

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 572

INTRODUCER: Fiscal Policy Committee; Judiciary Committee; and Senators Collins and Wright

SUBJECT: Dangerous Dogs

DATE: April 23, 2025

REVISED: 4/24/25

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Burse</u>	<u>Becker</u>	<u>AG</u>	Favorable
2.	<u>Bond</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
3.	<u>Burse</u>	<u>Siples</u>	<u>FP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 572, or the “Pam Rock Act,” revises the state regulation of dangerous dogs. The bill:

- Requires the confiscation and impoundment of an animal that is being investigated as a dangerous dog and that has killed a person or has bitten and left a mark that scores 5 or higher on the Dunbar bite scale.
- Requires the confiscation and impoundment of an animal that is subject to any other dangerous dog investigations.
- Requires an animal control authority to notify the owner of the final order classifying their dangerous dog by registered mail or certified hand delivery in conformance with the provisions of chapter 48 relating to service of process.
- Requires the owner of a dog classified as dangerous to obtain liability insurance of at least \$100,000 and implant a microchip in the dog. The bill creates a third degree felony for the removal of the microchip.
- Requires an animal control authority to humanely euthanize a dangerous dog that has killed a person or has bitten and left a mark that scores 5 or higher on the Dunbar bite scale and has been surrendered to an animal control authority.
- Authorizes an animal control authority to humanely euthanize any other dangerous dog that is surrendered to an animal control authority.
- Changes the current penalty for an owner from a third degree felony to a second degree felony when a dog that has previously been declared dangerous attacks and causes severe injury or death to a human.

- Provides circumstances under which an animal control authority may humanely euthanize a dangerous dog.
- Requires a shelter offering a dog for adoption that has been classified as a dangerous dog to post a sign informing potential adopters of the requirements to keep a dangerous dog.
- Provides that any person who resists or obstructs an animal control authority commits a first degree misdemeanor and provides penalties.
- Provides that an owner who has knowledge of their dog's dangerous propensities commits a first degree misdemeanor if their dog causes severe injury or the death of a human and the owner demonstrated a reckless disregard for such propensities under the circumstances. Current law provides this is a second degree felony.

The bill takes effect July 1, 2025.

II. Present Situation:

Dangerous Dogs

Part II of ch. 767, F.S., governs dangerous dogs. It was originally enacted in 1990.¹ The Legislature found that:

dangerous dogs are an increasingly serious and widespread threat to the safety and welfare of the people of this state because of unprovoked attacks which cause injury to persons and domestic animals; that such attacks are in part attributable to the failure of the owners to confine and properly train and control their dogs; that existing laws inadequately address this growing problem; and that it is appropriate and necessary to impose uniform requirements on the owners of dangerous dogs.²

A “dangerous dog” is defined as a dog that:

- Has aggressively bitten, attacked, endangered, or inflicted severe injury on a person on public or private property;
- Has more than one time severely injured or killed a domestic animal while the dog is off the owner's property; or
- Has, when unprovoked, chased or approached a person in public in a menacing fashion, or with an attitude of attack.³

Process for Classification of a Dog as a Dangerous Dog

An animal control officer⁴ is typically the person who would investigate an incident involving a dog. In areas unserved by an animal control authority,⁵ the sheriff assumes the duties required of an animal control authority.⁶

¹ Chapter 90-180, Laws of Fla.

² Section 767.10, F.S.

³ Section 767.11(1), F.S.

⁴ Section 767.11(6), F.S.

⁵ Section 767.11(5), F.S.

⁶ Section 767.11(5) and (6), F.S.

Upon receiving a report of a potentially dangerous dog, the animal control authority must investigate the incident, interview the owner, and require a sworn affidavit from any person who seeks to have a dog classified as dangerous.⁷

An animal that is the subject of a dangerous dog investigation because of severe injury to a human being may be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held.⁸ A dog that is being investigated as a dangerous dog that is not impounded with the animal control authority must be humanely and safely confined by the owner either indoors or in a securely fenced or enclosed pen or structure pending the outcome of the investigation.⁹

The animal control authority may not classify a dog as a dangerous dog if:

- The injured person was unlawfully on the property, or if lawfully on the property was tormenting, abusing, or assaulting the dog or its owner or a family member; or
- The dog was protecting a person within the immediate vicinity of the dog from an unjustified attack or assault.¹⁰

After investigating, the animal control authority must initially determine whether sufficient cause exists to classify the dog as dangerous and if sufficient cause is found, provide the owner an opportunity for a hearing before making a final determination regarding the classification or penalty.¹¹ The animal control authority must provide written notice of sufficient cause and proposed penalty to the owner by registered mail, certified hand delivery, or service in conformity with how service of process is made.

The owner has 7 calendar days from receiving the notice to file a written request for a hearing. The hearing officer must hold the hearing as soon as possible, no more than 21 calendar days, and no sooner than 5 days after receiving the request for hearing.¹² If a hearing is not timely requested the authority's determination becomes final. The owner may appeal the classification to the circuit court.

A dog classified as a dangerous dog because the dog caused severe injury to a person may, based on the circumstances of the attack and the likelihood of a future threat, be ordered to be destroyed.¹³ If a dog causes the death of a human being, the dog must be destroyed.¹⁴

If the dog found to be dangerous is not ordered to be destroyed, within 14 days after the classification as a dangerous dog becomes final, the owner must register the dog with the animal control authority and renew the certification annually. Vaccination, enclosure, warning sign, and identification requirements must then be followed. The owner must immediately notify the animal control authority if the dog is loose, bites or attacks a person or another animal, or if there

⁷ Section 767.12(1), F.S.

⁸ Section 767.12(1)(a), F.S.

⁹ Section 767.12(1)(b), F.S.

¹⁰ Section 767.12(2)(a-b), F.S.

¹¹ Section 767.12(3), F.S.

¹² Section 767.12(3), F.S.

¹³ Section 767.12(5)(b), F.S.

¹⁴ Section 767.135, F.S.

is any other change in status. A dangerous dog must remain within a “proper enclosure” at all times unless it is muzzled and restrained by a chain or leash.¹⁵ Any violation of these requirements is a noncriminal infraction punishable by a fine, not to exceed \$500.¹⁶

In addition to civil penalties, the owner of a dog can be charged with the following criminal violations related to attacks:

- 1st degree misdemeanor if the dog has previously been declared “dangerous” and it attacks or bites a person or domestic animal without provocation.¹⁷
- 3rd degree felony if the dog has previously been declared “dangerous” and it attacks and causes severe injury to or death of any human.¹⁸
- 2nd degree misdemeanor if the dog has not previously been declared “dangerous” but causes severe injury to or death of any human and the owner had prior knowledge of, but recklessly disregarded, the dog’s dangerous propensities.¹⁹ This offense does not apply where the victim was engaged in criminal behavior.

Dr. Ian Dunbar’s Dog Bite Scale

The Dunbar Dog Bite Scale describes the levels of severity of dog bites:

- Level 1. Obnoxious or aggressive behavior but no skin-contact by teeth.
- Level 2. Skin-contact by teeth, but no skin-puncture. However, skin nicks (less than one tenth of an inch deep) may be slight bleeding caused by forward or lateral movement of teeth against skin, but no vertical punctures.
- Level 3. One to four punctures from a single bite with no puncture deeper than half the length of the dog’s canine teeth. Maybe lacerations in a single direction, caused by victim pulling hand away, owner pulling dog away, or gravity (little dog jumps, bites and drops to floor).
- Level 4. One to four punctures from a single bite with at least one puncture deeper than half the length of the dog’s canine teeth. May also have deep bruising around the wound (dog held on for N seconds and bore down) or lacerations in both directions (dog held on and shook its head from side to side).
- Level 5. Multiple-bite incident with at least two Level 4 bites or multiple-attack incident with at least one Level 4 bite in each.
- Level 6. Victim dead.²⁰

Dogs Exempt from Classification as Dangerous or Exempt from Certain Requirements

Hunting dogs are exempt from classification as a dangerous dog when engaged in any legal hunt or training procedure. Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are also

¹⁵ Section 767.12(5)(a), F.S.

¹⁶ Section 767.12 (7), F.S.

¹⁷ Section 767.13(1), F.S.

¹⁸ Section 767.13(2), F.S.

¹⁹ Section 767.136(1), F.S.

²⁰ See Dr. Ian Dunbar’s Dog Bite Scale <https://apdt.com/wp-content/uploads/2017/01/ian-dunbar-dog-bite-scale.pdf> (last visited April 22, 2025).

exempt from this section when engaged in any legal procedures. Dogs that have been classified as dangerous may not be used for hunting purposes.²¹

A dog owned or used by a law enforcement agency is exempt from the provisions of part II of ch. 767. A dog used as a service dog for the blind, hearing impaired, or disabled persons is exempt from quarantine requirements provided the dog is current on its rabies vaccination requirements.²²

Dangerous Dog Laws in Other States

At least 42 states have laws related to dangerous dogs and violations associated with their ownership.²³ Virginia and Pennsylvania require dangerous dog owners to register their dogs with their state's online dog registry. Colorado, Oregon, and Pennsylvania have criminal penalties for harboring, maintaining, or owning a dangerous dog.²⁴

Pam Rock

Pam Rock was a graduate of the University of Florida. She worked for the Alachua County Women, Infants and Children (WIC) program, served as a Peace Corps volunteer in Guatemala for three years, and later worked on the Crow Indian Reservation in Montana teaching nutrition. She vociferously advocated on Capitol Hill for the needs of women and children trapped in poverty before joining the Postal Service as a letter carrier in January 2022.²⁵ In August of her first year with the Postal Service she was attacked by domestic dogs while delivering mail. She died from her injuries. The dogs who killed her had a history of prior attacks on humans. The Pamela Jane Rock Post Office in Melrose, Florida, is named in her honor.²⁶

III. Effect of Proposed Changes:

Section 1 Provides that this act may be cited as the "Pam Rock Act."

Section 2 amends s. 767.01, F.S., to require a dog owner that has knowledge of his or her dog's dangerous propensities to securely confine the dog in a proper enclosure.

Section 3 amends s. 767.10, F.S., to make grammatical, technical, and stylistic improvements.

Section 4 amends s. 767.11, F.S., to make grammatical, technical, and stylistic improvements.

²¹ Section 767.12(6), F.S.

²² Section 767.16, F.S.

²³ Michigan State University, State Dangerous Dog Laws (2019), <https://www.animallaw.info/topic/state-dangerous-dog-laws> (last visited February 24, 2025).

²⁴ *Id.*

²⁵ C. A. Briges, *Mauled Florida mail carrier who died from 5-dog attack to be honored with post office naming*, THE FLORIDA TIMES UNION (Aug. 15, 2024), <https://www.jacksonville.com/story/news/2024/08/15/florida-post-office-pamela-jane-rock-mail-carrier-dog-attack-death/74808272007/> (last visit April 2, 2025).

²⁶ *Id.*

Section 5 amends s. 767.12, F.S., to require, rather than just allow, an animal control authority to confiscate and impound an animal that is being investigated as a dangerous dog and that has killed a person or has bitten and left a mark that scores 5 or higher on the Dunbar bite scale.

The bill requires the confiscation and impoundment of an animal that is subject to multiple dangerous dog investigations.

Current law requires registration of a dangerous dog with the local animal control authority within 14 days of final finding. The bill requires an animal control authority to notify the owner of the final order classifying their dog as dangerous by registered mail or certified hand delivery in conformance with the provisions of chapter 48 relating to service of process.

In addition to current law requirements for registration of a dangerous dog, the owner of a dangerous dog must:

- Provide proof that the dog was spayed or neutered;
- Implant a microchip (in lieu of the current law tattoo requirement); and
- Show proof of liability insurance coverage in the amount of at least \$100,000. This insurance must cover damages resulting from an attack by the dangerous dog causing bodily injury to a person. Continued proof of insurance during the life of the dog is required to maintain registration.

The bill creates a third degree felony applicable to any person who knowingly and willfully removes a microchip required to be implanted in a dangerous dog.²⁷

The bill requires an animal control authority to humanely euthanize a dangerous dog that has killed a person or has bitten and left a mark that scores 5 or higher on the Dunbar bite scale and has been surrendered to an animal control authority. The bill also authorizes an animal control authority to humanely euthanize any other dangerous dog that is surrendered to an animal control authority.

If a dangerous dog is surrendered to an animal control authority and the dog is offered for adoption, the authority must post a sign on the dog's enclosure disclosing that the dog has been found to be a dangerous dog. The posting must also list the continuing requirements for keeping a dangerous dog (i.e., registration, insurance, proper enclosure, and leash and muzzle when with the owner and outside of a proper enclosure). The bill requires the authority to provide a person who adopts a dangerous dog with a copy of the declaration and must require them to sign a contract with the authority agreeing to abide by the requirements of the declaration

The bill increases the maximum penalty for violating s. 767.12, F.S., from \$500 to \$1,000 per violation. The bill also provides that any person who resists or obstructs an animal control authority commits a first degree misdemeanor and provides penalties.

Section 6 amends s. 767.13, F.S., to make grammatical, technical, and stylistic improvements.

²⁷ A third degree felony is punishable by imprisonment for up to 5 years and a fine of no more than \$5,000. Sections 775.082(3)(e) and 775.083(1)(c), F.S. This felony is unclassified and therefore defaults into Level 1 category in the Offense Severity Ranking Chart for sentencing purposes. Sections 921.0022 and 921.0023(1), F.S.

The bill also changes the current penalty for an owner from a third degree felony to a second degree felony when a dog that has previously been declared dangerous attacks and causes severe injury or death to a human.

Section 7 amends s. 767.135, F.S., to make grammatical, technical and stylistic improvements.

Section 8 amends s. 767.136, F.S., to change the penalty for the owner of an unclassified dog that has caused severe injury or death to a human being from a second degree misdemeanor to a first degree misdemeanor.

Section 9 provides that the bill is effective July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

An owner of a dog who wishes to keep the dog after a finding that the dog is a dangerous dog will be required to do the following:

- Maintain liability insurance coverage in an amount of at least \$100,000.
- Provide a certificate of rabies vaccination for the dog.
- Properly enclose the dog (see requirements for proper enclosure above).
- Permanently identify the dangerous dog through the implantation of a microchip.
- Spay or neuter the dog.

Owners of dangerous and unclassified dogs that cause harm or death to humans or animals may be responsible for paying boarding costs and other fees as may be required during an investigation and any appeal should the dog be impounded.

C. Government Sector Impact:

This bill authorizes animal control authorities to humanely euthanize dangerous dogs and dogs that have killed or severely injured people. This may increase costs to the authorities to carry out these procedures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 767.01, 767.10, 767.11, 767.12, 767.13, 767.135, and 767.136.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on April 22, 2025:

The committee substitute:

- Requires the confiscation and impoundment of an animal that is being investigated as a dangerous dog and that has killed a person or has bitten and left a mark that scores 5 or higher on the Dunbar bite scale.
- Requires the confiscation and impoundment of an animal that is subject to any other dangerous dog investigations.
- Requires an animal control authority to notify the owner of the final order classifying their dangerous dog by registered mail or certified hand delivery in conformance with the provisions of chapter 48 relating to service of process.
- Requires an animal control authority to humanely euthanize a dangerous dog that has killed a person or has bitten and left a mark that scores 5 or higher on the Dunbar bite scale and has been surrendered to an animal control authority.
- Authorizes an animal control authority to humanely euthanize any other dangerous dog that is surrendered to an animal control authority.
- Provides that any person who resists or obstructs an animal control authority commits a first-degree misdemeanor and provides penalties.

- Changes the current penalty for an owner from a third-degree felony to a second-degree felony when a dog that has previously been declared dangerous attacks and causes severe injury or death to a human.
- Provides that an owner who has knowledge of their dog's dangerous propensities commits a first-degree misdemeanor if their declared dangerous dog causes severe injury or the death of a human and the owner demonstrated a reckless disregard for such propensities under the circumstances. Current law provides this is a second-degree felony.

CS by Judiciary on April 1, 2025:

The committee substitute removes provisions that would have created a statewide registry of dangerous dogs, creates a third degree felony for the removal of a microchip identifying a dangerous dog, and creates a new notice and signage requirement for a dangerous dog that is placed for adoption.

B. Amendments:

None.