for these dogs.

73 (5) ADMINISTRATION.—The Department of Law Enforcement shall
74 contract with a corporation not for profit organized under
75 chapter 617 to administer and manage the Care for Retired Law
76 Enforcement Dogs Program. Notwithstanding the competitive sealed
77 bid procedures required under chapter 287, the department shall
78 enter into a contract with a corporation that:

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

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

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

85 (d) Agrees to be subject to review and audit at the
86 discretion of the Auditor General to ensure accurate accounting
87 and disbursement of state funds; and

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88 (e) Demonstrates the ability to effectively and efficiently
89 disseminate information and assist former handlers and adopters
90 of retired law enforcement dogs in understanding the provisions
91 of this section.

92 (6) FUNDING.—

93 (a) The corporation shall be the disbursing authority for
94 funds appropriated by the Legislature to the Department of Law
95 Enforcement for the Care for Retired Law Enforcement Dogs
96 Program. These funds shall be disbursed upon receipt of:

97 1. Valid documentation from the law enforcement agency the
98 dog retired from verifying that the dog was in the service of or
99 employed by such agency; and

100 2. A valid invoice, submitted by the former handler or
101 adopter of a retired law enforcement dog, from a veterinarian
102 for veterinary care provided in the state to a retired law
103 enforcement dog.

104 (b) Annual disbursements to any former handler or adopter
105 of a retired law enforcement dog are limited to \$1,500 per
106 retired law enforcement dog. A former handler or adopter of a
107 retired law enforcement dog may not accumulate unused funds from
108 one year for use in a future year.

109 (c) A former handler or adopter of a retired law
110 enforcement dog who seeks reimbursement for veterinary services
111 shall not receive reimbursement if funds for the Care for
112 Retired Law Enforcement Dogs Program are depleted in the year
113 for which the reimbursement is sought.

114 (d) Funds appropriated for the Care for Retired Law
115 Enforcement Dogs Program shall be held in the Operating Trust
116 Fund of the Department of Law Enforcement in a separate

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117 depository account in the name of the corporation and subject to
118 the provisions of the contract with the department. The contract
119 must provide:

120 1. The corporation must receive administrative fees,
121 including salaries and benefits, not to exceed 10 percent of
122 appropriated funds; and

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

126 (e) Notwithstanding s. 216.301, and pursuant to s. 216.351,
127 the Executive Office of the Governor shall, on July 1 of each
128 year, certify forward all unexpended funds appropriated pursuant
129 to this section. However, in no event shall the fund balance for
130 the Care for Retired Law Enforcement Dogs Program exceed
131 \$400,000.

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

135 Section 2. Beginning in the 2014-2015 fiscal year and each
136 year thereafter, the sum of \$300,000 in recurring funds is
137 appropriated from the General Revenue Fund to the Department of
138 Law Enforcement for the purpose of implementing the Care for
139 Retired Law Enforcement Dogs Program as created by this act.

140 Section 3. This act shall take effect July 1, 2014.