

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Budget Committee
2 Representative Weinberger offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 **Section 1. Section 828.291, Florida Statutes, is created**

7 **to read:**

8 828.291 Best management practices for dog breeding.-

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

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

18 (3) The Department of Business and Professional Regulation
19 shall develop best management practices that individuals or
20 entities engaged in the breeding of dogs may voluntarily adopt
21 and implement. Such best management practices must include
22 minimum standards of care, facility operations, and breeding
23 practices for individuals or entities engaged in the breeding of
24 dogs, including, but not limited to, the following:

25 (a) Breeding.

26 (b) Feeding.

27 (c) Housing.

28 (d) Health.

29 (e) Enrichment.

30 (f) Selling and transferring, in accordance with s.
31 828.29.

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

33 (4) The Department of Business and Professional Regulation
34 shall post on its website guidance for the public about how to
35 identify the dog breeders that are following best breeder
36 practices and provide a checklist to use when purchasing a dog.

37 (5) The Department of Business and Professional Regulation
38 shall post on its website information regarding animal cruelty,
39 including a description of conduct constituting animal cruelty

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40 under ss. 828.12 and 828.13, the penalties for such conduct, and
41 instructions for reporting suspected animal cruelty or abuse to
42 the appropriate local authorities, including the contact
43 information for at least one appropriate authority for each
44 county in the state.

45 **Section 2. Section 828.2911, Florida Statutes, is created**
46 **to read:**

47 828.2911 Dog Awareness and Welfare Guidelines (DAWG)
48 Breeder Program.—

49 (1) The Department of Business and Professional Regulation
50 shall establish the Dog Awareness and Welfare Guidelines (DAWG)
51 Breeder Program to recognize dog breeders who have voluntarily
52 adopted and implemented the best management practices for dog
53 breeding. The department shall certify any individual or entity
54 that the department has determined has voluntarily adopted and
55 implemented the best management practices for dog breeding
56 pursuant to s. 828.291 and who has complied with this section.
57 Such certification is good for 2 years and dog breeders may
58 reapply at the expiration of such certification.

59 (2) Participants in the DAWG Breeder Program must agree to
60 submit to inspection by the Department of Business and
61 Professional Regulation or its designee and pay the actual cost
62 of the inspection. Subject to appropriations, the department or
63 its designee may conduct an inspection of the applicant's dog
64 breeding program, including, but not limited to, all animals

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65 located on an applicant's premises, the breeding and housing
66 facilities for such animals, and any health records or records
67 of sale for such animals maintained by the applicant.

68 (a) The department may contract with and designate local
69 law enforcement or animal services, if local staff and resources
70 are available, or any other public or private entity that the
71 department determines regularly conducts animal welfare
72 investigations to perform inspections or related investigative
73 activities. Private service providers may include Florida-
74 licensed veterinarians currently in good standing who have been
75 licensed for at least 10 years.

76 (b) Local governments or enforcement authorities may
77 contract with the department to conduct dog breeder inspections,
78 subject to the availability of local funding, staff, and
79 resources. If the local government or enforcement authority
80 lacks the staff or resources to perform dog breeder inspections,
81 such inspections may be conducted by a private provider
82 designated and approved by the department, provided that the
83 breeder bears the cost of the inspection.

84 (c) If sufficient resources are not available, the
85 applicant must wait until such resources are available or
86 contract with a private provider designated and approved by the
87 department in order to obtain certification.

88 (3) If the applicant passes inspection, the department
89 must provide the applicant a DAWG Breeder Program certificate.

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90 (4) The department may suspend or revoke the certification
91 of any DAWG-certified dog breeder at any time if the department
92 discovers that the breeder has failed to maintain the best
93 management practices created pursuant to s. 828.291.

94 (5) A dog breeder that is certified by the program may
95 identify the certification in the breeder's professional
96 practice, including in marketing and advertising materials.

97 (6) Recognition by the program is not required for a dog
98 breeder to engage in dog breeding in this state.

99 (7) The department shall adopt rules to implement this
100 section.

101 (8) Any fees collected pursuant to this section shall be
102 deposited in the Professional Regulation Trust Fund within the
103 Department of Business and Professional Regulation.

104 **Section 3. Subsections (5) through (8), (10), (12), (13)**
105 **and (17) of section 828.29, Florida Statutes, are amended, and**
106 **subsection (18) is added to that section, to read:**

107 828.29 Dogs and cats transported or offered for sale;
108 health requirements; consumer guarantee; disclosures. -

109 (5) If, within 30 ~~14~~ days after ~~following~~ the sale by a
110 pet dealer of an animal subject to this section, a licensed
111 veterinarian of the consumer's choosing certifies that, at the
112 time of the sale, the animal was unfit for purchase due to
113 illness or disease, the presence of symptoms of a contagious or
114 infectious disease, or the presence of internal or external

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115 parasites, excluding fleas and ticks; or if, within 1 year after
116 ~~following~~ the sale of an animal subject to this section, a
117 licensed veterinarian of the consumer's choosing certifies such
118 animal to be unfit for purchase due to a congenital or
119 hereditary disorder which adversely affects the health of the
120 animal; or if, within 1 year after ~~following~~ the sale of an
121 animal subject to this section, the breed, sex, or health of
122 such animal is found to have been misrepresented to the
123 consumer, the pet dealer shall afford the consumer the right to
124 choose one of the following options:

125 (a) The right to return the animal and receive a refund of
126 the purchase price, including any interest accrued and ~~the sales~~
127 tax or fees paid or due from the purchaser, and reimbursement
128 for reasonable veterinary costs directly related to the
129 veterinarian's examination and certification that the animal ~~dog~~
130 ~~or cat~~ is unfit for purchase pursuant to this section or ~~and~~
131 directly related to necessary emergency services and treatment
132 undertaken to relieve suffering of the animal. If the consumer
133 financed the animal pursuant to a financing agreement with the
134 pet dealer, the pet dealer must ensure that the financing
135 arrangement is terminated without penalty to the consumer;

136 (b) The right to return the animal and receive an exchange
137 ~~dog or cat~~ of the consumer's choice of equivalent value, and
138 reimbursement for reasonable veterinary costs directly related
139 to the veterinarian's examination and certification that the

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140 animal ~~dog or cat~~ is unfit for purchase pursuant to this section
141 or ~~and~~ directly related to necessary emergency services and
142 treatment undertaken to relieve suffering of the animal; or

143 (c) The right to retain the animal and receive
144 reimbursement for reasonable veterinary costs for necessary
145 services and treatment related to the attempt to cure or curing
146 of the animal, or necessary emergency services or treatment
147 undertaken to relieve the suffering of the animal related to
148 such services received within 1 year after purchase ~~dog or cat~~.

149
150 Reimbursement for veterinary costs may not exceed the purchase
151 price of the animal. The cost of veterinary services is
152 reasonable if such costs are comparable to the cost of similar
153 services rendered by other licensed veterinarians in proximity
154 to the treating veterinarian and the services rendered are
155 related to the examination and ~~appropriate for the~~ certification
156 of fitness by the veterinarian.

157 (6) All financial terms must be disclosed by the pet
158 dealer to the consumer before the sale of an animal, including
159 the total cost of the animal, any fees, taxes, and, if
160 applicable, financing charges or interest over the period
161 financed

162 ~~(6) A consumer may sign a waiver relinquishing his or her~~
163 ~~right to return the dog or cat for congenital or hereditary~~
164 ~~disorders. In the case of such waiver, the consumer has 48~~

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165 ~~normal business hours, excluding weekends and holidays, in which~~
166 ~~to have the animal examined by a licensed veterinarian of the~~
167 ~~consumer's choosing. If the veterinarian certifies that, at the~~
168 ~~time of sale, the dog or cat was unfit for purchase due to a~~
169 ~~congenital or hereditary disorder, the pet dealer must afford~~
170 ~~the consumer the right to choose one of the following options:~~

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

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

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

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189 animal has the identified specific congenital or hereditary
190 disorder.

191 (8) The refund or exchange required by subsection (5) must
192 ~~or subsection (6) shall~~ be made by the pet dealer not later than
193 10 business days after ~~following~~ receipt of a signed veterinary
194 certification as required in subsection (5) ~~or subsection (6)~~.
195 The consumer must provide notice and documentation to notify the
196 pet dealer within 7 ~~2~~ business days after receipt of the
197 veterinarian's determination that the animal is unfit. ~~The~~
198 ~~written certification of unfitness must be presented to the pet~~
199 ~~dealer not later than 3 business days following receipt thereof~~
200 ~~by the consumer.~~

201 (10) If a pet dealer wishes to contest a demand for
202 veterinary expenses, refund, or exchange made by a consumer
203 under this section, the dealer may require the consumer to
204 produce the animal for examination by a licensed veterinarian
205 designated by the dealer. Upon such examination, if the consumer
206 and the dealer are unable to reach an agreement that constitutes
207 one of the options set forth in subsection (5) ~~or subsection (6)~~
208 within 10 business days after ~~following~~ receipt of the animal
209 for such examination, the consumer may initiate an action in a
210 court of competent jurisdiction or the small claims court of the
211 county court in which the consumer resides to recover or obtain
212 reimbursement of veterinary expenses and a refund, or an
213 exchange, as set forth in subsection (5), and may collect

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214 punitive damages in an amount not less than \$2,500, at the
215 discretion of the court.

216 (12) Every pet dealer who sells an animal to a consumer
217 must provide the consumer at the time of sale with a printed,
218 written notice in 14-point bold font to be signed by the
219 consumer, ~~printed or typed,~~ which is separate from the contract.
220 The pet dealer shall retain a copy of the signed notice, and the
221 consumer must be given a copy of the signed notice. Such notice
222 must read ~~reads~~ as follows:

223

224 RIGHT TO CANCEL

225 Florida consumers have certain rights under s. 828.29,
226 Florida Statutes. You have the right to return the
227 animal, exchange the animal, and receive reimbursement
228 for certain veterinary expenses under certain
229 circumstances. Please have your new pet seen by a
230 veterinarian immediately. A copy of this law is
231 attached to this notice.

232

233 It is the consumer's right, pursuant to section
234 828.29, Florida Statutes, to receive a certificate of
235 veterinary inspection with each animal ~~dog or cat~~
236 purchased from a pet dealer. Such certificate shall
237 list all vaccines and deworming medications
238 administered to the animal and list any medical

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239 ~~diagnosis and treatments shall state that the animal~~
240 ~~has been examined by a Florida-licensed veterinarian~~
241 ~~who certifies that, to the best of the veterinarian's~~
242 ~~knowledge, the animal was found to have been healthy~~
243 ~~at the time of the veterinary examination.~~ In the
244 event that the consumer purchases the animal and finds
245 it to have been unfit for purchase as provided in
246 section 828.29(5), Florida Statutes, the consumer must
247 notify the pet dealer within 7 ~~2-business~~ days of the
248 veterinarian's determination that the animal was
249 unfit. The consumer has the right to retain, return,
250 or exchange the animal and receive reimbursement for
251 certain related veterinary services rendered to the
252 animal, subject to the right of the dealer to have the
253 animal examined by another veterinarian.

254
255 ...(Signature of Animal Owner or Lessee, Purchaser, or
256 Authorized Person)...

257
258 (13) For the purposes of this section ~~subsections (5) (12)~~
259 ~~and (16)~~, the term "pet dealer" means any person, firm,
260 partnership, corporation, or other association which, in the
261 ordinary course of business, engages in the sale of more than
262 three ~~two~~ litters, or 30 ~~20~~ dogs or cats, per year, whichever is
263 greater, to the public. The term ~~This definition~~ includes

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264 breeders of animals who sell such animals directly to a
265 consumer. The term does not include not-for-profit entities that
266 offer animals for sale or adoption as long as the total cost of
267 such sale or adoption does not exceed \$500, including all taxes
268 and fees, or other costs.

269 (17) Except as otherwise provided in this chapter, a
270 person who violates ~~any provision of~~ this section commits a
271 misdemeanor of the first degree, punishable as provided in s.
272 775.082 or s. 775.083.

273 (18) Any record provided to a consumer related to the sale
274 of an animal under this section must be maintained by the pet
275 dealer for a period of at least 3 years after the date of sale.

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

277

278

279

280 **T I T L E A M E N D M E N T**

281 Remove everything before the enacting clause and insert:

282 An act relating to domestic animals; creating s.

283 828.291, F.S.; providing purpose; providing

284 construction; requiring the Department of Business and

285 Professional Regulation to develop voluntary best

286 management practices for dog breeders in this state;

287 requiring the department to post certain information

288 on its website; creating s. 828.2911, F.S.; requiring

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289 the department to establish the voluntary Dog
290 Awareness and Welfare Guidelines (DAWG) Breeding
291 Program; providing requirements for participation in
292 the program; providing for the issuance, suspension,
293 revocation, and use of program certificates; requiring
294 the department to adopt rules; requiring the
295 department to deposit fees in a specified trust fund;
296 amending s. 828.29, F.S.; extending the period of time
297 after the sale of an animal that a consumer may return
298 or exchange the animal and receive a refund or receive
299 reimbursement for certain costs; requiring that a pet
300 sale financing agreement be terminated without penalty
301 under certain circumstances; removing a limit on
302 veterinary costs under certain circumstances;
303 requiring all financial terms be disclosed to the
304 consumer before the sale of an animal; removing
305 certain provisions relating to a consumer's waiver
306 relinquishing his or her rights to return an animal;
307 requiring a pet dealer to provide copies of specified
308 medical records to a consumer; revising requirements
309 for a required notice to a consumer; revising the text
310 of the required notice; revising the definition of the
311 term "pet dealer"; requiring a pet dealer to retain a
312 copy of certain records for a specified period;
313 providing construction; providing an effective date.

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