

By the Committee on Regulated Industries; and Senator Sobel

580-04173-14

20141624c1

1 A bill to be entitled
2 An act relating to the sale of dogs or cats; creating
3 s. 828.295, F.S.; defining the term "flea market";
4 prohibiting a person from willfully selling,
5 exchanging, or donating, or offering for sale,
6 exchange, or donation a dog or cat at a flea market;
7 providing exceptions; establishing criminal penalties;
8 establishing enhanced criminal penalties for certain
9 violations; providing an effective date.

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

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13 Section 1. Section 828.295, Florida Statutes, is created to
14 read:

15 828.295 Sales of dogs or cats prohibited at flea markets.-

16 (1) As used in this section, the term "flea market" means
17 an organized event at which two or more persons offer
18 merchandise for sale or exchange, such as a swap meet or an open
19 air market.

20 (2) A person may not willfully sell, exchange, or donate,
21 or offer for sale, exchange, or donation a dog or cat at a flea
22 market.

23 (3) A county-operated or city-operated animal control
24 agency or a registered nonprofit humane organization is exempt
25 from this section.

26 (4) (a) A person who violates this section for the first
27 time commits a misdemeanor of the second degree, punishable as
28 provided in s. 775.082 or s. 775.083.

29 (b) A person who violates this section for a second or

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30 subsequent time commits a misdemeanor of the first degree,
31 punishable as provided in s. 775.082 or s. 775.083.

32 Section 2. This act shall take effect July 1, 2014.