

By Senator Brandes

24-00543C-20

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1 A bill to be entitled
2 An act relating to lost, stray, unwanted, or homeless
3 dogs and cats; amending s. 823.151, F.S.; providing
4 legislative findings and intent; requiring certain
5 animal shelters, humane organizations, or animal
6 control agencies that take receivership of any lost,
7 stray, unwanted, or homeless dogs or cats to adopt
8 written policies and procedures to achieve specified
9 goals; requiring that additional specified records be
10 available to the public; authorizing employees,
11 agents, or contractors of certain animal shelters or
12 animal control agencies to implant dogs and cats with
13 radio-frequency identification devices for certain
14 purposes; authorizing employees, agents, or
15 contractors of certain animal shelters or animal
16 control agencies to contact certain owners of record
17 to verify pet ownership; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 823.151, Florida Statutes, is amended to
22 read:

23 823.151 Lost, ~~or~~ stray, unwanted, or homeless dogs and
24 cats.—

25 (1) The Legislature finds that natural disasters, such as
26 hurricanes, may result in an increase in owned dogs and cats
27 becoming lost or stray. The Legislature further finds that dog
28 and cat owners statewide should be afforded the opportunity to
29 quickly and reliably claim their lost pets. It is therefore

24-00543C-20

2020980__

30 declared to be the public policy of the state that animal
31 control agencies and humane organizations shall adopt policies
32 and procedures to help return lost cats or dogs to identified
33 owners.

34 (2) ~~(a)~~ A public or private animal shelter, humane
35 organization, or animal control agency operated by a humane
36 organization or by a county, municipality, or other incorporated
37 political subdivision which ~~that~~ takes receivership of any lost
38 or stray dogs or cats shall adopt written policies and
39 procedures to ensure that every reasonable effort is made to
40 quickly and reliably return owned animals to their owners. Such
41 policies and procedures shall include:

42 (a) ~~1.~~ Upon intake, screening of lost or stray dogs and cats
43 for identification, including tags, licenses, implanted
44 microchips, and tattoos.

45 (b) ~~2.~~ A process for matching received lost or stray dogs
46 and cats with any reports of lost pets received by the shelter
47 from owners.

48 (c) ~~3.~~ Public notice of lost or stray dogs and cats
49 received, provided at the shelter or on the Internet, as
50 appropriate, within 48 hours of the animal's admission.

51 (d) ~~4.~~ Reasonable efforts to notify identified owners of
52 lost or stray dogs and cats within 48 hours of identification.
53 Such reasonable efforts may include, but are not limited to,
54 attempts to contact identified owners by telephone, by
55 electronic mail, by United States mail, or by personal service
56 at the owner's last known phone number and address.

57 (e) ~~5.~~ Notice to the public of the shelter's location,
58 hours, fees, and the return-to-owner process posted on the

24-00543C-20

2020980

59 Internet, with the shelter's business hours posted outside the
60 shelter facility and recorded on the shelter's telephone
61 answering system message.

62 (f)6. Access for owners to retrieve dogs and cats at least
63 1 weekend day per week and after 5:00 p.m. 1 weekday per week,
64 provided that complying with the requirements of this paragraph
65 ~~subparagraph~~ does not require an increase in total operating
66 hours.

67 (g)7. Direct return-to-owner protocols that allow animal
68 control officers in the field to directly return lost or stray
69 dogs and cats to their owners when the owners have been
70 identified.

71 (h)8. Procedural safeguards to minimize the euthanasia of
72 owned dogs and cats. Such safeguards shall include, but are not
73 limited to, record verification to ensure that each animal to be
74 euthanized is the correct animal designated for the procedure
75 and proper scanning for an implanted microchip using a universal
76 scanner immediately prior to the procedure.

77 (i)9. Temporary extension of local minimum stray hold
78 periods after a disaster is declared by the President of the
79 United States or a state of emergency is declared by the
80 Governor, if deemed necessary by a local government in the area
81 of the declaration.

82 ~~(b) Records related to this section and maintained by a~~
83 ~~public or private animal shelter, humane organization, or animal~~
84 ~~control agency operated by a humane society or by a county,~~
85 ~~municipality, or other incorporated political subdivision must~~
86 ~~be made available to the public pursuant to chapter 119.~~

87 (3) The Legislature finds shelter operating practices that

24-00543C-20

2020980__

88 primarily focus on the live release rate of animals can lead to
89 serious problems with public health and safety and animal
90 welfare. In the absence of a balanced approach to sheltering
91 which includes consideration of all aspects of animal welfare
92 and public safety, agencies may refuse admission to animals they
93 cannot subsequently offer for adoption, denying animals in need
94 a safe haven. Alternatively, these shelter practices can result
95 in overcrowded conditions, fighting, compromised safety for
96 animals and staff, disease outbreaks, and suffering. Further,
97 dangerous dogs may be released into the community in order to
98 meet statistical live-release goals. It is therefore declared to
99 be the policy of this state that animal control agencies and
100 humane organizations shall adopt community-focused policies and
101 procedures to maximize live outcomes for animals, while also
102 balancing animal welfare and public safety.

103 (4) A public or private animal shelter, humane
104 organization, or animal control agency operated by a humane
105 organization or by a county, municipality, or other incorporated
106 political subdivision which takes receivership of any lost,
107 stray, unwanted, or homeless dogs or cats shall adopt written
108 policies and procedures to achieve all of the following goals:

109 (a) Ensure every lost, stray, unwanted, or homeless pet in
110 its custody has appropriate shelter and care.

111 (b) Make every animal deemed healthy and safe available for
112 adoption.

113 (c) Assess the medical and behavioral needs of homeless
114 animals and ensure these needs are addressed on a case-by-case
115 basis regardless of breed, including full disclosure of all
116 medical conditions and behavioral issues.

24-00543C-20

2020980__

117 (d) Consider the needs of the community and secure public
118 trust.

119 (e) Alleviate suffering and make appropriate euthanasia
120 decisions.

121 (f) Consider the health and wellness of animals in each
122 community when transferring animals.

123 (g) Foster a culture of transparency and ethical
124 decisionmaking.

125 (h) Strive to follow the Best Practices for Humane Care and
126 High Live Release Programming as published and made available
127 online in 2018 by the Florida Animal Control Association and the
128 Florida Association of Animal Welfare Organizations.

129 (5) Records related to this section and maintained by a
130 public or private animal shelter, humane organization, or animal
131 control agency operated by a humane society or by a county,
132 municipality, or other incorporated political subdivision must
133 be made available to the public pursuant to chapter 119.

134 (6) Employees, agents, or contractors of a public or
135 private animal shelter or animal control agency operated by a
136 humane organization or by a county, municipality, or other
137 incorporated political subdivision may implant dogs and cats
138 with radio-frequency identification devices for the purposes of
139 pet identification in order to reduce the number of pets
140 entering shelters, save taxpayer dollars, and assist pet owners
141 in being reunited with lost pets.

142 (7) Employees, agents, or contractors of a public or
143 private animal shelter or animal control agency operated by a
144 humane organization or by a county, municipality, or other
145 incorporated political subdivision may contact the owner of

24-00543C-20

2020980__

146 record of a radio-frequency identification device to verify pet
147 ownership.

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