

By Senator Baxley

12-00184A-17

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1 A bill to be entitled
2 An act relating to domestic animals; providing a short
3 title; creating s. 768.1392, F.S.; providing
4 definitions; specifying liability for compensatory
5 damages for the injury or death of a domestic animal;
6 providing applicability; providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. This act may be cited as the "Florida Domestic
11 Animal Recovery Act."

12 Section 2. Section 768.1392, Florida Statutes, is created
13 to read:

14 768.1392 Liability for compensatory damages for injury or
15 death of domestic animals.-

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

17 (a) "Damages" has the same applicability as provided in s.
18 768.71(1).

19 (b) "Domestic animal" means any equine or bovine animal,
20 goat, sheep, swine, domestic cat, dog, poultry, ostrich, emu,
21 rhea, or other domesticated beast or bird.

22 (c) "Noneconomic damages" means nonmonetary losses,
23 including, but not limited to, inconvenience, pain and
24 suffering, or mental or emotional pain or anguish, or loss of
25 sentimental value, love and affection, comfort, companionship,
26 or enjoyment.

27 (2) In any action for the recovery of damages arising out
28 of the injury or death of a domestic animal, the defendant:

29 (a) Is subject to liability for objectively verifiable
30 monetary losses for reasonable and necessary veterinary care of
31 the domestic animal due to the injury or death of the animal.

32 (b) Is subject to liability for objectively verifiable

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33 monetary loss in the fair market value of the domestic animal
34 due to the injury or death of the animal.

35 (c) Is not subject to liability for noneconomic damages.

36 (3) This section does not create a public or private cause
37 of action.

38 Section 3. This act shall take effect July 1, 2017.