

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Local Administration,  
 2 Federal Affairs & Special Districts Subcommittee  
 3 Representative Payne offered the following:

**Amendment (with title amendment)**

Remove lines 288-396 and insert:

7 (6) Hunting dogs are exempt from this section when engaged  
 8 in any legal hunt or training procedure. Dogs engaged in  
 9 training or exhibiting in legal sports such as obedience trials,  
 10 conformation shows, field trials, hunting/retrieving trials, and  
 11 herding trials are exempt from this section when engaged in any  
 12 legal procedures. However, such dogs at all other times in all  
 13 other respects are subject to this and local laws. Dogs that  
 14 have been classified as dangerous may not be used for hunting  
 15 purposes.

Amendment No.

16 (7) A person who violates ~~any provision of~~ this section  
17 commits a noncriminal infraction, punishable by a fine not to  
18 exceed \$1,000 per violation ~~\$500~~.

19 Section 5. Section 767.125, Florida Statutes, is created  
20 to read:

21 767.125 Statewide Dangerous Dog Registry.-

22 (1) The department shall create and maintain a statewide  
23 Dangerous Dog Registry that provides the public with a  
24 searchable online database of dogs throughout this state which  
25 have been declared dangerous by local authorities.

26 (2) Each animal control authority shall, at a minimum,  
27 report all of the following information regarding a dangerous  
28 dog within its jurisdiction to the department for inclusion in  
29 the registry:

30 (a) A current certificate of rabies vaccination for the  
31 dog.

32 (b) Evidence of a proper enclosure within which the  
33 dangerous dog will be confined and of the posting of the  
34 premises with a clearly visible warning sign at all entry points  
35 which informs both children and adults of the presence of a  
36 dangerous dog on the property.

37 (c) Evidence of permanent identification of the dog, such  
38 as a tattoo on the inside thigh or an implantation of a  
39 microchip.

40 (d) Evidence of the dog having been spayed or neutered.

147857 - h0873-line288.docx

Published On: 1/24/2024 5:28:43 PM

Amendment No.

41 (e) Evidence that the owner has obtained the required  
42 liability insurance.

43 (f) The dog's name and a photograph of the dog.

44 (g) The county in which the dog is located.

45 (h) The owner's name and address.

46 (3) The department shall adopt rules to administer this  
47 section.

48 Section 6. Subsections (1) and (2) of section 767.13,  
49 Florida Statutes, are amended to read:

50 767.13 Attack or bite by dangerous dog; penalties;  
51 confiscation; destruction.-

52 (1) If a dog that has previously been declared dangerous  
53 attacks or bites a person or a domestic animal without  
54 provocation, the owner commits ~~is guilty of~~ a misdemeanor of the  
55 first degree, punishable as provided in s. 775.082 or s.  
56 775.083. ~~In addition,~~ The dangerous dog must ~~shall~~ be  
57 immediately confiscated by an animal control authority; ; ~~;~~ placed  
58 in quarantine, if necessary, for the proper length of time; ; ~~or~~  
59 impounded; ; and held for 10 business days after the owner is  
60 given written notification under s. 767.12, and thereafter  
61 destroyed in an expeditious and humane manner. ~~This 10-day time~~  
62 ~~period shall allow~~ The owner may ~~to~~ request a hearing under s.  
63 767.12 during the 10-day time period. The owner is ~~shall be~~  
64 responsible for payment of all boarding costs and other fees as

Amendment No.

65 may be required to humanely and safely keep the animal during  
66 any appeal procedure.

67 (2) If a dog that has previously been declared dangerous  
68 attacks and causes severe injury to or death of any human, the  
69 owner commits ~~is guilty of~~ a felony of the third degree,  
70 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
71 ~~In addition,~~ The dog must ~~shall~~ be immediately confiscated by an  
72 animal control authority; ~~it~~ placed in quarantine, if necessary,  
73 for the proper length of time; impounded; and ~~or~~ held for 10  
74 business days after the owner is given written notification  
75 under s. 767.12, and thereafter destroyed in an expeditious and  
76 humane manner. ~~This 10-day time period shall allow~~ The owner may  
77 ~~to~~ request a hearing under s. 767.12 during the 10-day time  
78 period. The owner is ~~shall be~~ responsible for payment of all  
79 boarding costs and other fees as may be required to humanely and  
80 safely keep the animal during any appeal procedure.

81 Section 7. Section 767.135, Florida Statutes, is amended  
82 to read:

83 767.135 Attack or bite by unclassified dog that causes  
84 death; confiscation; destruction.—If a dog that has not been  
85 declared dangerous attacks and causes the death of a human, the  
86 dog must ~~shall~~ be immediately confiscated by an animal control  
87 authority; ~~it~~ placed in quarantine, if necessary, for the proper  
88 length of time; impounded; and ~~or~~ held for 10 business days  
89 after the owner is given written notification under s. 767.12,

147857 - h0873-line288.docx

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Amendment No.

90 and thereafter destroyed in an expeditious and humane manner.  
91 ~~This 10-day time period shall allow~~ The owner may ~~to~~ request a  
92 hearing under s. 767.12 during the 10-day time period. If the  
93 owner files a written appeal under s. 767.12 or this section,  
94 the dog must be held and may not be destroyed while the appeal  
95 is pending. The owner is responsible for payment of all boarding  
96 costs and other fees as may be required to humanely and safely  
97 keep the animal during any appeal procedure.

98 Section 8. Subsection (1) of section 767.136, Florida  
99 Statutes, is amended to read:

100 767.136 Attack or bite by unclassified dog that causes  
101 severe injury or death; penalties.—

102 (1) If a dog that has not been declared dangerous attacks  
103 and causes severe injury to, or the death of, a human, and the  
104 owner of the dog had knowledge of the dog's dangerous  
105 propensities, yet failed to secure the dog in a proper enclosure  
106 pursuant to s. 767.01(2) ~~demonstrated a reckless disregard for~~  
107 ~~such propensities under the circumstances~~, the owner of the dog  
108 commits a misdemeanor of the second degree, punishable as  
109 provided in s. 775.082 or s. 775.083.

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111  
112 **T I T L E A M E N D M E N T**

113 Remove lines 23-38 and insert:

Amendment No.

114 for such insurance; revising the civil penalty for violations;  
115 creating s. 767.125, F.S.; requiring the department to create  
116 and maintain a statewide Dangerous Dog Registry; providing the  
117 purpose of the registry; requiring animal control authorities to  
118 provide the department with certain information; requiring the  
119 department to adopt rules; amending ss. 767.13 and 767.135,  
120 F.S.; making technical changes; conforming provisions to changes  
121 made by the act; amending s. 767.136, F.S.; revising the  
122 circumstances under which the owner of a dog that has not been  
123 declared dangerous is liable for such dog's severe injury to, or  
124 the death of, a human;