

1                                   A bill to be entitled  
 2           An act relating to commercial dog breeders and  
 3           dealers; creating s. 828.295, F.S.; requiring certain  
 4           commercial dog breeders and dealers to be licensed by  
 5           the Department of Agriculture and Consumer Services;  
 6           providing requirements for applications; requiring  
 7           inspections of premises; providing recordkeeping  
 8           requirements; limiting the number of dogs a breeder  
 9           may have at one time; providing requirements for a  
 10          dog's health and care; providing breeding  
 11          requirements; specifying minimum staffing  
 12          requirements; providing for the retirement of dogs;  
 13          providing exceptions for certain small commercial dog  
 14          breeders and dealers; providing an effective date.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

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 18           Section 1. Section 828.295, Florida Statutes, is created  
 19 to read:

20           828.295 Dog breeders and dealers.—  
 21           (1) LICENSURE AND APPLICATIONS.—  
 22           (a) Any person or organization operating a commercial dog  
 23 breeding kennel or pet dealer that offers dogs or puppies for  
 24 sale to the public must have a valid license issued by the  
 25 Department of Agriculture and Consumer Services.

26        (b) The applicant must be at least 18 years of age and  
 27 must have no prior animal cruelty convictions on his or her  
 28 record for the previous 10 years.

29        (c) The applicant must have no history of a revoked or  
 30 refused license under this section.

31        (d) A license issued pursuant to this section shall expire  
 32 1 year after the date of issuance.

33        (2) INSPECTIONS.—

34        (a) A license shall be issued only after inspection of the  
 35 applicant's premises by the department.

36        (b) If unacceptable conditions are found at the initial  
 37 inspection, the applicant shall have 30 days to correct the  
 38 conditions and reapply. If the applicant fails the second pre-  
 39 license inspection, a license may not be issued.

40        (c) The applicant's premises shall be inspected at least  
 41 once a year, or upon a complaint.

42        (3) RECORDKEEPING.—

43        (a) By March 1 of each year, each licensee shall submit  
 44 the total number of dogs sold, traded, bartered, brokered, given  
 45 away, boarded, or exhibited during the previous calendar year.

46        (b) Each licensee shall keep a record of the method of  
 47 acquisition and disposal for each animal and retain such record  
 48 for at least 3 years.

49        (c) Each licensee shall keep a record of the medical  
 50 treatments performed on each animal and retain such record for

51 at least 3 years.

52 (4) NUMBER OF DOGS.—A breeder may not possess, control, or  
53 otherwise have charge of at the same time more than 50 sexually  
54 intact dogs that are 6 months of age or older for the primary  
55 purpose of reproduction.

56 (5) PRIMARY ENCLOSURES.—A primary enclosure in a dog  
57 kennel:

58 (a) May not have sharp points or edges.

59 (b) Must contain the dogs securely.

60 (c) Must prevent other dogs from entering the enclosure.

61 (d) Must enable the dogs to remain dry and clean.

62 (e) Must enable adequate air flow and fresh air exchange.

63 (f) Must provide shelter and protection from extreme  
64 temperatures and weather conditions that may be uncomfortable or  
65 hazardous to the dogs.

66 (g) Must provide sufficient windbreaks, shade, and covered  
67 shelter large enough to cover all the dogs housed in the primary  
68 enclosure at one time.

69 (h) Must provide all the dogs with easy and convenient  
70 access to clean food and water.

71 (i) Must be constructed so that all surfaces in contact  
72 with the dogs are of a material that can be adequately cleaned  
73 and sanitized or be replaced when worn or soiled.

74 (j) Must be constructed so that all floors protect the  
75 dogs' feet and legs from injury with only solid or wide-slatted

76 | flooring. Wire strand flooring and gridded flooring may not be  
 77 | used.

78 | (k) Must be constructed so that enclosures are not stacked  
 79 | one on top of another or suspended from the ceiling.

80 | (l) Must include at least 1 foot of headroom above the  
 81 | head of the tallest dog in the enclosure.

82 | (6) INDOOR SPACE REQUIREMENTS.—There shall be at least 12  
 83 | square feet of indoor space for each dog up to 25 inches long,  
 84 | at least 20 square feet of indoor space for each dog between 25  
 85 | inches long and 35 inches long, and at least 30 square feet of  
 86 | indoor space for each dog 35 inches long or longer. For purposes  
 87 | of this subsection, the length of a dog is measured from the tip  
 88 | of the dog's nose to the base of the dog's tail.

89 | (7) LIGHTING.—Dogs shall have at least 10 hours per day of  
 90 | adequate natural or artificial light.

91 | (8) TEMPERATURE REGULATION.—

92 | (a) Adult dogs must be kept in temperatures between 50  
 93 | degrees and 85 degrees Fahrenheit.

94 | (b) Puppies and nursing mothers must be kept in  
 95 | temperatures between 65 degrees and 85 degrees Fahrenheit.

96 | (c) Adequate bedding material must be provided so that the  
 97 | dog can nest and maintain body heat, if desired.

98 | (9) FEEDING AND WATERING.—

99 | (a) Dogs must be fed at least twice during each 24-hour  
 100 | period, except as otherwise required to provide adequate

101 veterinary care.

102 (b) Dogs must be fed an adequate amount of food to  
 103 maintain good health and physical condition.

104 (c) Dog food must be stored in closed containers and kept  
 105 wholesome and free of pests or spoilage.

106 (d) Dogs must have continuous access to potable water that  
 107 is not frozen and is generally free of debris, feces, algae, and  
 108 other contaminants.

109 (10) VETERINARY CARE.—

110 (a) Each breeder must provide a written medical program  
 111 signed by a licensed veterinarian.

112 (b) A hands-on examination must be performed on each dog  
 113 by a licensed veterinarian at least once each year.

114 (c) Each dog must be properly identified by a collar  
 115 identification, cage card, or microchip so that the dog can be  
 116 matched with his or her veterinary records.

117 (d) Core vaccinations as recommended by the American  
 118 Veterinary Medical Association, including rabies vaccinations  
 119 for all dogs over 4 months of age and vaccinations necessary to  
 120 prevent common canine diseases such as Parvovirus, must be  
 121 administered to each dog by a licensed veterinarian, as  
 122 necessary.

123 (e) Medications must be administered as necessary to  
 124 prevent infestation by intestinal parasites.

125 (f) Documentation of all veterinary treatments and any

126  euthanasia procedures must be maintained by the breeder for at  
127  least 3 years and made available to inspectors upon request.

128  (g) Euthanasia may only be performed by a licensed  
129  veterinarian in compliance with s. 828.058.

130  (h) Surgical births and other surgical procedures may only  
131  be performed by a licensed veterinarian.

132  (11) BREEDING DOG RESTRICTIONS.—

133  (a) Dogs used for breeding must be in sound reproductive  
134  health.

135  (b) The breeder must establish and implement a screening  
136  program to test for known inheritable diseases or potentially  
137  disabling health defects.

138  (c) Female unaltered dogs must be at least 12 months old  
139  before being bred.

140  (d) Records of litters birthed and genetic testing  
141  performed must be maintained for at least 3 years.

142  (e) Female dogs may not give birth to more than six  
143  litters in a lifetime.

144  (f) Puppies may not be removed from the premises earlier  
145  than 8 weeks of age except for medical reasons such as  
146  veterinary visits.

147  (12) GROOMING AND DENTAL CARE.—

148  (a) Grooming of fur and nails must be performed at least  
149  twice a year or more often as needed to prevent matting of fur  
150  and curling and overgrowth of nails.

151 (b) An annual oral examination must be performed by a  
152 licensed veterinarian on each dog with subsequent treatment of  
153 identified problems.

154 (13) EXERCISE AND SOCIALIZATION.—

155 (a) All adult dogs must have unfettered access, at least  
156 during the day, to an exercise area that is at ground level and  
157 is at least twice the size of the primary enclosure.

158 (b) All dogs must be provided at least 30 minutes per day  
159 of meaningful socialization with humans and compatible dogs.

160 (c) All dogs must be housed with other compatible dogs  
161 unless there is a medical or behavioral reason that requires the  
162 dog to be kept in isolation.

163 (14) SANITATION.—

164 (a) Excreta must be removed from each primary enclosure at  
165 least once per day.

166 (b) Adequate air exchange must be provided to control  
167 humidity, odors, and fumes.

168 (c) Surfaces in contact with dogs must be kept clean and  
169 free of any build-up of dirt, grime, or other wastes.

170 (d) Food and water receptacles must be cleaned and  
171 sanitized daily.

172 (e) Adequate pest control must be maintained to control  
173 rodents, flies, and other pests.

174 (15) STAFFING.—

175 (a) Adequate staffing must be maintained at the premises

176 | 12 hours per day to attend to the dogs.

177 | (b) At least one full-time staff member must be maintained  
178 | per each 25 adult dogs housed at the premises.

179 | (16) RETIREMENT.—If a breeder chooses not to keep a dog,  
180 | the breeder must make all reasonable efforts to place the dog  
181 | with an adoptive family, rescue organization, or other  
182 | appropriate owner.

183 | (17) EXCEPTIONS.—This section does not apply to a  
184 | commercial dog breeding kennel with four or fewer breeding  
185 | females or a pet dealer which, in the ordinary course of  
186 | business, engages in the sale of fewer than 20 dogs or puppies  
187 | per year to the public.

188 | Section 2. This act shall take effect October 1, 2019.