

By Senator Taddeo

40-00356-20

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1                   A bill to be entitled  
2           An act relating to contracts for the sale or lease of  
3           pets; creating s. 828.32, F.S.; providing legislative  
4           intent; defining the term "pet"; declaring that  
5           certain contracts entered into on or after a specified  
6           date for the sale or lease of a pet are void and  
7           unenforceable as being against the public policy of  
8           this state; providing an exception; providing remedies  
9           for noncompliance; providing penalties; providing an  
10          effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Section 828.32, Florida Statutes, is created to  
15          read:

16           828.32 Contracts for the sale or lease of pets.-

17           (1) It is the intent of the Legislature to protect  
18           consumers in this state from deceptive and predatory financing  
19           arrangements and to protect pets from the harmful effects of  
20           such arrangements by making it a policy of the state to prohibit  
21           the leasing of pets.

22           (2) As used in this section, the term:

23           (a) "Pet" means a living animal that has been acquired for  
24           the primary purpose of providing companionship to the owner,  
25           rather than for a business or agricultural purpose.

26           (b) "Pet dealer" has the same meaning as in s. 828.29(13).

27           (3) A contract entered into on or after July 1, 2020, to do  
28           any of the following is against the public policy of this state  
29           and is void and unenforceable:

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30       (a) Transfer ownership of a pet, if the pet is used as  
31 collateral for the contract or is subject to repossession in any  
32 manner upon default of the contract. Such prohibition does not  
33 apply to sales in which payments are made to repay an unsecured  
34 loan for the purchase of the animal.

35       (b) Lease a pet, if the contract provides for or offers the  
36 option of transferring ownership of the animal at the end of the  
37 lease term.

38       (4) In addition to any other remedies provided by law, the  
39 consumer taking possession of a pet transferred under a contract  
40 described in this section is the owner of the pet and is  
41 entitled to the return of all amounts the consumer paid under  
42 such contract.

43       (5) A person who offers a pet for lease or as collateral  
44 for a contract in violation of this section commits a  
45 noncriminal violation as defined in s. 775.08(3) and upon  
46 conviction shall be punished as provided in s. 775.082(5) by a  
47 civil fine of not more than \$500 for a first violation and not  
48 more than \$1,000 for a second or subsequent violation.

49       Section 2. This act shall take effect July 1, 2020.