



875208

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Judiciary (Collins) recommended the following:

Senate Amendment (with title amendment)

Delete lines 80 - 326

and insert:

(7)~~(2)~~ "Unprovoked" means that the victim who has been conducting himself or herself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog.

(6)~~(3)~~ "Severe injury" means any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

(5)~~(4)~~ "Proper enclosure ~~of a dangerous dog~~" means, while



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12 on the owner's property, a ~~dangerous~~ dog is securely confined:

13 (a) Indoors;

14 (b) In a locked, fenced yard, suitable to prevent the entry
15 of young children and designed to prevent the dog from escaping
16 over, under, or through the fence; or

17 (c) In a securely enclosed and locked pen or structure,
18 suitable to prevent the entry of young children and designed to
19 prevent the dog animal from escaping. The ~~Such~~ pen or structure
20 must ~~shall~~ have secure sides and a secure top to prevent the dog
21 from escaping over, under, or through the structure and must
22 ~~shall~~ also provide protection from the elements.

23 (1) ~~(5)~~ "Animal control authority" means an entity acting
24 alone or in concert with other local governmental units and
25 authorized by them to enforce the animal control laws of the
26 city, county, or state. In those areas not served by an animal
27 control authority, the sheriff shall carry out the duties of the
28 animal control authority under this part ~~act~~.

29 (2) ~~(6)~~ "Animal control officer" means any individual
30 employed, contracted with, or appointed by the animal control
31 authority for the purpose of aiding in the enforcement of this
32 part ~~act~~ or any other law or ordinance relating to the licensure
33 of animals, control of animals, or seizure and impoundment of
34 animals and includes any state or local law enforcement officer
35 or other employee whose duties in whole or in part include
36 assignments that involve the seizure and impoundment of an ~~any~~
37 animal.

38 (4) ~~(7)~~ "Owner" means a ~~any~~ person, a firm, a corporation,
39 or an organization possessing, harboring, keeping, or having
40 control or custody of an animal or, if the animal is owned by a



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41 ~~person under the age of 18~~ years of age or younger, that
42 person's parent or guardian.

43 Section 5. Section 767.12, Florida Statutes, is amended to
44 read:

45 767.12 Classification of dogs as dangerous; owner
46 requirements; penalty certification of registration; notice and
47 hearing requirements; confinement of animal; exemption; appeals;
48 unlawful acts.—

49 (1) An animal control authority shall investigate reported
50 incidents involving any dog that may be dangerous and, if
51 possible, shall interview the owner and require a sworn
52 affidavit from any person, including any animal control officer
53 or enforcement officer, desiring to have a dog classified as
54 dangerous.

55 (a) An animal that is the subject of a dangerous dog
56 investigation for behavior described in s. 767.11(3)(a) or (c)
57 must ~~because of severe injury to a human being~~ may be
58 immediately confiscated by an animal control authority; ~~it~~ placed
59 in quarantine, if necessary, for the proper length of time; ~~it~~ ~~or~~
60 impounded; and held. The animal must ~~may~~ be held pending the
61 outcome of the investigation and any hearings or appeals related
62 to the dangerous dog classification or any penalty imposed under
63 this section. If the dog is to be destroyed, the dog may not be
64 destroyed while an appeal is pending. The owner is responsible
65 for payment of all boarding costs and other fees as may be
66 required to humanely and safely keep the animal pending any
67 hearing or appeal, unless it is determined that the dog is not
68 dangerous.

69 (b) An animal that is the subject of a dangerous dog



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70 investigation for behavior described in s. 767.11(3)(b) may be
71 immediately confiscated by an animal control authority; placed
72 in quarantine, if necessary, for the proper length of time; or
73 impounded and held. An animal that ~~which~~ is not impounded with
74 the animal control authority must be ~~humanely and safely~~
75 confined by the owner in a proper enclosure ~~securely fenced or~~
76 ~~enclosed area. The animal shall be confined in such manner~~
77 pending the outcome of the investigation and the resolution of
78 any hearings or appeals related to the dangerous dog
79 classification or any penalty imposed under this section. The
80 owner shall provide the address at which the animal resides
81 ~~shall be provided~~ to the animal control authority. A dog that is
82 the subject of a dangerous dog investigation may not be
83 relocated or have its ownership transferred pending the outcome
84 of the investigation and any hearings or appeals related to the
85 dangerous dog classification or any penalty imposed under this
86 section. If a dog is to be destroyed, the dog may not be
87 relocated or have its ownership transferred.

88 (2) A dog may not be declared dangerous if any of the
89 following apply:

90 (a) The threat, injury, or damage was sustained by a person
91 who, at the time, was unlawfully on the property or who, while
92 lawfully on the property, was tormenting, abusing, or assaulting
93 the dog or its owner or a family member.

94 (b) The dog was protecting or defending a human being
95 within the immediate vicinity of the dog from an unjustified
96 attack or assault.

97 (3) After the investigation, the animal control authority
98 shall make an initial determination as to whether there is



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99 sufficient cause to classify the dog as dangerous and, if
100 sufficient cause is found, as to the appropriate penalty ~~under~~
101 ~~subsection (5)~~. The animal control authority shall afford the
102 owner an opportunity for a hearing before ~~prior to~~ making a
103 final determination regarding the classification or penalty. The
104 animal control authority shall provide written notification of
105 the sufficient cause finding and proposed penalty to the owner
106 by registered mail or certified hand delivery, or service in
107 conformance with the provisions of chapter 48 relating to
108 service of process. The owner may file a written request for a
109 hearing regarding the dangerous dog classification, penalty, or
110 both, within 7 calendar days after receipt of the notification
111 of the sufficient cause finding and proposed penalty. If the
112 owner requests a hearing, the hearing must ~~shall~~ be held as soon
113 as possible, but not later than 21 calendar days and not sooner
114 than 5 days after receipt of the request from the owner. If a
115 hearing is not timely requested regarding the dangerous dog
116 classification or proposed penalty, the determination of the
117 animal control authority as to such matter is ~~shall become~~
118 final. Each applicable local governing authority shall establish
119 hearing procedures that conform to this subsection.

120 (4) Upon a dangerous dog classification and penalty
121 becoming final after a hearing or by operation of law pursuant
122 to subsection (3), the animal control authority shall provide a
123 written final order to the owner by registered mail or
124 certified hand delivery or service. The owner may appeal the
125 classification or penalty, or both, to the circuit court in
126 accordance with the Florida Rules of Appellate Procedure after
127 receipt of the final order. If the dog is not held by the animal



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128 control authority, the owner must confine the dog in a proper
129 enclosure ~~securely fenced or enclosed area~~ pending resolution of
130 the appeal. Each applicable local governing authority must
131 establish appeal procedures that conform to this subsection.

132 (5) (a) Except as otherwise provided in paragraph (b), the
133 owner of a dog classified as a dangerous dog shall do all of the
134 following:

135 1. Upon ~~Within 14 days after~~ issuance of the final order
136 classifying the dog as dangerous or the conclusion of any appeal
137 that affirms such final order, obtain a certificate of
138 registration for the dog from the animal control authority
139 serving the area in which he or she resides, and renew the
140 certificate annually. Animal control authorities may ~~are~~
141 ~~authorized to~~ issue such certificates of registration, and
142 renewals thereof, only to persons who are at least 18 years of
143 age and who present to the animal control authority sufficient
144 evidence of all of the following:

145 a. A current certificate of rabies vaccination for the dog.

146 b. A proper enclosure to confine the ~~a~~ dangerous dog and
147 the posting of the premises with a clearly visible warning sign
148 at all entry points which informs both children and adults of
149 the presence of a dangerous dog on the property.

150 c. Permanent identification of the dog by, ~~such as a tattoo~~
151 ~~on the inside thigh or electronic implantation of a microchip.~~
152 Any person who knowingly and willfully removes a microchip
153 implanted pursuant to this sub-subparagraph commits a felony of
154 the third degree, punishable as provided in s. 775.082, s.
155 775.083, or s. 775.084.

156 d. The dog having been spayed or neutered.



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157 e. Liability insurance as required by subparagraph 2.

158
159 The appropriate governmental unit may impose an annual fee for
160 the issuance of certificates of registration required by this
161 section.

162 2. Upon issuance of the final order classifying the dog as
163 dangerous or the conclusion of any appeal that affirms such
164 final order, obtain liability insurance coverage in an amount of
165 at least \$100,000 to cover damages resulting from an attack by
166 the dangerous dog causing bodily injury to a person and provide
167 proof of the required liability insurance coverage to the animal
168 control authority for the area in which the dog is kept.

169 3. Immediately notify the appropriate animal control
170 authority when the dog:

- 171 a. Is loose or unconfined;~~;~~
172 b. Has bitten a human being or attacked another animal;~~;~~
173 c. Is sold, given away, or dies; or~~;~~
174 d. Is moved to another address.

175 4.a. Before selling or giving away the a dangerous dog is
176 sold or given away, the owner shall provide the name, address,
177 and telephone number of the new owner to the animal control
178 authority. The new owner must comply with all of the
179 requirements of this section and any implementing local
180 ordinances, even if the animal is moved from one local
181 jurisdiction to another within this the state, and. The animal
182 control officer must notify the animal control authority be
183 notified by the owner of a dog classified as dangerous that the
184 dog is in the authority's his or her jurisdiction.

185 b. If the dangerous dog is surrendered to a public or



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186 private animal shelter, a humane organization, or an animal
187 control agency operated by a humane organization or by a county,
188 municipality, or other incorporated political subdivision, the
189 entity must post signage on the dog's enclosure to inform
190 potential adopters that the dog has been declared dangerous and
191 inform any adopter of the dog owner's requirements under this
192 section.

193 ~~5.3.~~ Not allow ~~permit~~ the dog to be outside a proper
194 enclosure unless the dog is muzzled and restrained by a
195 substantial chain or leash and under control of a competent
196 person. The muzzle must be made in a manner that will not cause
197 injury to the dog or interfere with its vision or respiration
198 but will prevent it from biting a person or an animal. The owner
199 may exercise the dog on the owner's property in a proper
200 enclosure ~~securely fenced or enclosed area that does not have a~~
201 ~~top,~~ without a muzzle or leash, if the dog remains within the
202 owner's ~~his or her~~ sight and only members of the immediate
203 household or persons 18 years of age or older, if applicable,
204 are allowed in the enclosure when the dog is present. When being
205 transported, such dogs must be safely and securely restrained
206 within a vehicle.

207 (b) If a dog is classified as a dangerous dog due to an
208 incident that causes severe injury to a human being, based upon
209 the nature and circumstances of the injury and the likelihood of
210 a future threat to the public safety, health, and welfare, the
211 dog may be destroyed in an expeditious and humane manner.

212 (6) Hunting dogs are exempt from this section when engaged
213 in any legal hunt or training procedure. Dogs engaged in
214 training or exhibiting in legal sports such as obedience trials,



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215 conformation shows, field trials, hunting/retrieving trials, and
216 herding trials are exempt from this section when engaged in any
217 legal procedures. However, such dogs at all other times in all
218 other respects are subject to this and local laws. Dogs that
219 have been classified as dangerous may not be used for hunting
220 purposes.

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

224

225 ===== T I T L E A M E N D M E N T =====

226 And the title is amended as follows:

227 Delete lines 7 - 30

228 and insert:

229 reordering and amending s. 767.11, F.S.; revising
230 definitions; amending s. 767.12, F.S.; requiring,
231 rather than authorizing, that dogs subject to certain
232 dangerous dog investigations be confiscated,
233 impounded, and held; requiring, rather than
234 authorizing, that such dogs be held until the
235 completion of certain actions; revising the
236 circumstances under which an owner is responsible for
237 paying certain costs and fees; requiring that certain
238 dogs not impounded be confined in a proper enclosure
239 by the owner; revising the information that the owner
240 of a dog classified as a dangerous dog is required to
241 provide to an animal control authority; requiring
242 microchipping of a dog classified as a dangerous dog;
243 providing a penalty for knowingly and willfully



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244 removing a microchip; authorizing animal control
245 authority to issue certain certificates of
246 registration to certain persons if certain conditions
247 have been met, including spaying or neutering the dog;
248 requiring the owner of a dog classified as a dangerous
249 dog to obtain dangerous dog liability insurance
250 coverage; providing requirements for such insurance;
251 requiring an animal shelter or animal control agency
252 operated by a humane society or local government to
253 provide specified information to potential adopters;
254 revising the civil penalty for violations;