

By Senator Hukill

14-00045-18

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1 A bill to be entitled
2 An act relating to animal hoarding; amending s.
3 828.02, F.S.; defining the term "animal hoarding";
4 amending s. 828.12, F.S.; prohibiting animal hoarding;
5 providing penalties and remedies for animal hoarding;
6 providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Section 828.02, Florida Statutes, is amended to
11 read:

12 828.02 Definitions.—

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

27 (2) As used in this chapter, the term "animal hoarding"
28 means the act of:

29 (a) Keeping a large number of companion animals in

14-00045-18

201886__

30 overcrowded conditions;

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

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

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

40 828.12 Cruelty to animals.—

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

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

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

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

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