

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 Commerce and Tourism

BILL: SB 1004

INTRODUCER: Senator Gaetz

SUBJECT: Sale of Dogs and Cats

DATE: January 20, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Dike	McKay	CM	Pre-meeting
2. _____	_____	JU	_____
3. _____	_____	RC	_____

I. Summary:

SB 1004 alters provisions regarding the sale of cats and dogs in the state by:

- Mandating pet dealers ensure pet financing arrangements are terminated without penalty to the consumer when the animal is found to be unfit for purchase due to illness or disease.
- Requiring all financing terms to be disclosed to a consumer and implementing a three-day waiting period between the agreement and the possession of the pet.
- Directing pet dealers to provide copies of medical records to consumers purchasing pets.
- Requiring a specific written notice about consumer rights under s. 828.29, F.S., to be provided to and signed by the consumer upon the sale of a pet.
- Instructing pet dealers to maintain records provided to consumers for seven years.
- Providing that a violation of s. 828.29, F.S., is a violation of the Florida Deceptive and Unfair Trade Practices Act.
- Allowing consumers to bring civil action to remedy violations of this law.

This bill takes effect on July 1, 2026.

II. Present Situation:

Florida Pet Sale Law

Section 828.29, F.S., governs the sale of pets in Florida by mandating health requirements, providing sale regulations, and outlining remedies for violations of this section. Specifically, dogs transported into the state for sale must receive vaccines and anthelmintics against the following diseases/parasites: canine distemper, leptospirosis, bordatella, parainfluenza, hepatitis, canine parvo, rabies, roundworms, and hookworms, with exceptions concerning the age of the dog. Cats transported into this state must receive vaccines and anthelmintics against the following diseases/parasites: panleukopenia, feline viral rhinotracheitis, calici virus, rabies, hookworms, and roundworms, with exceptions for the age of the cat. Each pet subject to these

requirements must have a certificate of veterinary inspection while being offered for sale, and such examination of the pet must take place within a specified time.

If a licensed veterinarian verifies that the animal was unfit for purchase due to contagious or infectious disease, the pet dealer¹ must allow the consumer to either (1) return the animal and receive a refund of the purchase price, (2) return the animal and exchange it for another of equivalent value, or (3) retain the animal and receive reimbursement for reasonable veterinary costs. The statute provides exceptions to this requirement and the option for a pet dealer to contest a refund, exchange, or veterinary expenses. Additionally, pet dealers must include a written notice to the consumer at the time of sale of their rights pursuant to this section.

III. Effect of Proposed Changes:

Consumer Financing

Section 1 amends s. 828.29, F.S., mandating that pet dealers ensure pet financing arrangements are terminated without penalty to the consumer when the animal is found to be unfit for purchase due to illness or disease. Subsection (6) in the bill requires that pet dealers disclose all financing terms to the consumer before the final sale. The bill also mandates a three-day waiting period between the consumer agreeing to finance the pet and the consumer taking possession of the animal. Such financing agreement may not be signed until the three-day waiting period has passed. The bill also removes the option for consumers to sign waivers relinquishing their rights to return a pet for congenital or hereditary disorders.

Pet Medical Records

Under the bill, subsection (7) requires pet dealers to provide copies of medical records to the consumer regarding all medication examinations, tests, and medications given.

Written Notice

Additionally, the bill updates the notice provision in subsection (12), which pet dealers are required to provide to the consumer at the time of sale. The notice must be separate from the contract with specific wording which includes the following information: “You have the right to return or exchange the animal and receive reimbursement for certain veterinary expenses. A copy of this law is attached to this notice.”

Record Retention

Subsection (18) requires that pet dealers maintain any records provided to a consumer for the sale of an animal regulated under s. 828.29, F.S. The pet dealer must maintain these records for at least seven years after the sale.

¹ “For the purposes of subsections (5)-(12) and (16), the term “pet dealer” means any person, firm, partnership, corporation, or other association which, in the ordinary course of business, engages in the sale of more than two litters, or 20 dogs or cats, per year, whichever is greater, to the public. This definition includes breeders of animals who sell such animals directly to a consumer.” Section 828.29(13), F.S.

Remedies

Under subsection (19) of the bill, pet dealers who violate s. 828.29, F.S., are committing an unfair method of competition or an unfair or deceptive act under the Florida Deceptive and Unfair Trade Practices Act (FDUTPA), ss. 501.201-501.213, F.S. It is unlawful under the FDUTPA for a party to take part in “unfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts of practices in the conduct of any trade or commerce.”² Such practices include fraudulent billing,³ misleading a consumer or misrepresenting a product’s characteristics,⁴ or other behavior determined to be unfair by a court.⁵ Under the FDUTPA, the office of the state attorney or Department of Legal Affairs, either by their own inquiry or through complaints, may investigate violations of the FDUTPA.⁶ In addition to other remedies under state and federal law, the enforcing authority may bring actions for declaratory judgment, injunctive relief, actual damages on behalf of consumers and businesses, cease and desist orders, and civil penalties up to \$10,000 per violation.⁷ Moreover, consumers may bring private actions against parties for violating the FDUTPA, resulting in either:

- Declaratory judgment and injunctive relief when the consumer is aggrieved by a FDUTPA violation; or
- Actual damages, attorney fees, and court costs, when the consumer has suffered a loss due to the FDUTPA violation.⁸

In addition to the remedies available, subsection (20) of the bill specifies that consumers may cure violations under s. 828.29, F.S., via civil action for damages, costs, and attorney fees. This does not limit consumers’ other rights and remedies under law.

Effective Date

Section 2 sets out an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

² Section 501.204, F.S.

³ *State Farm Mut. Auto. Ins. Co. v. Medical Service Center of Florida, Inc.*, 103 F. Supp. 3d 1343 (S.D. Fla. 2015).

⁴ *Lewis v. Mercedes-Benz USA, LLC*, 530 F. Supp. 3d 1183 (S.D. Fla. 2021); *Marty v. Anheuser-Busch Companies, LLC*, 43 F. Supp. 3d 1333 (S.D. Fla. 2014).

⁵ See *Siever v. BWGaskets, Inc.*, 669 F. Supp. 2d 1286, 1292-93 (M.D. Fla. 2009).

⁶ The enforcing authority under the FDUTPA may “administer oaths and affirmations, subpoena witnesses or matter, and collect evidence.” Section 501.206, F.S.

⁷ Sections 501.207, 501.2077, 501.2075, 501.208, F.S.

⁸ Sections 501.2105, 501.211, F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 828.29 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.