

1 A bill to be entitled
2 An act relating to animal cruelty; amending s. 828.12,
3 F.S.; prohibiting a person from confining an animal in
4 an unattended motor vehicle under certain
5 circumstances; providing a criminal penalty; making
6 technical changes; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

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10 **Section 1. Section 828.12, Florida Statutes, is reordered**
11 **and amended to read:**

12 828.12 Cruelty to animals.—

13 (1) ANIMAL CRUELTY.—A person who does any of the following
14 commits animal cruelty, a misdemeanor of the first degree,
15 punishable as provided in s. 775.082 or by a fine of not more
16 than \$5,000, or both:

17 (a) Unnecessarily overloads, overdrives, torments,
18 deprives of necessary sustenance or shelter, or unnecessarily
19 mutilates, or kills any animal, or causes the same to be done,
20 or carries in or upon any vehicle, or otherwise, any animal in a
21 cruel or inhumane manner.

22 (b) Intentionally, knowingly, or recklessly confines an
23 animal in an unattended motor vehicle under conditions that
24 endanger the health or well-being of the animal due to the
25 animal being exposed to temperatures so high or so low that a

26 person could reasonably expect the animal to experience
27 suffering, disability, or death, ~~commits animal cruelty, a~~
28 ~~misdemeanor of the first degree, punishable as provided in s.~~
29 ~~775.082 or by a fine of not more than \$5,000, or both.~~

30 (2) AGGRAVATED ANIMAL CRUELTY.—A person who intentionally
31 commits an act to any animal, or a person who owns or has the
32 custody or control of any animal and fails to act, which results
33 in the cruel death, or excessive or repeated infliction of
34 unnecessary pain or suffering, or causes the same to be done,
35 commits aggravated animal cruelty, a felony of the third degree,
36 punishable as provided in s. 775.082 or by a fine of not more
37 than \$10,000, or both.

38 (a) A person convicted of a violation of this subsection,
39 where the finder of fact determines that the violation includes
40 the knowing and intentional torture or torment of an animal
41 which ~~that~~ injures, mutilates, or kills the animal, must ~~shall~~
42 ~~be ordered to~~ pay a minimum mandatory fine of \$2,500 and undergo
43 psychological counseling or complete an anger management
44 treatment program.

45 (b) A person convicted of a second or subsequent violation
46 of this subsection must ~~shall be required to~~ pay a minimum
47 mandatory fine of \$5,000 and serve a minimum mandatory period of
48 incarceration of 6 months. In addition, the person shall be
49 released only upon expiration of sentence, is not eligible for
50 parole, control release, or any form of early release, and must

51 serve 100 percent of the court-imposed sentence. Any plea of
52 nolo contendere is ~~shall be~~ considered a conviction for purposes
53 of this subsection.

54 ~~(5)-(3)~~ SEPARATE OFFENSES.—A person who commits multiple
55 acts of animal cruelty or aggravated animal cruelty against an
56 animal may be charged with a separate offense for each such act.
57 A person who commits animal cruelty or aggravated animal cruelty
58 against more than one animal may be charged with a separate
59 offense for each animal such cruelty was committed upon.

60 (4) VETERINARIANS.—A veterinarian licensed to practice in
61 the state shall be held harmless from either criminal or civil
62 liability for any decisions made or services rendered under the
63 provisions of this section. Such a veterinarian is, therefore,
64 under this subsection, immune from a lawsuit for his or her part
65 in an investigation of cruelty to animals.

66 ~~(3)-(5)~~ AGGRAVATED ANIMAL CRUELTY OF A HORSE.—A person who
67 intentionally trips, fells, ropes, or lassos the legs of a horse
68 by any means for the purpose of entertainment or sport commits
69 aggravated animal cruelty, a felony of the third degree,
70 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
71 As used in this subsection, the term "trip" means any act that
72 consists of the use of any wire, pole, stick, rope, or other
73 apparatus to cause a horse to fall or lose its balance, and the
74 term "horse" means any animal of any registered breed of the
75 genus *Equus*, or any recognized hybrid thereof. This subsection

76 | does not apply when tripping is used:

77 | (a) To control a horse that is posing an immediate threat
78 | to other livestock or human beings;

79 | (b) For the purpose of identifying ownership of the horse
80 | when its ownership is unknown; or

81 | (c) For the purpose of administering veterinary care to
82 | the horse.

83 | (6) ADDITIONAL PENALTIES.—In addition to other penalties
84 | prescribed by law, a person who is convicted of violating a
85 | ~~violation of~~ this section may be prohibited by the court from
86 | owning, possessing, keeping, harboring, or having custody or
87 | control over any animal for a period of time determined by the
88 | court.

89 | **Section 2.** This act shall take effect October 1, 2025.