

By the Committee on Rules; and Senators Gaetz and Arrington

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

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

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

75 828.29 Dogs and cats transported or offered for sale;
76 health requirements; consumer guarantee; disclosures.—

77 (5) If, within 30 14 days after following the sale by a pet
78 dealer of an animal subject to this section, a licensed
79 veterinarian of the consumer's choosing certifies that, at the
80 time of the sale, the animal was unfit for purchase due to
81 illness or disease, the presence of symptoms of a contagious or
82 infectious disease, or the presence of internal or external
83 parasites, excluding fleas and ticks; or if, within 1 year after
84 following the sale of an animal subject to this section, a
85 licensed veterinarian of the consumer's choosing certifies such
86 animal to be unfit for purchase due to a congenital or
87 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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117 undertaken to relieve the suffering of such animal received
118 within 1 year after purchase dog or cat.

119
120 ~~Reimbursement for veterinary costs may not exceed the purchase~~
121 ~~price of the animal.~~ The cost of veterinary services is
122 reasonable if comparable to the cost of similar services
123 rendered by other licensed veterinarians in proximity to the
124 treating veterinarian and the services rendered are appropriate
125 for the certification by the veterinarian.

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

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

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

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

161 (8) The refund or exchange required by subsection (5) must
162 ~~or subsection (6) shall~~ be made by the pet dealer not later than
163 10 business days after ~~following~~ receipt of a signed veterinary
164 certification as required in subsection (5) ~~or subsection (6).~~
165 The consumer must notify the pet dealer within 7 2 business days
166 after receipt of the veterinarian's determination that the
167 animal is unfit. The written certification of unfitness must be
168 presented to the pet dealer not later than 3 business days
169 following receipt thereof by the consumer.

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

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175 and the dealer are unable to reach an agreement that constitutes
176 one of the options set forth in subsection (5) ~~or subsection (6)~~
177 within 10 business days after following receipt of the animal
178 for such examination, the consumer may initiate an action in a
179 court of competent jurisdiction, or the county court small
180 claims court division, in the county where the animal owner
181 resides, to recover or obtain reimbursement of veterinary
182 expenses and a, refund, or exchange, as set forth in subsection
183 (5), and may collect punitive damages in an amount not less than
184 \$2,500 at the discretion of the court.

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

190

191 RIGHT TO CANCEL

192 Florida consumers have certain rights under section
193 828.29, Florida Statutes. You have the right to: 1)
194 return the animal; 2) exchange the animal; and 3)
195 receive reimbursement for certain veterinary expenses
196 under certain circumstances. Please have your new pet
197 seen by a veterinarian immediately. A copy of this law
198 is attached to this notice.

199

200 It is the consumer's right, pursuant to section
201 828.29, Florida Statutes, to receive a certificate of
202 veterinary inspection with each animal dog or cat
203 purchased from a pet dealer. Such certificate shall

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

222

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

225

226 (13) For the purposes of this section subsections (5)-(12)
227 and (16), the term "pet dealer" means any person, firm,
228 partnership, corporation, or other association which, in the
229 ordinary course of business, engages in the sale of more than
230 three two litters, or 30 20 dogs or cats, per year, whichever is
231 greater, to the public. This definition includes breeders of
232 animals who sell such animals directly to a consumer. This

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

237 (17) Except as otherwise provided in this chapter, a person
238 who violates any provision of this section commits a misdemeanor
239 of the first degree, punishable as provided in s. 775.082 or s.
240 775.083.

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

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

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

250 828.291 Best management practices for dog breeding.—

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

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

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

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

268 (a) Breeding.

269 (b) Feeding.

270 (c) Housing.

271 (d) Health.

272 (e) Enrichment.

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

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

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

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

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