

By Senator Campbell

38-01387A-17

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1                   A bill to be entitled  
2           An act relating to pet dealers; providing definitions;  
3           requiring a pet dealer to only sell or offer for sale  
4           a dog procured from a humane society, an animal  
5           shelter, or a person or entity who has not been  
6           adjudicated and issued certain citations for violating  
7           the federal Animal Welfare Act; prohibiting a  
8           commercial dog breeder from selling a dog to a pet  
9           dealer if the breeder is not licensed under such act;  
10          requiring a pet dealer to retain certain records for a  
11          specified period after the sale of any dog; providing  
12          penalties; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16           Section 1. Pet dealers; procurement of dogs for sale;  
17 penalties.-

18           (1) As used in this section, the term:

19           (a) "Animal shelter" means a facility operated for the  
20 purposes of finding permanent adoptive homes for animals or  
21 providing shelter for seized, stray, homeless, abandoned, or  
22 surrendered animals.

23           (b) "Commercial dog breeder" means any person who maintains  
24 30 or more adult female dogs, per year, for the primary purpose  
25 of selling their offspring.

26           (c) "Humane society" means any incorporated, nonprofit  
27 organization that is organized for the purposes of preventing  
28 cruelty to animals and promoting the humane care and treatment  
29 or adoption of animals.

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30 (d) "Pet dealer" has the same meaning as provided in s.  
31 828.29, Florida Statutes.

32 (2) A pet dealer may only sell or offer for sale a dog  
33 procured from:

34 (a) A humane society;

35 (b) A public or private animal shelter; or

36 (c) A person or entity who has not been adjudicated for a  
37 violation under the federal Animal Welfare Act of 1966 and who  
38 has not been issued by the United States Department of  
39 Agriculture any of the following:

40 1. A citation or citations for 5 direct violations within a  
41 period of 1 year for which the person or entity was  
42 affirmatively found to have violated the act;

43 2. A citation or citations for 5 or more indirect  
44 violations specifically related to the welfare of the dog within  
45 1 year after procurement of the dog for sale for which the  
46 person or entity was affirmatively found to have violated the  
47 act; or

48 3. Two consecutive citations for willfully denying access  
49 to a facility for inspection before procurement of the dog for  
50 sale.

51 (3) A commercial dog breeder who is not licensed by the  
52 United States Department of Agriculture pursuant to the federal  
53 Animal Welfare Act of 1966 may not sell any dog to a pet dealer.

54 (4) A pet dealer shall retain records verifying compliance  
55 with this section for at least 2 years after the sale of any  
56 dog.

57 (5) Any person who violates this section commits a  
58 misdemeanor of the first degree, punishable as provided in s.

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59 775.082 or s. 775.083, Florida Statutes, for each dog sold or  
60 offered for sale.

61 Section 2. This act shall take effect October 1, 2017.