

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; amending s. 767.10, F.S.; revising
6 legislative findings relating to dangerous dogs;
7 amending s. 767.11, F.S.; revising definitions;
8 amending s. 767.12, F.S.; requiring, rather than
9 authorizing, that dogs subject to certain dangerous
10 dog investigations be confiscated, impounded, and
11 held; requiring, rather than authorizing, that such
12 dogs be held until the completion of certain actions;
13 revising the circumstances under which an owner is
14 responsible for paying certain costs and fees;
15 requiring that certain dogs not impounded be confined
16 in a proper enclosure by the owner; revising the
17 information that the owner of a dog classified as a
18 dangerous dog is required to provide to an animal
19 control authority; requiring microchipping of dog
20 classified as a dangerous dog; providing a penalty for
21 knowingly and willfully removing a microchip;
22 requiring the owner of a dog classified as a dangerous
23 dog to obtain dangerous dog liability insurance
24 coverage; providing requirements for such insurance;
25 requiring an animal shelter or animal control agency

operated by a humane society or local government to provide specified information to potential adopters; revising the civil penalty for violations; amending ss. 767.13 and 767.135, F.S.; conforming provisions to changes made by the act; amending s. 767.136, F.S.; revising the circumstances under which the owner of a dog that has not been declared dangerous is liable for such dog's severe injury to, or the death of, a human; providing an effective date.

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

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

Section 2. Section 767.01, Florida Statutes, is amended to read:

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

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

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

Section 3. Section 767.10, Florida Statutes, is amended to

51 **read:**

52 767.10 Legislative findings.—The Legislature finds that
53 dangerous dogs are an increasingly serious and widespread threat
54 to the safety and welfare of the people of this state because of
55 unprovoked attacks which cause injury to persons and domestic
56 animals; that such attacks are in part attributable to the
57 failure of owners to confine and properly train and control
58 their dogs; that existing laws inadequately address this growing
59 problem; and that it is appropriate and necessary to impose
60 uniform requirements for dog ~~the owners of dangerous dogs~~.

61 **Section 4. Section 767.11, Florida Statutes, is reordered**
62 **and amended to read:**

63 767.11 Definitions.—As used in this part ~~act~~, unless the
64 context clearly requires otherwise:

65 (1)~~(5)~~ "Animal control authority" means an entity acting
66 alone or in concert with other local governmental units and
67 authorized by them to enforce the animal control laws of the
68 city, county, or state. In those areas not served by an animal
69 control authority, the sheriff shall carry out the duties of the
70 animal control authority under this part ~~act~~.

71 (2)~~(6)~~ "Animal control officer" means any individual
72 employed, contracted with, or appointed by the animal control
73 authority for the purpose of aiding in the enforcement of this
74 part ~~act~~ or any other law or ordinance relating to the licensure
75 of animals, control of animals, or seizure and impoundment of

animals and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of an ~~any~~ animal.

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

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

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

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

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

(5)~~(4)~~ "Proper enclosure ~~of a dangerous dog~~" means, while on the owner's property, a ~~dangerous~~ dog is securely confined:

(a) Indoors;

(b) In a locked, fenced yard, suitable to prevent the

entry of young children and designed to prevent the dog from
escaping over, under, or through the fence; or

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

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

(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.

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

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

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

126 dangerous.

127 (a) An animal that is the subject of a dangerous dog
128 investigation for behavior described in s. 767.11(3)(a) or (c)
129 must ~~because of severe injury to a human being~~ may be
130 immediately confiscated by an animal control authority; placed
131 in quarantine, if necessary, for the proper length of time; ~~or~~
132 impounded; and held. The animal must ~~may~~ be held pending the
133 outcome of the investigation and any hearings or appeals related
134 to the dangerous dog classification or any penalty imposed under
135 this section. If the dog is to be destroyed, the dog may not be
136 destroyed while an appeal is pending. The owner is responsible
137 for payment of all boarding costs and other fees as may be
138 required to humanely and safely keep the animal pending any
139 hearing or appeal, unless it is determined that the dog is not
140 dangerous.

141 (b) An animal that is the subject of a dangerous dog
142 investigation for behavior described in s. 767.11(3)(b) may be
143 immediately confiscated by an animal control authority; placed
144 in quarantine, if necessary, for the proper length of time; or
145 impounded and held. An animal that ~~which~~ is not impounded with
146 the animal control authority must be ~~humanely and safely~~
147 confined by the owner in a proper enclosure ~~securely fenced or~~
148 ~~enclosed area. The animal shall be confined in such manner~~
149 pending the outcome of the investigation and the resolution of
150 any hearings or appeals related to the dangerous dog

151 classification or any penalty imposed under this section. The
152 owner shall provide the address at which the animal resides
153 ~~shall be provided~~ to the animal control authority. A dog that is
154 the subject of a dangerous dog investigation may not be
155 relocated or have its ownership transferred pending the outcome
156 of the investigation and any hearings or appeals related to the
157 dangerous dog classification or any penalty imposed under this
158 section. If a dog is to be destroyed, the dog may not be
159 relocated or have its ownership transferred.

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

162 (a) The threat, injury, or damage was sustained by a
163 person who, at the time, was unlawfully on the property or who,
164 while lawfully on the property, was tormenting, abusing, or
165 assaulting the dog or its owner or a family member.

166 (b) The dog was protecting or defending a human being
167 within the immediate vicinity of the dog from an unjustified
168 attack or assault.

169 (3) After the investigation, the animal control authority
170 shall make an initial determination as to whether there is
171 sufficient cause to classify the dog as dangerous and, if
172 sufficient cause is found, as to the appropriate penalty ~~under~~
173 ~~subsection (5)~~. The animal control authority shall afford the
174 owner an opportunity for a hearing before ~~prior to~~ making a
175 final determination regarding the classification or penalty. The

176 animal control authority shall provide written notification of
177 the sufficient cause finding and proposed penalty to the owner
178 by registered mail or~~7~~ certified hand delivery~~7~~ or service in
179 conformance with the provisions of chapter 48 relating to
180 service of process. The owner may file a written request for a
181 hearing regarding the dangerous dog classification, penalty, or
182 both, within 7 calendar days after receipt of the notification
183 of the sufficient cause finding and proposed penalty. If the
184 owner requests a hearing, the hearing must ~~shall~~ be held as soon
185 as possible, but not later than 21 calendar days and not sooner
186 than 5 days after receipt of the request from the owner. If a
187 hearing is not timely requested regarding the dangerous dog
188 classification or proposed penalty, the determination of the
189 animal control authority as to such matter is ~~shall become~~
190 final. Each applicable local governing authority shall establish
191 hearing procedures that conform to this subsection.

192 (4) Upon a dangerous dog classification and penalty
193 becoming final after a hearing or by operation of law pursuant
194 to subsection (3), the animal control authority shall provide a
195 written final order to the owner by registered mail or~~7~~
196 certified hand delivery or service. The owner may appeal the
197 classification or~~7~~ penalty, or both, to the circuit court in
198 accordance with the Florida Rules of Appellate Procedure after
199 receipt of the final order. If the dog is not held by the animal
200 control authority, the owner must confine the dog in a proper

201 ~~enclosure securely fenced or enclosed area~~ pending resolution of
202 the appeal. Each applicable local governing authority must
203 establish appeal procedures that conform to this subsection.

204 (5) (a) Except as otherwise provided in paragraph (b), the
205 owner of a dog classified as a dangerous dog shall do all of the
206 following:

207 1. Upon ~~Within 14 days after~~ issuance of the final order
208 classifying the dog as dangerous or the conclusion of any appeal
209 that affirms such final order, obtain a certificate of
210 registration for the dog from the animal control authority
211 serving the area in which he or she resides, and renew the
212 certificate annually. Animal control authorities may ~~are~~
213 ~~authorized to~~ issue such certificates of registration, and
214 renewals thereof, only to persons who are at least 18 years of
215 age and who present to the animal control authority sufficient
216 evidence of all of the following:

217 a. A current certificate of rabies vaccination for the
218 dog.

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

223 c. Permanent identification of the dog by, ~~such as a~~
224 ~~tattoo on the inside thigh or electronic~~ implantation of a
225 microchip. Any person who knowingly and willfully removes a

microchip implanted pursuant to this sub-subparagraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

d. The dog having been spayed or neutered.

e. Liability insurance as required by subparagraph 2.

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

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

3.2. Immediately notify the appropriate animal control authority when the dog:

a. Is loose or unconfined;~~;~~

b. Has bitten a human being or attacked another animal;~~;~~

c. Is sold, given away, or dies;or~~;~~

d. Is moved to another address.

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

251 authority. The new owner must comply with ~~all of the~~
252 ~~requirements of~~ this section and any implementing local
253 ordinances, even if the animal is moved from one local
254 jurisdiction to another within this ~~the~~ state, and. ~~The animal~~
255 ~~control officer~~ must notify the animal control authority ~~be~~
256 ~~notified by the owner of a dog classified as dangerous~~ that the
257 dog is in the authority's ~~his or her~~ jurisdiction.

258 b. If the dangerous dog is surrendered to a public or
259 private animal shelter, a humane organization, or an animal
260 control agency operated by a humane organization or by a county,
261 municipality, or other incorporated political subdivision, the
262 entity must post signage on the dog's enclosure to inform
263 potential adopters that the dog has been declared dangerous and
264 inform any adopter of the dog owner's requirements under this
265 section.

266 5.3- ~~Not allow permit~~ the dog to be outside a proper
267 enclosure unless the dog is muzzled and restrained by a
268 substantial chain or leash and under control of a competent
269 person. The muzzle must be made in a manner that will not cause
270 injury to the dog or interfere with its vision or respiration
271 but will prevent it from biting a person or an animal. The owner
272 may exercise the dog on the owner's property in a proper
273 enclosure ~~securely fenced or enclosed area that does not have a~~
274 ~~top,~~ without a muzzle or leash, if the dog remains within the
275 owner's ~~his or her~~ sight and only members of the immediate

household or persons 18 years of age or older, if applicable,
are allowed in the enclosure when the dog is present. When being
transported, such dogs must be safely and securely restrained
within a vehicle.

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

(6) Hunting dogs are exempt from this section 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 exempt from this section when engaged in any
legal procedures. However, such dogs at all other times in all
other respects are subject to this and local laws. Dogs that
have been classified as dangerous may not be used for hunting
purposes.

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

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

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

301 (1) If a dog that has previously been declared dangerous
302 attacks or bites a person or a domestic animal without
303 provocation, the owner commits ~~is guilty of~~ a misdemeanor of the
304 first degree, punishable as provided in s. 775.082 or s.
305 775.083. ~~In addition,~~ The dangerous dog must ~~shall~~ be
306 immediately confiscated by an animal control authority; placed ~~or~~
307 in quarantine, if necessary, for the proper length of time; ~~or~~
308 impounded; and held for 10 business days after the owner is
309 given written notification under s. 767.12, and thereafter
310 destroyed in an expeditious and humane manner. ~~This 10-day time~~
311 ~~period shall allow~~ The owner may ~~to~~ request a hearing under s.
312 767.12 during the 10 business days after such notification. The
313 owner is ~~shall be~~ responsible for payment of all boarding costs
314 and other fees as may be required to humanely and safely keep
315 the animal during any appeal procedure.

316 (2) If a dog that has previously been declared dangerous
317 attacks and causes severe injury to or death of any human, the
318 owner commits ~~is guilty of~~ a felony of the third degree,
319 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
320 ~~In addition,~~ The dog must ~~shall~~ be immediately confiscated by an
321 animal control authority; placed in quarantine, if necessary,
322 for the proper length of time; impounded; and ~~or~~ held for 10
323 business days after the owner is given written notification
324 under s. 767.12, and thereafter destroyed in an expeditious and
325 humane manner. ~~This 10-day time period shall allow~~ The owner may

326 ~~to~~ request a hearing under s. 767.12 during the 10 business days
327 after such notification. The owner ~~is~~ shall be responsible for
328 payment of all boarding costs and other fees as may be required
329 to humanely and safely keep the animal during any appeal
330 procedure.

331 **Section 7. Section 767.135, Florida Statutes, is amended**
332 **to read:**

333 767.135 Attack or bite by unclassified dog that causes
334 death; confiscation; destruction.—If a dog that has not been
335 declared dangerous attacks and causes the death of a human, the
336 dog must ~~shall~~ be immediately confiscated by an animal control
337 authority; ~~placed in quarantine, if necessary, for the proper~~
338 length of time; impounded; and ~~or~~ held for 10 business days
339 after the owner is given written notification under s. 767.12,
340 and thereafter destroyed in an expeditious and humane manner.
341 ~~This 10-day time period shall allow~~ The owner may ~~to~~ request a
342 hearing under s. 767.12 during the 10 business days after such
343 notification. If the owner files a written appeal under s.
344 767.12 or this section, the dog must be held and may not be
345 destroyed while the appeal is pending. The owner is responsible
346 for payment of all boarding costs and other fees as may be
347 required to humanely and safely keep the animal during any
348 appeal procedure.

349 **Section 8. Subsection (1) of section 767.136, Florida**
350 **Statutes, is amended to read:**

351 767.136 Attack or bite by unclassified dog that causes
352 severe injury or death; penalties.—

353 (1) If a dog that has not been declared dangerous attacks
354 and causes severe injury to, or the death of, a human, and the
355 owner of the dog had knowledge of the dog's dangerous
356 propensities, yet failed to secure the dog in a proper enclosure
357 pursuant to s. 767.01(2) ~~demonstrated a reckless disregard for~~
358 ~~such propensities under the circumstances,~~ the owner of the dog
359 commits a misdemeanor of the second degree, punishable as
360 provided in s. 775.082 or s. 775.083.

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