

1 A bill to be entitled
 2 An act relating to animal cruelty; providing a short
 3 title; creating s. 828.124, F.S.; defining the term
 4 "treatment provider"; requiring veterinarians to
 5 report suspected animal cruelty in certain
 6 circumstances; requiring certain persons to report
 7 suspected animal cruelty to a veterinarian; providing
 8 duties for veterinarians; providing immunity from
 9 criminal and civil liability for certain persons and
 10 entities; prohibiting the alteration or destruction of
 11 certain records; providing criminal penalties;
 12 providing enhanced penalties for repeat violations;
 13 amending s. 474.214, F.S.; specifying that failure of
 14 a veterinarian to report suspected animal cruelty is
 15 grounds for discipline; providing an effective date.

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

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 19 Section 1. This act may be sited as "Allie's Law."

20 Section 2. Section 828.124, Florida Statutes, is created
 21 to read:

22 828.124 Reporting animal cruelty; medical records.-

23 (1) As used in this section the term "treatment provider"
 24 includes any animal care facility, animal hospital, private
 25 veterinary practice, animal shelter, veterinary school,

26 specialized veterinary hospital or any place dog or cats are
27 seen for any kind of treatment.

28 (2) A veterinarian licensed to practice in the state who
29 knows, or has reasonable cause to suspect, that a dog or cat
30 showing visible signs of cruelty, as prohibited under s.
31 828.12(1), has been or is being subjected to animal cruelty by
32 its owner or under its owner's care, shall report such knowledge
33 or suspicion within 48 hours after obtaining such knowledge or
34 suspicion to a local law enforcement or animal control agency
35 for investigation.

36 (3) A veterinary technician or an employee or volunteer of
37 an animal treatment provider, facility, or shelter, who during
38 the normal course of care of a dog or cat, knows, or has reason
39 to suspect, that a dog or cat, showing visible signs of cruelty,
40 as prohibited under s. 828.12(1), has been or is being subjected
41 to animal cruelty by its owner or under its owner's care, shall
42 report within 24 hours to a veterinarian such knowledge or
43 suspicion, who shall, if the cooperation of the owner or
44 caretaker is obtained, attempt to examine the dog or cat within
45 24 hours after notification of suspected cruelty. If the owner
46 or caretaker refuses to permit a veterinarian to examine a dog
47 or cat that has been reported to a veterinarian under this
48 subsection as possibly subjected to animal cruelty, or the
49 veterinarian is otherwise unable to examine the animal, then the
50 veterinarian shall report the suspected cruelty to a local law

51 enforcement or animal control agency for investigation.

52 (4) A veterinarian, veterinary technician, or an employee
53 or volunteer of a treatment provider facility, or shelter
54 practicing in the state shall be held harmless from either
55 criminal or civil liability for any decisions made to report
56 suspected cruelty. Any such animal treatment provider, facility,
57 or shelter is immune from all civil liability for any decisions
58 made to report suspected cruelty and its cooperation with any
59 related investigation of cruelty to animals.

60 (5) It is a violation of this section for a veterinary
61 technician or any employee or volunteer of a veterinary
62 practice, treatment provider, facility, or shelter to knowingly
63 alter or destroy an existing medical record for the purpose of
64 concealing or attempting to conceal cruelty of a dog or cat.

65 (6) (a) Except as provided in paragraph (b), a person who
66 violates subsection (5) commits a misdemeanor of the first
67 degree, punishable as provided in s. 775.082 or s. 775.083.

68 (b) A person who commits a second or subsequent violation
69 of subsection (5) commits a felony of the third degree,
70 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

71 Section 3. Paragraph (qq) is added to subsection (1) of
72 section 474.214, Florida Statutes, to read:

73 474.214 Disciplinary proceedings.—

74 (1) The following acts shall constitute grounds for which
75 the disciplinary actions in subsection (2) may be taken:

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76 | (qq) Failure to report suspect animal cruelty to the
77 | proper authorities.

78 | Section 4. This act shall take effect July 1, 2020.