

By the Committee on Rules; and Senators Gaetz and Arrington

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A bill to be entitled  
An act relating to domestic animals; amending s.  
828.12, F.S.; requiring the Department of Law  
Enforcement to post on its website specified  
information relating to each individual convicted of  
specified animal cruelty offenses; requiring the clerk  
of each court and county detention facility to provide  
the Department of Law Enforcement with such  
information; amending s. 828.29, F.S.; extending the  
timeframe for which a consumer may pursue remedies for  
the sale of an animal certifiably unfit for purchase;  
revising such remedies; requiring that all financing  
terms be disclosed to the consumer by the pet dealer  
before the sale of the animal; requiring a specified  
mandatory waiting period between the purchase and  
receipt of an animal if the transaction is financed by  
the consumer; prohibiting a consumer from signing a  
financing agreement until the conclusion of the  
specified waiting period; deleting certain provisions  
relating to a consumer's waiver relinquishing his or  
her rights to return an animal; requiring a pet dealer  
to provide copies of specified medical records to a  
consumer; denying a consumer the right to a refund or  
an exchange for a pet sale under certain  
circumstances; extending the timeframe within which a  
consumer must notify the pet dealer of a  
veterinarian's determination that the animal is unfit;  
authorizing the consumer to initiate an action in  
certain courts for any contestation of veterinary

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expenses or demands of the pet dealer for a refund or exchange; providing for the award of punitive damages; revising requirements for a required notice to a consumer; revising the text of the required notice; revising the definition of the term "pet dealer"; requiring a pet dealer to retain a copy of a specified notice for a specified period; providing that violations constitute an unfair method of competition or an unfair or deceptive act or practice in violation of specified provisions and subject to penalties; creating s. 828.291, F.S.; providing a legislative purpose; providing construction; requiring the Department of Agriculture and Consumer Services to develop a list of best management practices for adoption and implementation; providing requirements for such best management practices; requiring the department to post guidance on its website related to the selection of breeders and the purchase of an animal; requiring the department to post information on its website relating to animal cruelty; providing requirements for such information; providing an effective date.

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

Section 1. Subsection (7) of section 828.12, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

828.12 Cruelty to animals.—

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(7) ~~By Beginning~~ January 1, 2027 ~~2026~~, the Department of Law Enforcement shall post on its website, in a searchable format prescribed by the department, the names and any aliases, the date of birth, the race, the counties of conviction, the charges, the case numbers, the dispositions, the description of any identifying marks and tattoos, and a photograph taken at the time of booking related to the animal cruelty offense of each individual ~~those individuals~~ who has ~~have~~ been convicted of, or who has ~~have~~ entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of this section.

(8) Each clerk of court and county detention facility must provide the Department of Law Enforcement with the information, data, and images required in subsection (7).

Section 2. Subsections (5) through (8), (10), (12), (13), and (17) of section 828.29, Florida Statutes, are amended, and subsections (18) and (19) are added to that section, to read:

828.29 Dogs and cats transported or offered for sale; health requirements; consumer guarantee; disclosures.—

(5) If, within 30 ~~14~~ days after ~~following~~ the sale by a pet dealer of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies that, at the time of the sale, the animal was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or the presence of internal or external parasites, excluding fleas and ticks; or if, within 1 year after ~~following~~ the sale of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies such animal to be unfit for purchase due to a congenital or hereditary disorder which adversely affects the health of the

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88 animal; or if, within 1 year after ~~following~~ the sale of an  
89 animal subject to this section, the breed, sex, or health of  
90 such animal is found to have been misrepresented to the  
91 consumer, the pet dealer shall afford the consumer the right to  
92 choose one of the following options:

93 (a) The right to return the animal and receive a refund of  
94 the purchase price, including any interest accrued and ~~the~~ sales  
95 tax or fees paid or due from the purchaser, and reimbursement  
96 for reasonable veterinary costs directly related to the  
97 veterinarian's examination and certification that the animal ~~dog~~  
98 ~~or cat~~ is unfit for purchase pursuant to this section or ~~and~~  
99 directly related to necessary emergency services and treatment  
100 undertaken to relieve the suffering of such animal. If the  
101 consumer financed the animal pursuant to a financing agreement  
102 with the pet dealer, the pet dealer must ensure that the  
103 financing agreement is terminated without penalty to the  
104 consumer;

105 (b) The right to return the animal and receive an exchange  
106 animal ~~dog or cat~~ of the consumer's choice of equivalent value,  
107 and reimbursement for reasonable veterinary costs directly  
108 related to the veterinarian's examination and certification that  
109 the animal ~~dog or cat~~ is unfit for purchase pursuant to this  
110 section or ~~and~~ directly related to necessary emergency services  
111 and treatment undertaken to relieve the suffering of such  
112 animal; or

113 (c) The right to retain the animal and receive  
114 reimbursement for reasonable veterinary costs for necessary  
115 services and treatment related to the attempt to cure or curing  
116 of the animal, or necessary emergency services or treatment

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undertaken to relieve the suffering of such animal received  
within 1 year after purchase ~~dog or cat~~.

~~Reimbursement for veterinary costs may not exceed the purchase  
price of the animal.~~ The cost of veterinary services is  
reasonable if comparable to the cost of similar services  
rendered by other licensed veterinarians in proximity to the  
treating veterinarian and the services rendered are appropriate  
for the certification by the veterinarian.

(6) All financing terms must be disclosed by the pet dealer  
to the consumer before the sale of the animal. A mandatory  
waiting period of at least 3 calendar days must be imposed  
between the date of an agreement to purchase an animal and the  
date on which the consumer takes possession of the animal, if  
the consumer is financing the animal. The consumer may not sign  
a financing agreement until the conclusion of the 3-day waiting  
period ~~A consumer may sign a waiver relinquishing his or her  
right to return the dog or cat for congenital or hereditary  
disorders. In the case of such waiver, the consumer has 48  
normal business hours, excluding weekends and holidays, in which  
to have the animal examined by a licensed veterinarian of the  
consumer's choosing. If the veterinarian certifies that, at the  
time of sale, the dog or cat was unfit for purchase due to a  
congenital or hereditary disorder, the pet dealer must afford  
the consumer the right to choose one of the following options:~~

~~(a) The right to return the animal and receive a refund of  
the purchase price, including sales tax, but excluding the  
veterinary costs related to the certification that the dog or  
cat is unfit; or~~

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~~(b) The right to return the animal and receive an exchange dog or cat of the consumer's choice of equivalent value, but not a refund of the veterinary costs related to the certification that the dog or cat is unfit.~~

(7) Before the sale of an animal, a pet dealer must provide to the consumer copies of records of all medical examinations or tests that were conducted on the animal or any medication given before the purchase of the animal. A pet dealer may specifically state at the time of sale, in writing to the consumer, the presence of specific congenital or hereditary disorders, in which case the consumer has no right to any refund or exchange for those identified disorders, if such consumer signs a notification that indicates that the animal has been examined by a veterinarian who determined that the animal has the identified congenital or hereditary disorder.

(8) The refund or exchange required by subsection (5) must ~~or subsection (6) shall~~ be made by the pet dealer not later than 10 business days after ~~following~~ receipt of a signed veterinary certification as required in subsection (5) ~~or subsection (6)~~. The consumer must notify the pet dealer within 7 ~~2~~ business days after receipt of the veterinarian's determination that the animal is unfit. The written certification of unfitness must be presented to the pet dealer not later than 3 business days following receipt thereof by the consumer.

(10) If a pet dealer wishes to contest a demand for veterinary expenses, refund, or exchange made by a consumer under this section, the dealer may require the consumer to produce the animal for examination by a licensed veterinarian designated by the dealer. Upon such examination, if the consumer

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and the dealer are unable to reach an agreement that constitutes one of the options set forth in subsection (5) ~~or subsection (6)~~ within 10 business days after ~~following~~ receipt of the animal for such examination, the consumer may initiate an action in a court of competent jurisdiction, or the county court small claims court division, in the county where the animal owner resides, to recover or obtain reimbursement of veterinary expenses and a ~~refund,~~ or exchange, as set forth in subsection (5), and may collect punitive damages in an amount not less than \$2,500 at the discretion of the court.

(12) Every pet dealer who sells an animal to a consumer must provide the consumer at the time of sale with a printed, written notice in 14-point boldface type to be signed by the consumer, ~~printed or typed,~~ which is separate from the contract and reads as follows:

RIGHT TO CANCEL

Florida consumers have certain rights under section 828.29, Florida Statutes. You have the right to: 1) return the animal; 2) exchange the animal; and 3) receive reimbursement for certain veterinary expenses under certain circumstances. Please have your new pet seen by a veterinarian immediately. A copy of this law is attached to this notice.

It is the consumer's right, pursuant to section 828.29, Florida Statutes, to receive a certificate of veterinary inspection with each animal ~~dog or cat~~ purchased from a pet dealer. Such certificate shall

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list all vaccines and deworming medications administered to the animal and list any medical diagnosis and treatments ~~and shall state that the animal has been examined by a Florida-licensed veterinarian who certifies that, to the best of the veterinarian's knowledge, the animal was found to have been healthy at the time of the veterinary examination.~~ In the event that the consumer purchases the animal and finds it to have been unfit for purchase as provided in section 828.29(5), Florida Statutes, the consumer must notify the pet dealer within 7 ~~2-business~~ days after ~~of~~ the veterinarian's determination that the animal was unfit. The consumer has the right to retain, return, or exchange the animal and receive reimbursement for certain related veterinary services rendered to the animal, subject to the right of the dealer to have the animal examined by another veterinarian.

...(Signature of Animal owner or Lessee, or Owner's or Lessee's Authorized Person)...

(13) For the purposes of this section ~~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 three ~~two~~ litters, or 30 ~~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. This



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definition does not include not-for-profit entities that offer animals for sale or adoption as long as the total cost of such sale or adoption does not exceed \$500, including all taxes and fees, or other costs.

(17) Except as otherwise provided in this chapter, a person who violates ~~any provision of~~ this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(18) Any record provided to a consumer pursuant to the sale of an animal under this section must be maintained by the pet dealer for a period of at least 7 years after the sale.

(19) A pet dealer who violates this section commits an unfair method of competition or an unfair or deceptive act or practice in violation of part II of chapter 501 and is subject to the penalties and remedies provided for such violations.

Section 3. Section 828.291, Florida Statutes, is created to read:

828.291 Best management practices for dog breeding.—

(1) The purpose of this section is to allow voluntary participation in best management practices relating to minimum standards of care, facility operations, and breeding practices for individuals or entities engaged in the breeding of dogs in order to protect animal welfare, promote responsible breeding, and ensure the health and safety of animals and consumers.

(2) This section may not be construed to prohibit a local jurisdiction from implementing requirements for individuals or entities engaged in the breeding of dogs.

(3) The Department of Agriculture and Consumer Services shall develop a list of best management practices that

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individuals or entities engaged in the breeding of dogs may voluntarily adopt and implement. Such best management practices must include minimum standards of care, facility operations, and breeding practices for individuals or entities engaged in the breeding of dogs, including, but not limited to, standards relating to all of the following:

(a) Breeding.

(b) Feeding.

(c) Housing.

(d) Health.

(e) Enrichment.

(f) Selling and transferring, in accordance with s. 828.29.

(g) Recordkeeping, in accordance with s. 828.29.

(4) The Department of Agriculture and Consumer Services shall post on its website guidance for the public about how to identify the breeders that are following best management practices and provide a checklist to use when purchasing an animal.

(5) The Department of Agriculture and Consumer Services shall post on its website information regarding animal cruelty, including a description of conduct constituting animal cruelty under ss. 828.12 and 828.13, the penalties for such conduct, and instructions for reporting suspected animal cruelty or abuse to the appropriate local authorities, including the contact information for at least one appropriate authority for each county in the state.

Section 4. This act shall take effect July 1, 2026.