

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: CS/SB 1356

INTRODUCER: Commerce and Tourism Committee and Senator Garcia

SUBJECT: Handling of Animals

DATE: February 4, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Dike	McKay	CM	Fav/CS
2.		AEG	
3.		RC	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

### I. Summary:

CS/SB 1356 creates state oversight of dog breeding by:

- Mandating the Department of Agriculture and Consumer Services (FDACS) adopt rules and best management practices for the breeding of dogs.
- Requiring dog breeders to apply to the Department of Business and Professional Regulation (DBPR) for a certificate of registration to operate.
- Prescribing penalties for dog breeders who do not comply with best management practices and directing DBPR to investigate noncompliance.

The bill alters provisions regarding the sale of cats and dogs 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.

The 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 dealer<sup>1</sup> 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.

### Animal Industry Law

Chapter 585, F.S., governs animal disease, inspection, and eradication in the state. Pursuant to s. 585.007, F.S., a person who violates any provision of ch. 585, F.S., or any rules derived from the chapter, is subject to administrative fines and is guilty of a misdemeanor of the second degree.

### Florida Deceptive and Unfair Trade Practices Act (FDUTPA)

It is unlawful under the FDUTPA, ss. 501.201-501.213, F.S., for a party to take part in “unfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce.”<sup>2</sup> Such practices include fraudulent billing,<sup>3</sup> misleading a consumer or misrepresenting a product’s characteristics,<sup>4</sup> or other behavior determined to be unfair by a court.<sup>5</sup> Under the FDUTPA, the office of the state attorney or Department of Legal Affairs, either by their own inquiry or through complaints, may investigate

<sup>1</sup> “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.

<sup>2</sup> Section 501.204, F.S.

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

<sup>4</sup> *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).

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

violations of the FDUTPA.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>

## Deceptive Pet Sales in Florida

### *Litigation*

In 2020, the Florida Office of the Attorney General (AG) brought legal action against Hoof's Pets, Inc., operating as Petland in central Florida, after receiving 104 consumer complaints over five years against the defendant.<sup>9</sup> The AG sued the defendant for violating the FDUTPA and s. 828.29, F.S., alleging the defendant misrepresented the health of puppies for sale, the goods and services bundled with the puppies, and the consumer rights and remedies available to customers.<sup>10</sup> The court permanently prohibited the defendant from selling puppies with illness, misleading customers about puppies' health, failing to provide documentation required by law, falsely representing the puppy's AKC registrability, and more.<sup>11</sup> While the defendant had already refunded customers over \$123,000, the court ordered the defendant to pay an additional \$85,000 to consumers harmed by the defendant's deceptive practices.<sup>12</sup>

### *Economic Effects*

In 2022, Orange County passed an ordinance prohibiting the retail sale of dogs, cats, and rabbits.<sup>13</sup> As a result of this ordinance and the aforementioned enforcement lawsuit, an economic report from the University of West Florida Haas Center showed a 55% decline in complaints to the Office of Attorney General over pet sales in the Orlando area from 2020-2024.<sup>14</sup> However, despite Florida counties implementing local retail bans on the sale of pets, the abundance of animals from out-of-state puppy-mills and unethical breeders perpetuates the sale of sick pets.<sup>15</sup> The report explained that predatory financing, deceptive pet sales, and the sale of sick pets costs Floridians over \$25 million each year.<sup>16</sup>

<sup>6</sup> The enforcing authority under the FDUTPA may "administer oaths and affirmations, subpoena witnesses or matter, and collect evidence." Section 501.206, F.S.

<sup>7</sup> Sections 501.207, 501.2077, 501.2075, 501.208, F.S.

<sup>8</sup> Sections 501.2105, 501.211, F.S.

<sup>9</sup> *Att'y Gen. v. Hoof's Pets, Inc.*, No. 2020-CA-5262-O, 5 (Fla. Orange Cty. Ct. Dec. 9, 2022) (order entering final judgment in favor of the plaintiff).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 9-11. See *id.* at 9-22 for the full list of remedies ordered by the court.

<sup>12</sup> *Id.* at 19-20.

<sup>13</sup> UWF, Haas Center, *The Cost of Deception: How Sick Pets Drain Florida's Economy*, available at [https://www.myfloridalegal.com/sites/default/files/2025-09/final\\_report\\_the\\_cost\\_of\\_deception\\_-how\\_sick\\_pets\\_drain\\_the\\_economy\\_12.8.2025.pdf](https://www.myfloridalegal.com/sites/default/files/2025-09/final_report_the_cost_of_deception_-how_sick_pets_drain_the_economy_12.8.2025.pdf) (last visited Feb. 3, 2026).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

### III. Effect of Proposed Changes:

#### State Oversight of Dog Breeding

##### *Best Management Practices*

**Section 1** creates s. 585.701, F.S., requiring FDACS to adopt rules and best management practices for the breeding of dogs<sup>17</sup> in the state. Among other considerations, FDACS must consider spacing and sanitation of dog cages/pens, requirements for access to clean water, limitation on the number of times a female dog may be bred,<sup>18</sup> and appropriate sheltering of female dogs and their litters.<sup>19</sup> Before adopting any rules, FDACS must submit the proposed rules to the Board of Veterinary Medicine.<sup>20</sup> The board must verify the rules, best management practices, and other measures are reasonably effective. Finally, the bill states local jurisdictions in Florida may implement stricter requirements than those laid out under the bill.

##### *Certificate of Registration*

**Section 3** creates s. 828.291, F.S., requiring dog breeders in Florida to apply to DBPR for a certificate of registration to operate. The dog breeder must submit documentation to DBPR showing that it meets the best management practices adopted by FDACS pursuant to s. 585.701, F.S. Subsequently, the certificate of registration must be renewed every two years.

Under subsection (3), the bill also requires DBPR to investigate claims that certified dog breeders are not complying with best management practices. DBPR may establish a whistleblower program or contract with a private entity to do so. If a private entity is contracted to receive whistleblower calls, the private entity must provide monthly reports to DBPR with specific information.

In subsection (4), the bill prescribes penalties for dog breeders or dog breeding facilities found to:

- Overcrowd dogs in pens/cages with no space to move.
- House dogs in enclosures with significant build-up of feces, urine, and waste.
- Have dogs exhibiting untreated infections/parasites due to unsanitary conditions.
- Limit access to clean water.
- Breed a female dog more than twice a year.
- Expose breeding females and their litters to extreme temperatures without appropriate shelter.

Such practices/conditions result in penalties under ss. 828.073, 828.12, F.S., placement of the breeder or facility on the Department of Law Enforcement's website pursuant to s. 828.12(7),

<sup>17</sup> "Dog breeder" means a person who owns or possesses breeding female dogs and offers for sale more than two litters of dogs per calendar year. "Dog breeding facility" means a location that is the site of a dog breeder which houses five or more breeding female dogs.

<sup>18</sup> "Breeding female dog" means a dog that has not been spayed and is more than 6 months old and capable of reproduction.

<sup>19</sup> "Litter" means the collection of dogs birthed, whether naturally or from cesarean section, from a breeding female dog from the same pregnancy.

<sup>20</sup> The Board of Veterinary Medicine (board), under DBPR, regulates veterinarians, premise permits, veterinary establishments and limited service clinics. Section 474.204, F.S.

F.S., and information on the breeder or facility shared with law enforcement for criminal prosecution.

## **Consumer Protection**

### ***Financing***

**Section 2** 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 a dog or cat purchased from a pet dealer and receive reimbursement for certain veterinary expenses. A copy of this law is attached to this notice.”

### ***Record Retention***

Subsection (18) requires pet dealers to retain records provided to consumers for sales of animals under s. 828.29, F.S., for at least seven years after the sale. Further, retail stores that offer animals for sale must:

- Provide the city or county animal rescue/shelter the opportunity to inventory the animals the rescue/shelter has available for adoption prior to offering retail space to dog breeders and breeding facilities.
- Ensure the dog breeder or breeding facility, from which the store has acquired dogs, follows the best management practices adopted by FDACS pursuant to s. 585.701, 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. Additionally, 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 4 sets forth an effective date of July 1, 2026.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**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:**

Indeterminate. There may be increased costs for pet breeders to comply with the bill.

**C. Government Sector Impact:**

Indeterminate. There may be increased expenditures for FDACS and DBPR to enforce the bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

Under s. 585.007, F.S., a person who violates any provision of ch. 585, F.S., or any rules derived from the chapter, is subject to an administrative fine and is guilty of a misdemeanor of the second degree. It is unclear whether the placement of best management practices for dog

breeders in ch. 585, F.S., results in an administrative fine and a second degree misdemeanor for violations.

Additionally, the provisions under Section 2 of the bill are substantially similar to the language in SB 1004 as of January 21, 2026.

## **VIII. Statutes Affected:**

This bill substantially amends section 828.29 of the Florida Statutes.

This bill creates the following sections of the Florida Statutes: 585.701, 828.291.

## **IX. Additional Information:**

### **A. Committee Substitute – Statement of Changes:**

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

#### **CS by Commerce and Tourism Committee on February 4, 2026:**

The amendment removes the section of the bill giving the Department of Agriculture and Consumer Services regulatory and operational oversight of local animal shelters. The amendment also makes technical changes to the bill which do not affect its substance.

### **B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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