

By the Committees on Fiscal Policy; and Judiciary; and Senators
Collins and Wright

594-03838-25

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1 A bill to be entitled
2 An act relating to dangerous dogs; providing a short
3 title; amending s. 767.01, F.S.; requiring certain dog
4 owners to securely confine their dogs in a proper
5 enclosure; making technical changes; amending s.
6 767.10, F.S.; revising legislative findings relating
7 to dangerous dogs; reordering and amending s. 767.11,
8 F.S.; revising definitions; amending s. 767.12, F.S.;
9 requiring, rather than authorizing, that dogs subject
10 to certain dangerous dog investigations which have
11 killed or bitten a human being to a certain severity
12 be immediately confiscated, placed in quarantine if
13 necessary, impounded, and held; requiring, rather than
14 authorizing, that such dogs be held until the
15 completion of certain actions; authorizing dogs that
16 are the subject of multiple dangerous dog
17 investigations to be immediately confiscated, placed
18 in quarantine, impounded, and held; requiring that
19 certain dogs not impounded with the animal control
20 authority be confined in a proper enclosure by the
21 owner; requiring the owner of a dog subject to a
22 dangerous dog investigation to provide certain
23 information to an animal control authority; requiring
24 the owner of a dog classified as dangerous to obtain a
25 certificate of registration for the dog from a certain
26 animal control authority and renew the certification
27 annually; authorizing an animal control authority to
28 issue certain certificates of registration to certain
29 persons if certain conditions have been met, including

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30 implantation of a microchip, spaying or neutering the
31 dog, and obtaining limited liability insurance;
32 requiring the owner of a dog classified as a dangerous
33 dog to obtain dangerous dog liability insurance
34 coverage and provide proof of such insurance to a
35 certain animal control authority; providing
36 requirements for such insurance; requiring and
37 authorizing an animal control authority to humanely
38 euthanize a dangerous dog under certain circumstances;
39 requiring an animal shelter, a humane organization, or
40 certain animal control agencies to provide specified
41 information to potential adopters; revising the
42 conditions under which an owner is authorized to
43 exercise a dangerous dog; revising the civil penalty
44 for violations; providing criminal penalties for
45 persons who resist or obstruct an animal control
46 authority; making technical changes; amending s.
47 767.13, F.S.; increasing a penalty; making technical
48 changes; conforming provisions to changes made by the
49 act; amending s. 767.135, F.S.; making technical
50 changes; conforming provisions to changes made by the
51 act; amending s. 767.136, F.S.; increasing a penalty
52 for the owner of a dog that causes severe injury to,
53 or the death of, a human; providing an effective date.

54
55 Be It Enacted by the Legislature of the State of Florida:

56
57 Section 1. This act may be cited as the "Pam Rock Act."

58 Section 2. Section 767.01, Florida Statutes, is amended to

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59 read:

60 767.01 Dog owner's liability for damages to persons,
61 domestic animals, or livestock.—

62 (1) A dog owner is ~~Owners of dogs shall be~~ liable for any
63 damage done by the owner's dog ~~their dogs~~ to a person or to any
64 animal included in the definitions of "domestic animal" and
65 "livestock" as provided by s. 585.01.

66 (2) If a dog owner has knowledge of the dog's dangerous
67 propensities, the owner must securely confine the dog in a
68 proper enclosure as defined in s. 767.11.

69 Section 3. Section 767.10, Florida Statutes, is amended to
70 read:

71 767.10 Legislative findings.—The Legislature finds that
72 dangerous dogs are an increasingly serious and widespread threat
73 to the safety and welfare of the people of this state because of
74 unprovoked attacks which cause injury to persons and domestic
75 animals; that such attacks are in part attributable to the
76 failure of owners to confine and properly train and control
77 their dogs; that existing laws inadequately address this growing
78 problem; and that it is appropriate and necessary to impose
79 uniform requirements for dog ~~the owners of dangerous dogs~~.

80 Section 4. Section 767.11, Florida Statutes, is reordered
81 and amended to read:

82 767.11 Definitions.—As used in this part ~~act~~, unless the
83 context clearly requires otherwise:

84 (3) ~~(1)~~ "Dangerous dog" means a ~~any~~ dog that according to
85 the records of the appropriate authority:

86 (a) Has aggressively bitten, attacked, or endangered or has
87 inflicted severe injury on a human being on public or private

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88 property;

89 (b) Has more than once severely injured or killed a
90 domestic animal while off the owner's property; or

91 (c) Has, when unprovoked, chased or approached a person
92 upon the streets, sidewalks, or any public grounds in a menacing
93 fashion or apparent attitude of attack, provided that such
94 actions are attested to in a sworn statement by one or more
95 persons and dutifully investigated by the appropriate authority.

96 (7)~~(2)~~ "Unprovoked" means that the victim who has been
97 conducting himself or herself peacefully and lawfully has been
98 bitten or chased in a menacing fashion or attacked by a dog.

99 (6)~~(3)~~ "Severe injury" means any physical injury that
100 results in broken bones, multiple bites, or disfiguring
101 lacerations requiring sutures or reconstructive surgery.

102 (5)~~(4)~~ "Proper enclosure ~~of a dangerous dog~~" means, while
103 on the owner's property, a ~~dangerous~~ dog is securely confined
104 indoors or in a securely enclosed and locked pen or structure,
105 suitable to prevent the entry of young children and designed to
106 prevent the dog animal from escaping. The ~~Such~~ pen or structure
107 must ~~shall~~ have secure sides and a secure top to prevent the dog
108 from escaping over, under, or through the structure and must
109 ~~shall~~ also provide protection from the elements.

110 (1)~~(5)~~ "Animal control authority" means an entity acting
111 alone or in concert with other local governmental units and
112 authorized by them to enforce the animal control laws of the
113 city, county, or state. In those areas not served by an animal
114 control authority, the sheriff shall carry out the duties of the
115 animal control authority under this part ~~act~~.

116 (2)~~(6)~~ "Animal control officer" means any individual

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117 employed, contracted with, or appointed by the animal control
 118 authority for the purpose of aiding in the enforcement of this
 119 part ~~act~~ or any other law or ordinance relating to the licensure
 120 of animals, control of animals, or seizure and impoundment of
 121 animals and includes any state or local law enforcement officer
 122 or other employee whose duties in whole or in part include
 123 assignments that involve the seizure and impoundment of an ~~any~~
 124 animal.

125 (4) ~~(7)~~ "Owner" means a ~~any~~ person, a firm, a corporation,
 126 or an organization possessing, harboring, keeping, or having
 127 control or custody of an animal or, if the animal is owned by a
 128 person under the age of 18, that person's parent or guardian.

129 Section 5. Section 767.12, Florida Statutes, is amended to
 130 read:

131 767.12 Classification of dogs as dangerous; owner
 132 requirements; penalty certification of registration; notice and
 133 hearing requirements; confinement of animal; exemption; appeals;
 134 unlawful acts.—

135 (1) An animal control authority shall investigate reported
 136 incidents involving any dog that may be dangerous and, if
 137 possible, shall interview the owner and require a sworn
 138 affidavit from any person, including any animal control officer
 139 or enforcement officer, desiring to have a dog classified as
 140 dangerous.

141 (a) An animal that is the subject of a dangerous dog
 142 investigation and that has killed a human being or has bitten a
 143 human being and left a bite mark that scores 5 or higher on the
 144 Dunbar bite scale must ~~because of severe injury to a human being~~
 145 ~~may~~ be immediately confiscated by an animal control authority; ;

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146 placed in quarantine, if necessary, for the proper length of
147 time; ~~or~~ impounded; and held. The animal must ~~may~~ be held
148 pending the outcome of the investigation and any hearings or
149 appeals related to the dangerous dog classification or any
150 penalty imposed under this section. If the dog is to be
151 destroyed, the dog may not be destroyed while an appeal is
152 pending. The owner is responsible for payment of all boarding
153 costs and other fees as may be required to humanely and safely
154 keep the animal pending any hearing or appeal.

155 (b) An animal that is the subject of any other a dangerous
156 dog investigation may be immediately confiscated by an animal
157 control authority; placed in quarantine, if necessary, for the
158 proper length of time; impounded; and held. An animal that
159 ~~investigation which~~ is not impounded with the animal control
160 authority must be ~~humanely and safely~~ confined by the owner in a
161 proper enclosure ~~securely fenced or enclosed area. The animal~~
162 ~~shall be confined in such manner~~ pending the outcome of the
163 investigation and the resolution of any hearings or appeals
164 related to the dangerous dog classification or any penalty
165 imposed under this section. The owner shall provide the address
166 at which the animal resides ~~shall be provided~~ to the animal
167 control authority. A dog that is the subject of a dangerous dog
168 investigation may not be relocated or have its ownership
169 transferred pending the outcome of the investigation and any
170 hearings or appeals related to the dangerous dog classification
171 or any penalty imposed under this section. If a dog is to be
172 destroyed, the dog may not be relocated or have its ownership
173 transferred.

174 (2) A dog may not be declared dangerous if any of the

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175 following apply:

176 (a) The threat, injury, or damage was sustained by a person
177 who, at the time, was unlawfully on the property or who, while
178 lawfully on the property, was tormenting, abusing, or assaulting
179 the dog or its owner or a family member.

180 (b) The dog was protecting or defending a human being
181 within the immediate vicinity of the dog from an unjustified
182 attack or assault.

183 (3) After the investigation, the animal control authority
184 shall make an initial determination as to whether there is
185 sufficient cause to classify the dog as dangerous and, if
186 sufficient cause is found, as to the appropriate penalty ~~under~~
187 ~~subsection (5)~~. The animal control authority shall afford the
188 owner an opportunity for a hearing before ~~prior to~~ making a
189 final determination regarding the classification or penalty. The
190 animal control authority shall provide written notification of
191 the sufficient cause finding and proposed penalty to the owner
192 by registered mail or ~~certified hand delivery~~, or service in
193 conformance with the provisions of chapter 48 relating to
194 service of process. The owner may file a written request for a
195 hearing regarding the dangerous dog classification, penalty, or
196 both, within 7 calendar days after receipt of the notification
197 of the sufficient cause finding and proposed penalty. If the
198 owner requests a hearing, the hearing must ~~shall~~ be held as soon
199 as possible, but not later than 21 calendar days and not sooner
200 than 5 days after receipt of the request from the owner. If a
201 hearing is not timely requested regarding the dangerous dog
202 classification or proposed penalty, the determination of the
203 animal control authority as to such matter is ~~shall become~~

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204 final. Each applicable local governing authority shall establish
205 hearing procedures that conform to this subsection.

206 (4) Upon a dangerous dog classification and penalty
207 becoming final after a hearing or by operation of law pursuant
208 to subsection (3), the animal control authority shall provide a
209 written final order to the owner by registered mail or
210 certified hand delivery or service in conformance with the
211 provisions of chapter 48 relating to service of process. The
212 owner may appeal the classification or penalty, or both, to the
213 circuit court in accordance with the Florida Rules of Appellate
214 Procedure after receipt of the final order. If the dog is not
215 held by the animal control authority, the owner must confine the
216 dog in a proper enclosure ~~securely fenced or enclosed area~~
217 pending resolution of the appeal. Each applicable local
218 governing authority must establish appeal procedures that
219 conform to this subsection.

220 (5) (a) Except as otherwise provided in paragraph (b), the
221 owner of a dog classified as a dangerous dog shall do all of the
222 following:

223 1. Upon ~~Within 14 days after~~ issuance of the final order
224 classifying the dog as dangerous or the conclusion of any appeal
225 that affirms such final order, obtain a certificate of
226 registration for the dog from the animal control authority
227 serving the area in which he or she resides, and renew the
228 certificate annually. Animal control authorities may ~~are~~
229 ~~authorized to~~ issue such certificates of registration, and
230 renewals thereof, only to persons who are at least 18 years of
231 age and who present to the animal control authority sufficient
232 evidence of all of the following:

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- 233 a. A current certificate of rabies vaccination for the dog.
- 234 b. A proper enclosure to confine the ~~a~~ dangerous dog and
- 235 the posting of the premises with a clearly visible warning sign
- 236 at all entry points which informs both children and adults of
- 237 the presence of a dangerous dog on the property.
- 238 c. Permanent identification of the dog by, ~~such as a tattoo~~
- 239 ~~on the inside thigh or electronic implantation of a microchip.~~
- 240 Any person who knowingly and willfully removes a microchip
- 241 implanted pursuant to this sub-subparagraph commits a felony of
- 242 the third degree, punishable as provided in s. 775.082, s.
- 243 775.083, or s. 775.084.
- 244 d. The dog having been spayed or neutered.
- 245 e. Liability insurance as required by subparagraph 2.

246

247 The appropriate governmental unit may impose an annual fee for

248 the issuance of certificates of registration required by this

249 section.

250 2. Upon issuance of the final order classifying the dog as

251 dangerous or the conclusion of any appeal that affirms such

252 final order, obtain liability insurance coverage in an amount of

253 at least \$100,000 to cover damages resulting from an attack by

254 the dangerous dog causing bodily injury to a person and provide

255 proof of the required liability insurance coverage to the animal

256 control authority for the area in which the dog is kept.

257 3. Immediately notify the appropriate animal control

258 authority when the dog:

- 259 a. Is loose or unconfined;~~;~~
- 260 b. Has bitten a human being or attacked another animal;~~;~~
- 261 c. Is sold, given away, or dies; or.

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262 d. Is moved to another address.

263 4. Before selling or giving away the a dangerous dog, ~~is~~
264 ~~sold or given away, the owner shall~~ provide the name, address,
265 and telephone number of the new owner to the animal control
266 authority.

267 a. The new owner must comply with ~~all of the requirements~~
268 ~~of~~ this section and any implementing local ordinances, even if
269 the animal is moved from one local jurisdiction to another
270 within this the state, and. ~~The animal control officer~~ must
271 notify the animal control authority ~~be notified by the owner of~~
272 ~~a dog classified as dangerous~~ that the dog is in the authority's
273 ~~his or her~~ jurisdiction.

274 b. If a dangerous dog has killed a human being or has
275 bitten a human being and left a bite mark that scores 5 or
276 higher on the Dunbar bite scale and is surrendered to an animal
277 control authority, the authority must humanely euthanize the
278 dog.

279 c. For any other dangerous dog that is surrendered to an
280 animal control authority, the authority may humanely euthanize
281 the dog. If the animal control authority elects to place the
282 animal for adoption, it must post signage on the dog's enclosure
283 to inform potential adopters that the dog has been declared
284 dangerous and inform any adopter of the dog owner's requirements
285 under this section. The animal control authority must provide a
286 person who adopts a dangerous dog with a copy of the declaration
287 and must require them to sign a contract with the authority
288 agreeing to abide by the requirements of the declaration.

289 ~~5.3.~~ Not allow ~~permit~~ the dog to be outside a proper
290 enclosure unless the dog is muzzled and restrained by a

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291 substantial chain or leash and under control of a competent
292 person. The muzzle must be made in a manner that will not cause
293 injury to the dog or interfere with its vision or respiration
294 but will prevent it from biting a person or an animal. The owner
295 may exercise the dog on the owner's property in a proper
296 enclosure ~~securely fenced or enclosed area that does not have a~~
297 ~~top,~~ without a muzzle or leash, if the dog remains within the
298 owner's ~~his or her~~ sight and only members of the immediate
299 household or persons 18 years of age or older, if applicable,
300 are allowed in the enclosure when the dog is present. When being
301 transported, such dogs must be safely and securely restrained
302 within a vehicle.

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

308 (6) Hunting dogs are exempt from this section when engaged
309 in any legal hunt or training procedure. Dogs engaged in
310 training or exhibiting in legal sports such as obedience trials,
311 conformation shows, field trials, hunting/retrieving trials, and
312 herding trials are exempt from this section when engaged in any
313 legal procedures. However, such dogs at all other times in all
314 other respects are subject to this and local laws. Dogs that
315 have been classified as dangerous may not be used for hunting
316 purposes.

317 (7) A person who violates ~~any provision of~~ this section
318 commits a noncriminal infraction, punishable by a fine not to
319 exceed \$1,000 per violation. In addition, any person who resists

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320 or obstructs an animal control authority in enforcing this
321 section commits a misdemeanor of the first degree, punishable as
322 provided in s. 775.082 or s. 775.083 ~~\$500.~~

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

325 767.13 Attack or bite by dangerous dog; penalties;
326 confiscation; destruction.—

327 (1) If a dog that has previously been declared dangerous
328 attacks or bites a person or a domestic animal without
329 provocation, the owner commits ~~is guilty of~~ a misdemeanor of the
330 first degree, punishable as provided in s. 775.082 or s.
331 775.083. ~~In addition,~~ The dangerous dog must ~~shall~~ be
332 immediately confiscated by an animal control authority; placed
333 in quarantine, if necessary, for the proper length of time; ~~or~~
334 impounded; and held for 10 business days after the owner is
335 given written notification under s. 767.12, and thereafter
336 destroyed in an expeditious and humane manner. ~~This 10-day time~~
337 ~~period shall allow~~ The owner may ~~to~~ request a hearing under s.
338 767.12 during the 10 business days after such notification. The
339 owner is ~~shall be~~ responsible for payment of all boarding costs
340 and other fees as may be required to humanely and safely keep
341 the animal during any appeal procedure.

342 (2) If a dog that has previously been declared dangerous
343 attacks and causes severe injury to or death of any human, the
344 owner commits ~~is guilty of~~ a felony of the second ~~third~~ degree,
345 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
346 ~~In addition,~~ The dog must ~~shall~~ be immediately confiscated by an
347 animal control authority; placed in quarantine, if necessary,
348 for the proper length of time; impounded; and ~~or~~ held for 10

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349 business days after the owner is given written notification
350 under s. 767.12, and thereafter destroyed in an expeditious and
351 humane manner. ~~This 10-day time period shall allow~~ The owner may
352 ~~to~~ request a hearing under s. 767.12 during the 10 business days
353 after such notification. The owner is ~~shall be~~ responsible for
354 payment of all boarding costs and other fees as may be required
355 to humanely and safely keep the animal during any appeal
356 procedure.

357 Section 7. Section 767.135, Florida Statutes, is amended to
358 read:

359 767.135 Attack or bite by unclassified dog that causes
360 death; confiscation; destruction.—If a dog that has not been
361 declared dangerous attacks and causes the death of a human, the
362 dog must ~~shall~~ be immediately confiscated by an animal control
363 authority; placed in quarantine, if necessary, for the proper
364 length of time; impounded; and ~~or~~ held for 10 business days
365 after the owner is given written notification under s. 767.12,
366 and thereafter destroyed in an expeditious and humane manner.
367 ~~This 10-day time period shall allow~~ The owner may ~~to~~ request a
368 hearing under s. 767.12 during the 10 business days after such
369 notification. If the owner files a written appeal under s.
370 767.12 or this section, the dog must be held and may not be
371 destroyed while the appeal is pending. The owner is responsible
372 for payment of all boarding costs and other fees as may be
373 required to humanely and safely keep the animal during any
374 appeal procedure.

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

377 767.136 Attack or bite by unclassified dog that causes

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378 severe injury or death; penalties.-

379 (1) If a dog that has not been declared dangerous attacks
380 and causes severe injury to, or the death of, a human, and the
381 owner of the dog had knowledge of the dog's dangerous
382 propensities, yet demonstrated a reckless disregard for such
383 propensities under the circumstances, the owner of the dog
384 commits a misdemeanor of the first ~~second~~ degree, punishable as
385 provided in s. 775.082 or s. 775.083.

386 Section 9. This act shall take effect July 1, 2025.