

HB 711

2015

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; defining terms; providing legislative findings;  
5           creating the Care for Retired Law Enforcement Dogs  
6           Program within the Department of Law Enforcement;  
7           requiring the department to contract with a  
8           corporation not for profit to administer and manage  
9           the program; providing requirements for the  
10          corporation not for profit; providing requirements for  
11          the disbursement of funds for the veterinary care of  
12          eligible retired law enforcement dogs; placing an  
13          annual cap on the amount of funds available for the  
14          care of an eligible retired law enforcement dog;  
15          prohibiting a former handler or adopter from seeking  
16          reimbursement if funds are depleted for the year such  
17          reimbursement is sought; providing for the deposit of  
18          program funds; providing for the reversion of funds to  
19          the department under certain circumstances;  
20          authorizing the carryforward of unexpended  
21          appropriations for use in the program up to certain  
22          limits; requiring the department to adopt rules;  
23          providing an appropriation; providing an effective  
24          date.

25  
26   Be It Enacted by the Legislature of the State of Florida:

27  
28 Section 1. Section 943.69, Florida Statutes, is created to  
29 read:

30 943.69 Care for Retired Law Enforcement Dogs Program.—

31 (1) SHORT TITLE.—This section may be cited as the "Care  
32 for Retired Law Enforcement Dogs Program Act."

33 (2) DEFINITIONS.—As used in this section, the term:

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

39 (b) "Retired law enforcement dog" means a dog that was  
40 previously in the service of or employed by a law enforcement  
41 agency in this state for the principal purpose of aiding in the  
42 detection of criminal activity, enforcement of laws, or  
43 apprehension of offenders and that received certification in  
44 obedience and apprehension work from a certifying organization  
45 such as the National Police Canine Association or other  
46 certifying organization.

47 (c) "Veterinarian" has the same meaning as provided in s.  
48 474.202.

49 (d) "Veterinary care" means a veterinary medical service  
50 specified in s. 474.202 which is provided by a veterinarian  
51 licensed under chapter 474. The term includes annual wellness  
52 examinations, vaccines, internal and external parasite

53 prevention treatments, testing and treatment of illnesses and  
54 diseases, medications, emergency care and surgeries, specialty  
55 care such as veterinary oncology, euthanasia, and cremation.

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

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

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

66 (c) The service of law enforcement dogs is often dangerous  
67 and can expose them to injury at a rate higher than that of  
68 nonservice dogs; and

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

71 (4) ESTABLISHMENT OF PROGRAM.—The Care for Retired Law  
72 Enforcement Dogs Program is created within the Department of Law  
73 Enforcement to provide a stable funding source for veterinary  
74 care provided to these dogs.

75 (5) ADMINISTRATION.—The Department of Law Enforcement  
76 shall contract with a corporation not for profit organized under  
77 chapter 617 to administer and manage the Care for Retired Law  
78 Enforcement Dogs Program. Notwithstanding the competitive sealed

79 bid procedures required under chapter 287, the department shall  
 80 enter into a contract with a corporation not for profit that:

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

83 (b) Is exempt from taxation under s. 501(a) of the  
 84 Internal Revenue Code as an organization described in s.  
 85 501(c) (3) of that code;

86 (c) Has maintained such tax-exempt status for at least 5  
 87 years;

88 (d) Agrees to be subject to review and audit at the  
 89 discretion of the Auditor General in order to ensure accurate  
 90 accounting and disbursement of state funds; and

91 (e) Demonstrates the ability to effectively and  
 92 efficiently disseminate information and to assist former  
 93 handlers and adopters of retired law enforcement dogs in  
 94 complying with this section.

95 (6) FUNDING.—

96 (a) The corporation not for profit shall be the disbursing  
 97 authority for funds appropriated by the Legislature to the  
 98 department for the Care for Retired Law Enforcement Dogs  
 99 Program. These funds shall be disbursed upon receipt of:

100 1. Valid documentation from the law enforcement agency  
 101 from which the dog retired which verifies that the dog was in  
 102 the service of or employed by such agency; and

103 2. A valid invoice from a veterinarian for veterinary care  
 104 provided in this state to a retired law enforcement dog which is

105 submitted by the former handler or adopter of a retired law  
106 enforcement dog.

107 (b) Annual disbursements to a former handler or adopter to  
108 reimburse him or her for the cost of care provided to a retired  
109 law enforcement dog may not exceed \$1,500 per dog. A former  
110 handler or adopter of a retired law enforcement dog may not  
111 accumulate unused funds from a current year for use in a future  
112 year.

113 (c) A former handler or adopter of a retired law  
114 enforcement dog who seeks reimbursement for veterinary services  
115 may not receive reimbursement if funds appropriated for the Care  
116 for Retired Law Enforcement Dogs Program are depleted in the  
117 year for which the reimbursement is sought.

118 (d) Funds appropriated for the Care for Retired Law  
119 Enforcement Dogs Program shall be held in a separate depository  
120 account in the Operating Trust Fund of the department in the  
121 name of the corporation not for profit and are subject to the  
122 provisions of the corporation's contract with the department.  
123 The contract must provide that:

124 1. The corporation not for profit must receive  
125 administrative fees, including salaries and benefits, of up to  
126 10 percent of appropriated funds; and

127 2. Any funds held in the separate depository account in  
128 the name of the corporation not for profit must revert to the  
129 department upon expiration or termination of the contract.

130 (e) Notwithstanding s. 216.301, and pursuant to s.

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131 216.351, on July 1 of each year, the Executive Office of the  
132 Governor shall certify forward all unexpended funds appropriated  
133 pursuant to this section. However, the fund balance for the Care  
134 for Retired Law Enforcement Dogs Program may not exceed  
135 \$400,000.

136 (7) RULEMAKING.-The department shall adopt rules pursuant  
137 to ss. 120.536(1) and 120.54 to implement this section.

138 Section 2. For the 2015-2016 fiscal year, and each fiscal  
139 year thereafter, the sum of \$300,000 in recurring funds is  
140 appropriated from the General Revenue Fund to the Department of  
141 Law Enforcement for the purpose of implementing the Care for  
142 Retired Law Enforcement Dogs Program.

143 Section 3. This act shall take effect July 1, 2015.