

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

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BILL #: [CS/HB 255](#)

TITLE: Aggravated Animal Cruelty

SPONSOR(S): Chaney and Weinberger

COMPANION BILL: [CS/SB 494](#) (Leek)

LINKED BILLS: None

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 112 Y's

0 N's

GOVERNOR'S ACTION: Pending

SUMMARY

Effect of the Bill:

The bill creates a sentencing multiplier for aggravated animal cruelty offenses which included the knowing and intentional torture or torment of an animal that injured, mutilated, or killed the animal. For the purpose of determining applicability of the sentencing multiplier, the bill specifies that the term "animal" does not include an animal used for agricultural purposes or permitted as captive wildlife. The bill also requires the Florida Department of Law Enforcement (FDLE), beginning January 1, 2026, to post on its website, in a searchable format, the names of individuals who have been convicted of, or who have entered a plea of guilty or nolo contendere to, regardless of adjudication, animal cruelty offenses.

Fiscal or Economic Impact:

The bill may have an indeterminate positive impact on the jail and prison bed population by increasing the minimum permissible sentence that a court may sentence an offender to in some cases of aggravated animal cruelty, and an insignificant negative impact on state government by requiring FDLE to create a specified database related to animal cruelty offenders.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

ANALYSIS

EFFECT OF THE BILL:

The bill creates a [sentencing multiplier](#) under the [Criminal Punishment Code](#) for specified aggravated [animal cruelty](#) offenses. Under the bill, a convicted defendant's subtotal sentencing points must be multiplied by 1.25 if the primary offense for which the defendant is convicted is aggravated animal cruelty under [s. 828.12\(2\), F.S.](#), and the offense included the knowing and intentional torture or torment of an animal that injured, mutilated, or killed the animal. The bill specifies that, for the purpose of determining applicability of the sentencing multiplier, the term "animal" does not include an animal used for agricultural purposes or permitted as [captive wildlife](#) as authorized under [s. 379.303, F.S.](#) (Section [3](#))

The bill also requires the Florida Department of Law Enforcement (FDLE), beginning January 1, 2026, to post on its [website](#), in a searchable format prescribed by the FDLE, the names of those individuals who have been convicted of, or who have entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of [s. 828.12, F.S.](#), related to cruelty to animals. (Section [2](#))

The act may be cited as "Dexter's Law." (Section [1](#))

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2025. (Section [4](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate positive impact on the prison bed population by increasing the minimum permissible sentence that a court may sentence an offender to in some cases of aggravated animal cruelty, and an insignificant negative impact on state government by requiring FDLE to create a specified database related to

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animal cruelty offenders. According to FDLE, the estimated cost to complete the necessary programmatic changes to fulfill the requirements of the bill is approximately \$12,000 utilizing existing staff resources.¹

LOCAL GOVERNMENT:

The bill may have an indeterminate positive impact on the jail bed population by increasing the minimum permissible sentence that a court may sentence an offender to in some cases of aggravated animal cruelty.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Animal Cruelty

Under [s. 828.12, F.S.](#), a person commits animal cruelty, a first degree misdemeanor, punishable by up to one year in county jail, a fine of not more than \$5,000, or both, if he or she:

- Unnecessarily overloads, overdrives, torments,² mutilates, or kills an animal;
- Deprives an animal of necessary sustenance or shelter;
- Causes any of the above to be done to an animal; or
- Carries an animal in or upon a vehicle, or otherwise, in a cruel or inhumane manner.³

A person commits aggravated animal cruelty, a third degree felony, punishable by up to five years in prison, a fine of not more than \$10,000, or both, by intentionally committing an act on an animal – or failing to act if the person owns and has custody and control of the animal – and such action or omission:

- Results in the cruel death of the animal; or the excessive or repeated infliction of unnecessary pain or suffering on the animal; or
- Causes the same to be done to the animal.⁴

If a person is convicted of aggravated animal cruelty and the violation is found to include the knowing and intentional torture or torment of an animal that injures, mutilates, or kills the animal,⁵ he or she must pay a minimum fine of \$2,500 and complete psychological counseling or anger management for a first conviction.⁶ If a person is convicted of any offense of aggravated animal cruelty a second or subsequent time, he or she must pay a minimum fine of \$5,000, must be sentenced to at least six months of incarceration, and is ineligible for any form of early release, including gain time.⁷

Additionally, a person who is convicted of animal cruelty or aggravated animal cruelty may be prohibited from owning, possessing, keeping, harboring, or having custody or control over any animal for a period of time determined by the court.⁸

The Criminal Punishment Code

Offense Severity Ranking Chart

All felony offenses, with the exception of capital felonies, committed on or after October 1, 1998, are subject to the Criminal Punishment Code.⁹ Felony offenses which are subject to the Criminal Punishment Code are listed in a single offense severity ranking chart (OSRC),¹⁰ which uses 10 offense levels to rank felonies from least severe to

¹ Florida Department of Law Enforcement, Agency Analysis of 2025 Senate Bill 494, p.4 (Feb. 21, 2025).

² The terms “cruelty,” “torture,” “torment” and a “cruel manner” include every act, omission, or neglect whereby unnecessary or unjustifiable pain or suffering is caused, except when done in the interest of medical science, permitted, or allowed to continue when there is reasonable remedy or relief. [S. 828.02, F.S.](#)

³ [S. 828.12\(1\), F.S.](#)

⁴ [S. 828.12\(2\), F.S.](#)

⁵ Fla. Std. Jury Instr. (Crim.) 29.13.

⁶ [S. 828.12\(2\)\(a\), F.S.](#)

⁷ [S. 828.12\(2\)\(b\), F.S.](#)

⁸ [S. 828.12\(6\), F.S.](#)

⁹ [S. 921.002, F.S.](#)

¹⁰ [S. 921.0022, F.S.](#)

most severe. Each felony offense listed in the OSRC is assigned a level according to the severity of the offense.^{11,12} A person's primary offense, any other current offenses, and prior convictions are scored using the points designated for the offense severity level of each offense.^{13,14} The final score calculation, following the scoresheet formula, determines the lowest permissible sentence that a trial court may impose, absent a valid reason for departure.¹⁵

Aggravated animal cruelty under [s. 828.12\(2\), F.S.](#), is ranked as a Level 5 offense on the OSRC.

Sentencing Multiplier

Section [921.0024\(1\)\(b\), F.S.](#), provides a worksheet key for a court to use when sentencing a convicted defendant. Specified crimes are subject to sentencing multipliers that apply to a person's subtotal sentence points, the application of which results in an increased number of total sentencing points, which may result in enhanced punishment in some cases.

Captive Wildlife

Under [s. 379.303, F.S.](#), the Florida Fish and Wildlife Conservation Commission (Commission) promulgates rules defining Class I, Class II, and Class III types of wildlife.¹⁶ The Commission also establishes rules and requirements necessary to ensure that:

- Permits are granted only to persons qualified to possess and care properly for wildlife; and
- Permitted wildlife possessed as personal pets are maintained in sanitary surroundings and appropriate neighborhoods.

The Commission may seize or take custody of captive wildlife if the owner or possessor violates a relevant rule, requirement, or law. Such individual must pay all expenses associated with the captive wildlife's capture, transport, boarding, or veterinary care upon any conviction or finding of guilt of a criminal or noncriminal violation of any provision of chapter 379, F.S., chapter 828, F.S., or rule of the Commission, regardless of adjudication or plea entered.¹⁷

Animal Abuse Registries in Florida

Hillsborough County was the first county in Florida to establish an animal abuser registry,¹⁸ requiring that any individual residing in Hillsborough County, who has been convicted of an animal abuse offense on or after November 1, 2016, must self-register within 10 business days after their release from incarceration or from the date of his or her conviction.¹⁹ The registry contains the names, residences, photographs, and other related information of those living in the county who are convicted of an animal offense on or after November 1, 2016.²⁰ Registrants must remain on the registry for a period of three years for a first conviction of a misdemeanor abuse

¹¹ [S. 921.0022\(2\), F.S.](#)

¹² Felony offenses that are not listed in the OSRC default to statutorily assigned levels, as follows: an unlisted third-degree felony defaults to a level 1; an unlisted second-degree felony defaults to a level 4; an unlisted first-degree felony defaults to a level 7; an unlisted first-degree felony punishable by life defaults to a level 9; and an unlisted life felony defaults to a level 10. [S. 921.0023, F.S.](#)

¹³ [Ss. 921.0022, F.S.](#) and [921.0024, F.S.](#)

¹⁴ A person may also accumulate points for factors such as victim injury points, community sanction violation points, and certain sentencing multipliers. [S. 921.0024\(1\), F.S.](#)

¹⁵ If a person scores more than 44 points, the lowest permissible sentence is a specified term of months in state prison, determined by a formula. If a person scores 44 points or fewer, the court may impose a nonprison sanction, such as a county jail sentence, probation, or community control. [S. 921.0024\(2\), F.S.](#)

¹⁶ Florida Fish and Wildlife Conservation Commission, [Captive Wildlife Licenses and Permits](#) (last visited May 5, 2025).

¹⁷ [S. 379.303\(2\), F.S.](#) Failure to pay such expenses may be grounds for the revocation or denial of a captive wildlife permit.

¹⁸ By requiring FDLE to create a specified database related to animal cruelty offenders, the bill does not require such offenders to affirmatively register specified information with the department.

¹⁹ *Hillsborough County Animal Abuser Registry*; <https://hcfi.gov/residents/animals-and-pets/animal-abuser-registry/about-the-animal-abuser-registry> (last visited May 5, 2025). See also Tampa Bay Creative Loafing, Kate Bradshaw, February 11, 2016, *The Worst Offenders: Hillsborough May Become the First County in Florida to Adopt an Animal Abuser Registry*; <https://www.ctampa.com/news/the-worst-offenders-hillsborough-may-become-the-first-county-in-florida-to-adopt-an-animal-abuser-registry-12289553> (last visited May 5, 2025).

²⁰ *Id.*

offense; for a period of five years for a first conviction of a felony abuse offense; or for a period of 10 years for a second or subsequent conviction of either a misdemeanor or felony abuse offense.²¹

In addition, registrants are not allowed to own, possess, or reside in the same household or on the same property as an animal while on the registry; prohibited from working with a companion animal, with or without compensation; and strictly prohibited from adopting, purchasing, or otherwise obtaining certain animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale, or other means.²²

Animal abuser registries also exist in the following local jurisdictions, among others:

- Marion County.²³
- Lee County.²⁴
- Seminole County.²⁵
- Miami-Dade County.²⁶
- Volusia County.²⁷
- City of Tallahassee.²⁸
- Collier County.²⁹

OTHER RESOURCES:

[St. Petersburg Man Found Guilty of Animal Cruelty Against Dog, "Dexter" | Tampa Bay Times](#)

²¹ *Id.*

²² *Id.*

²³ Marion County, <https://animalservices.marionfl.org/animal-control/animal-control-and-pet-laws/animal-abuser-registry> (last visited May 5, 2025).

²⁴ Lee County, <https://www.sheriffleefl.org/animal-abuser-search/> (last visited May 5, 2025).

²⁵ Seminole County, <https://www.seminolecountyfl.gov/departments-services/prepare-seminole/animal-services/animal-abuse-registry.stml> (last visited May 5, 2025).

²⁶ Miami-Dade County, <https://www.miamidade.gov/Apps/ASD/crueltyweb/> (last visited May 5, 2025).

²⁷ Volusia County, <https://www.volusia.org/services/public-protection/animal-services/animal-abuse-listing.stml> (last visited May 5, 2025).

²⁸ City of Tallahassee, <https://www.talgov.com/animals/asc-abuse> (last visited May 5, 2025).

²⁹ Collier County, <https://www2.colliersheriff.org/animalabusesearch/Enjoined> (last visited May 5, 2025).