

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** CS/CS/CS/HB 25 Care for Retired Law Enforcement Dogs

**SPONSOR(S):** Judiciary Committee and Justice Appropriations Subcommittee and Criminal Justice & Public Safety Subcommittee, Killebrew and others

**TIED BILLS:** **IDEN./SIM. BILLS:** CS/SB 226

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**FINAL HOUSE FLOOR ACTION:** 117 Y's 0 N's **GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/CS/CS/HB 25 passed the House on March 8, 2022, as CS/SB 226.

Police dogs contribute to many law enforcement efforts statewide, including assisting in apprehending suspects through tracking and searching, locating evidence, detecting drugs and bombs, and search and rescue operations. A police dog may face natural aging conditions and may also be exposed to injury in the line of duty. Upon retirement, it is common for a dog's law enforcement officer partner or handler to assume the responsibility for the dog's custody and care, which may often require the payment of costly medical expenses.

The bill creates s. 943.69, F.S., to establish the Care for Retired Police Dogs Program (Program) within the Florida Department of Law Enforcement (FDLE) to provide a stable and consistent source of financial support for the veterinary care of retired police dogs. Under the bill, a "retired police dog" (RPD) is a dog that was previously in the service of or employed by a Florida law enforcement agency or correctional agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders that has been certified in obedience and apprehension work.

The bill requires FDLE to contract with a nonprofit corporation selected through a competitive grant award process to administer and manage the Program. The selected nonprofit must:

- Be dedicated to the protection or care of RPDs;
- Be tax exempt as a 501(c)(3) organization;
- Have maintained the required tax-exempt status for at least five years;
- Agree to be subject to review and audit by the Auditor General; and
- Demonstrate the ability to effectively and efficiently disseminate information and assistance to former handlers and adopters of RPDs.

Under the bill, Program funds must be disbursed to the former handler or adopter of a RPD that served for five or more years, or that served for at least three years, was injured in the line of duty, and retired due to such injury. An eligible handler must provide verifying documentation of the dog's service from the agency from which the dog retired, an invoice detailing the RPD's veterinary care provided in this state, and documentation establishing that the former handler or adopter paid the invoice. Covered veterinary care includes wellness examinations, vaccinations, parasite prevention treatments, testing and treatment of illnesses and diseases, medications, emergency care and surgery, veterinary oncology or other specialty care, euthanasia, and cremation. Former handlers and adopters are eligible to be reimbursed for up to \$1,500 per year, but are not eligible for reimbursement if the funds appropriated for the Program are depleted in the year in which reimbursement is sought.

The bill provides a \$300,000 recurring appropriation from the General Revenue Fund to FDLE to establish and maintain the Program. Under the bill, the selected nonprofit may use up to 10 percent of the appropriated funds to cover administrative expenses, including salaries and benefits.

The bill was approved by the Governor on June 10, 2022, ch. 2022-188, L.O.F., and will become effective on July 1, 2022.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives .

**STORAGE NAME** h0025z1.DOCX

**DATE** 6/13/2022

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### Background

Police dogs are valued for their senses of smell and hearing, speed, and agility.<sup>1</sup> These combined abilities allow a police dog to perform functions that human officers cannot. A police dog may contribute to a variety of law enforcement functions, including:

- Locating missing persons;
- Apprehending criminal suspects;
- Performing article searches;
- Detecting narcotics;
- Detecting explosives and accelerants; and
- Tracking ground disturbances.<sup>2</sup>

Certain breeds of dog are more suited to service as police dogs. Belgian Malinois, German Shepherd, Bloodhound, Dutch Shepherd, and Labrador Retriever are some of the most popular breed choices to be trained as police dogs.<sup>3</sup> Specifically, these breeds are known for their working ability, desire to cooperate with their handlers, and their tenacity in fighting criminals.<sup>4</sup>

Though specific requirements of basic training for a police dog are not standardized, all police dogs receive training in the fundamentals of agility, endurance, and obedience.<sup>5</sup> Training usually begins when the dog is approximately one year old and lasts between 12 to 16 weeks.<sup>6</sup> A police dog may serve in a law enforcement role for approximately six to 10 years.<sup>7</sup>

Generally, upon the dog's retirement, a police dog's handler or human law enforcement officer partner is given priority in adopting the dog. If the handler is unable to adopt the dog, the adoption is opened up to other law enforcement officers. If an adopter cannot be found within law enforcement, a civilian family who is familiar with the needs of a police dog may be selected. However, it is estimated that close to 90 percent of handlers assume responsibility for their police dog upon the dog's retirement.<sup>8</sup>

A retired police dog (RPD) may have more complex medical needs than other dogs, requiring more specialized veterinary knowledge to diagnose and treat the dog's medical issues.<sup>9</sup> RPDs may experience health issues and negative behaviors following retirement such as general anxiety and separation anxiety, depression, aggression, post-traumatic stress disorder, and anti-social behavior.<sup>10</sup> Further, it is not uncommon for a RPD to suffer from physical injuries or medical issues which require

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<sup>1</sup> See Leon County Sheriff's Office, K9, <http://www.leoncountysoc.com/departments/law-enforcement/k9> (last visited Mar. 16, 2022).

<sup>2</sup> *Id.*; Stefanie Dazio, *19 K-9 Line of Duty Deaths This Year Highlight Police Dogs' Important Jobs*, PoliceOne.com (Sept. 30, 2018), <https://www.policeone.com/k-9/articles/481541006-19-K-9-line-of-duty-deaths-this-year-highlight-police-dogs-important-jobs/> (last visited Mar. 16, 2022).

<sup>3</sup> Katie Finlay, *What do Police Dogs Do?*, American Kennel Club (Oct. 3, 2019), <https://www.akc.org/expert-advice/lifestyle/what-do-police-dogs-do/> (last visited Mar. 16, 2022).

<sup>4</sup> *Id.*

<sup>5</sup> Melvin Pena, *Police Dogs: Just the Facts*, <https://www.dogster.com/lifestyle/police-dogs-dog-breeds-k9-unit-law-enforcement> (last visited Mar. 16, 2022).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> Steve Montiero, *Ask Trooper Steve: What Happens to Retired Police Dogs?*, <https://www.clickorlando.com/traffic/2020/06/24/ask-trooper-steve-what-happens-to-retired-police-dogs/> (last visited Mar. 16, 2022).

<sup>9</sup> Kathryn L. Sullivan Kutil, *Four-Footed Cops to the Rescue: Police Dogs are Officers, Partners, and Protectors* (Dec. 13, 2018), <https://cvm.msu.edu/news/perspectives-magazine/perspectives-fall-2018/serving-those-who-serve-us> (last visited Mar. 16, 2022).

<sup>10</sup> Canine Bible, *Police Dog Lifespan: How Long They Work, Life? Retirement & Adoption* (Mar. 7, 2021), <https://www.caninebible.com/police-dog-lifespan/> (last visited Mar. 16, 2022).

ongoing veterinary care and expense.<sup>11</sup> Additionally, RPDs may require additional veterinary care due to prolonged harmful exposure to things like explosives and drugs encountered during their service. While some municipalities or larger law enforcement agencies may have funding in their budget to assist with the care of RPDs, there is no current statewide program or funding to assist with medical care and related expenses for RPDs.

## Effect of the Bill

The bill creates s. 943.69, F.S., to establish the Care for Retired Police Dogs Program (Program) within the Florida Department of Law Enforcement (FDLE) to provide stable and consistent financial support for the veterinary care of RPDs. The bill defines:

- “Correctional agency” as a lawfully established state or local public agency having primary responsibility for the supervision, protection, care, custody, control, or investigation of inmates at a correctional institution.
- “Retired police dog” as a dog that was previously in the service of or employed by a law enforcement agency or correctional agency in Florida for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders that has been certified in obedience and apprehension work.
- “Law enforcement agency” as a lawfully established state or local public agency having primary responsibility for the prevention and detection of crime or the enforcement of penal, traffic, highway, regulatory, game, immigration, postal, customs, or controlled substance laws.
- “Veterinarian” as a health care practitioner who is licensed to engage in the practice of veterinary medicine in Florida.
- “Veterinary care” as the practice, by a veterinarian, of veterinary medicine as defined in s. 474.202, F.S. The term includes annual wellness examinations, vaccinations, internal and external parasite prevention treatments, testing and treatment of illnesses and diseases, medications, emergency care and surgeries, veterinary oncology or other specialty care, euthanasia, and cremation.

To be eligible for reimbursement through the Program, the RPD must have served at least five years with one or more law enforcement agencies prior to retirement or have served a minimum of three years if the dog was injured in the line of duty and retired due to such injury.

The bill requires FDLE to contract with a nonprofit corporation<sup>12</sup> selected through a competitive grant award process to administer and manage the Program. To be eligible, a nonprofit corporation must:

- Be dedicated to the protection or care of RPDs;
- Be exempt from taxation under s. 501(a) of the Internal Revenue Code as an organization described in s. 501(c)(3) of that code;
- Have maintained such tax-exempt status for at least five years;
- Agree to be subject to review and audit at the discretion of the Auditor General to ensure accurate accounting and disbursement of state funds; and
- Demonstrate the ability to effectively and efficiently disseminate information and to assist a former handler or adopter of a RPD in complying with Program requirements.

Under the bill, the chosen nonprofit is the disbursing authority for state funds to qualifying former handlers and adopters of RPDs. In order to receive a reimbursement for veterinary services to a RPD, the former handler or adopter must provide the nonprofit with valid documentation of:

- The RPD’s service to or employment with a law enforcement or correctional agency for five years or more, or service of at least three years if the RPD was injured in the line of duty and retired due to such injury, provided by the agency from which the dog retired;

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<sup>11</sup> *Id.*

<sup>12</sup> Ch. 617, F.S., defines a “corporation not for profit” as a corporation no part of the income or profit of which is distributable to its members, directors, or officers, except as otherwise provided under this chapter. S. 617.01401(5), F.S. Chapter 617, F.S., identifies standard operating and filing requirements for a nonprofit corporation organized in Florida.

- A veterinarian's invoice for veterinary care provided in Florida to a RPD; and
- Payment of the veterinary care invoice by the RPD's former handler or adopter.

The bill limits the annual disbursement to a former handler or adopter of a RPD to \$1,500. Funds may not roll over if they are unused by the former handler or adopter in a given year. Further, the bill clarifies that a former handler or adopter may not receive reimbursement for care if the funds appropriated to the Program have already been depleted for the given year.

The bill requires FDLE to adopt rules to implement the Program. The bill also provides an appropriation of \$300,000 in recurring funds from the General Revenue Fund to FDLE to establish and maintain the Program.

The effective date of this bill is July 1, 2022.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

The bill provides an appropriation of \$300,000 in recurring funds from the General Revenue Fund to FDLE to establish and maintain the Program.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

The bill may have a positive fiscal impact on the private sector by reimbursing a former handler or adopter of a RPD for the dog's veterinary care. Additionally, the bill specifies that a contracted nonprofit may retain up to 10 percent of appropriated funds for administrative expenses, including salaries and benefits.

### **D. FISCAL COMMENTS:**

None.