

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 not licensed under such act; requiring a pet  
 10          dealer to retain certain records for a specified  
 11          period after the sale of any dog; providing penalties;  
 12          providing an effective date.

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

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 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  
 24                          maintains 30 or more adult female dogs, per year, for the  
 25                          primary purpose 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.

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 five direct violations  
 41 within a 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 five 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.

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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.  
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.