A bill to be entitled

An act relating to animal hoarding; amending s. 828.02, F.S.; defining the term “animal hoarding”; amending s. 828.12, F.S.; prohibiting animal hoarding; providing penalties and remedies for animal hoarding; providing an effective date.

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

Section 1. Section 828.02, Florida Statutes, is amended to read:

828.02 Definitions.—

(1) As used in this chapter and in every law of the state relating to or in any way affecting animals, the term word “animal” includes shall be held to include every living dumb creature; the terms words “torture,” “torment,” and “cruelty” shall be held to include every act, omission, or neglect whereby unnecessary or unjustifiable pain or suffering is caused, except when done in the interest of medical science, which is permitted, or allowed to continue when there is reasonable remedy or relief; and the terms words “owner” and “person” shall be held to include corporations, and the knowledge and acts of agents and employees of corporations in regard to animals transported, owned, employed by, or in the custody of a corporation, shall be held to be the knowledge and act of such corporation.

(2) As used in this chapter, the term “animal hoarding” means the act of:

(a) Keeping a large number of companion animals in
overcrowded conditions;

(b) Failing to provide such animals with minimal standards of nutrition, sanitation, shelter, and medical care; and

(c) Displaying an inability to recognize or understand, demonstrating a reckless disregard for, or refusing to acknowledge the conditions under which the animals are being kept and the impact of such conditions on the well-being of the animals, the person engaged in the act, or other persons.

Section 2. Subsection (6) is added to section 828.12, Florida Statutes, to read:

828.12 Cruelty to animals.—

(6) A person who engages in animal hoarding as defined in s. 828.02 commits animal cruelty, a felony of the third degree, punishable as provided in s. 775.082, or by a fine of not more than $10,000, or both.

(a) If a court finds probable cause to believe that a violation of this subsection has occurred, the court must order the seizure of any animals whose health and welfare are in imminent danger and provide for appropriate and humane care or disposition of the animals.

(b) A court may order a person, upon a finding of probable cause that such person has violated this subsection, to undergo a psychological evaluation.

(c) The court shall order a person convicted of a violation of this subsection to undergo psychological counseling.

Section 3. This act shall take effect July 1, 2018.