

1 A bill to be entitled
2 An act relating to the handling of animals; creating
3 s. 585.701, F.S.; providing legislative findings and
4 intent; defining terms; requiring the Department of
5 Agriculture and Consumer Services to develop and adopt
6 best management practices or other measures for dog
7 breeding in this state; requiring the department to
8 consider certain criteria in developing the rule;
9 requiring the Board of Veterinary Medicine to verify
10 that the proposed rule meets certain goals; providing
11 construction; creating s. 828.265, F.S.; providing
12 legislative findings; defining terms; preempting the
13 regulatory and operational oversight of local animal
14 shelters to the department; requiring the department
15 to adopt certain rules; encouraging the department to
16 collaborate with certain entities; amending s. 828.29,
17 F.S.; requiring that a pet sale financing agreement be
18 terminated without penalty under certain
19 circumstances; deleting a limit on veterinary costs
20 under certain provisions; requiring that all financial
21 terms be disclosed to the consumer before the sale of
22 an animal; requiring a specified mandatory waiting
23 period between the purchase and receipt of an animal
24 if the transaction is financed by the consumer and
25 prohibiting the signing of such agreement before the

26 conclusion of such waiting period; deleting certain
27 provisions relating to a consumer's waiver
28 relinquishing his or her rights to return an animal;
29 requiring a pet dealer to provide copies of specified
30 medical records to a consumer; revising requirements
31 for a required notice to a consumer; revising the text
32 of the required notice; requiring a pet dealer to
33 retain a copy of the signed notice; requiring that the
34 consumer be given a copy of the signed notice;
35 requiring a pet dealer to retain certain records for a
36 specified timeframe; specifying requirements for
37 retail stores that offer animals for sale; requiring
38 retail stores to ensure that dog breeders and dog
39 breeding facilities from which the store acquires dogs
40 meet certain best management practices; providing that
41 violations constitute an unfair method of competition
42 or an unfair or deceptive act or practice in violation
43 of specified provisions and are subject to penalties;
44 providing a private cause of action; providing
45 construction; creating s. 828.291, F.S.; defining
46 terms; requiring dog breeders to apply to the
47 Department of Business and Professional Regulation for
48 a certificate of registration and to renew the
49 certificate at specified intervals; authorizing the
50 department to investigate certain claims; authorizing

the department to establish a whistleblower program for a specified purpose; specifying requirements for such program; providing penalties for specified practices and conditions; requiring certain individuals, dog breeders, and dog breeding facilities to be placed in the public animal abuser database; providing requirements for best management practices for breeder permitting, inspection, penalties, and oversight; requiring the department to use such practices when developing specified rules; providing an effective date.

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

Section 1. Section 585.701, Florida Statutes, is created to read:

585.701 Dog breeders; best management practices.—

(1) The Legislature finds that the safe and ethical breeding of dogs in this state is a matter of great public importance and that breeding dogs for profit without regard for the condition in which the dogs live or how they are cared for is an act of animal cruelty. Therefore, the Legislature intends to ensure that dog breeding is done in an ethical manner by establishing best management practices to ensure the humane treatment of animals.

76 (2) As used in this section, the term:

77 (a) "Board" means the Board of Veterinary Medicine.

78 (b) "Breeding female dog" means a dog that has not been
79 spayed and is more than 6 months old and capable of
80 reproduction.

81 (c) "Department" means the Department of Agriculture and
82 Consumer Services.

83 (d) "Dog breeder" means a person who owns or possesses
84 breeding female dogs and offers for sale more than two litters
85 of dogs per calendar year.

86 (e) "Dog breeding facility" means a location that is the
87 site of a dog breeder which houses five or more breeding female
88 dogs.

89 (f) "Hobby breeder" means a person who owns or possesses
90 breeding female dogs and offers for sale one litter per calendar
91 year.

92 (g) "Litter" means the collection of dogs birthed, whether
93 naturally or from cesarean section, from a breeding female dog
94 from the same pregnancy.

95 (h) "Veterinary care" means examinations, vaccinations,
96 treatment, and preventive care provided by a veterinarian
97 licensed in this state.

98 (3) The department shall:

99 (a) Develop and adopt by rule pursuant to ss. 120.536(1)
100 and 120.54 best management practices or other measures necessary

101 to improve the practices of dog breeders and dog breeding
102 facilities in a way that protects this state's domestic animal
103 resources and that preserves a viable and ethical dog breeding
104 industry. In developing the rule, the department shall consider,
105 at a minimum, the spacing of and sanitation guidelines for cages
106 and pens, requiring adequate access to clean water, limiting the
107 number of times a breeding female dog may be bred per year, and
108 providing breeding female dogs and their litters with
109 appropriate shelter.

110 (b) Before adopting the rule required by paragraph (a),
111 submit the proposed rule to the board. The board shall verify
112 that the proposed best management practices, and other measures
113 developed by the department, will be reasonably effective in
114 achieving the goals of this section. The board shall notify the
115 department of its initial verification.

116 (4) This section may not be construed to prohibit a local
117 jurisdiction from implementing requirements for dog breeders or
118 dog breeding facilities which are stricter than those in this
119 section or any rule adopted by the department.

120 **Section 2. Section 828.265, Florida Statutes, is created**
121 **to read:**

122 828.265 Regulation of animal shelters.—

123 (1) The Legislature finds that a lack of resources,
124 training, and consistent enforcement of rules at the local level
125 has resulted in an undermining of the public trust of, and a

126 failure to protect vulnerable animals housed in, local animal
127 shelters. Therefore, the Legislature intends to provide
128 statewide oversight of local animal shelters to ensure
129 consistent implementation and enforcement of rules governing
130 local animal shelters.

131 (2) As used in this section, the term:

132 (a) "Department" means the Department of Agriculture and
133 Consumer Services.

134 (b) "Local animal shelter" includes city and county animal
135 rescues and animal shelters.

136 (3) The regulatory and operational oversight of local
137 animal shelters is preempted to the department.

138 (4) The department shall adopt rules governing all of the
139 following:

140 (a) Basic standards for the care of animals housed in
141 local animal shelters, including providing adequate food, water,
142 shelter, and medical treatment.

143 (b) Mandatory reporting requirements for local animal
144 shelters to report intake, adoption, and euthanasia statistics
145 in a standardized format.

146 (c) Guidelines for the safe and humane euthanasia of
147 animals.

148 (d) Periodic inspections of local animal shelters.

149 (5) The department is encouraged to collaborate with
150 reputable nonprofit and private organizations to manage animal

shelters.

Section 3. Subsections (5) through (8), (10), (12), and (17) of section 828.29, Florida Statutes, are amended, and subsections (18) through (21) 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 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 animal; or if, within 1 year after ~~following~~ the sale of an animal subject to this section, the breed, sex, or health of such animal is found to have been misrepresented to the consumer, the pet dealer shall 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 the sales tax, and reimbursement

176 for reasonable veterinary costs directly related to the
177 veterinarian's examination and certification that the dog or cat
178 is unfit for purchase pursuant to this section and directly
179 related to necessary emergency services and treatment undertaken
180 to relieve suffering. If the consumer financed the animal, the
181 pet dealer must ensure that the financing arrangement is
182 terminated without penalty to the consumer;

183 (b) The right to return the animal and receive an exchange
184 dog or cat of the consumer's choice of equivalent value, and
185 reimbursement for reasonable veterinary costs directly related
186 to the veterinarian's examination and certification that the dog
187 or cat is unfit for purchase pursuant to this section and
188 directly related to necessary emergency services and treatment
189 undertaken to relieve suffering; or

190 (c) The right to retain the animal and receive
191 reimbursement for reasonable veterinary costs for necessary
192 services and treatment related to the attempt to cure or curing
193 of the dog or cat.

194
195 ~~Reimbursement for veterinary costs may not exceed the purchase~~
196 ~~price of the animal.~~ The cost of veterinary services is
197 reasonable if comparable to the cost of similar services
198 rendered by other licensed veterinarians in proximity to the
199 treating veterinarian and the services rendered are appropriate
200 for the certification by the veterinarian.

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

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

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

225 (7) Before the sale of an animal, a pet dealer must

226 provide to the consumer copies of records of all medical
227 examinations or tests that were conducted on the animal or any
228 medication given before the purchase of the animal. A pet dealer
229 may specifically state at the time of sale, in writing to the
230 consumer, the presence of specific congenital or hereditary
231 disorders, in which case the consumer has no right to any refund
232 or exchange for those disorders.

233 (8) The refund or exchange required by subsection (5) must
234 ~~or subsection (6) shall~~ be made by the pet dealer not later than
235 10 business days after ~~following~~ receipt of a signed veterinary
236 certification as required in subsection (5) ~~or subsection (6)~~.
237 The consumer must notify the pet dealer within 2 business days
238 after the veterinarian's determination that the animal is unfit.
239 The written certification of unfitness must be presented to the
240 pet dealer not later than 3 business days after ~~following~~
241 receipt thereof by the consumer.

242 (10) If a pet dealer wishes to contest a demand for
243 veterinary expenses, refund, or exchange made by a consumer
244 under this section, the dealer may require the consumer to
245 produce the animal for examination by a licensed veterinarian
246 designated by the dealer. Upon such examination, if the consumer
247 and the dealer are unable to reach an agreement that constitutes
248 one of the options set forth in subsection (5) ~~or subsection (6)~~
249 within 10 business days after ~~following~~ receipt of the animal
250 for such examination, the consumer may initiate an action in a

251 court of competent jurisdiction to recover or obtain
252 reimbursement of veterinary expenses, refund, or exchange.

253 (12) Every pet dealer who sells an animal to a consumer
254 shall ~~must~~ provide the consumer at the time of sale with a
255 printed, written notice. The pet dealer shall retain a copy of
256 the signed notice, and the consumer must be given a copy of the
257 signed notice. The notice, ~~printed or typed~~, which is separate
258 from the contract, shall read ~~reads~~ as follows:

259
260 RIGHT TO CANCEL

261 Florida consumers have certain rights under s. 828.29,
262 Florida Statutes. You have the right to return or
263 exchange a dog or cat purchased from a pet dealer and
264 receive reimbursement for certain veterinary expenses.
265 A copy of this law is attached to this notice.

266
267 ...(Signature of Owner, or Owner's or Authorized
268 Agent)...

269
270 Sworn to (or affirmed) and subscribed before me this
271 day of,, by ...(name of person making
272 statement)....

273
274 ~~It is the consumer's right, pursuant to section~~
275 ~~828.29, Florida Statutes, to receive a certificate of~~

~~veterinary inspection with each dog or cat purchased from a pet dealer. Such certificate shall list all vaccines and deworming medications administered to the animal 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 2 business days 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.~~

(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) A pet dealer shall retain any record provided to a consumer pursuant to the sale of an animal under this section

for at least 7 years after the sale.

(19) A retail store that offers animals for sale shall:

(a) Provide the city or county animal rescue or animal shelter the opportunity to temporarily house fostered animals during the day on weekdays, if the facility is deemed capable to do so, in order to provide foster dogs with exposure to potential owners and provide a day care opportunity to individuals who foster dogs.

(b) Ensure the dog breeder or dog breeding facility from which the store has acquired a dog meets the best management practices adopted by the Department of Agriculture and Consumer Services pursuant to s. 585.701.

(20) 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.

(21) In addition to any other penalties or remedies provided by law, a consumer injured by a violation of this section may bring a civil action to recover damages or punitive damages, including court costs, attorney fees, and related expenses. This section does not limit any right or remedy provided under law.

Section 4. Section 828.291, Florida Statutes, is created to read:

828.291 Dog breeder certificate of registration.—

326 (1) As used in this section, the term:

327 (a) "Breeding female dog" means a dog that has not been
328 spayed and is more than 6 months old and capable of
329 reproduction.

330 (b) "Department" means the Department of Business and
331 Professional Regulation.

332 (c) "Dog breeder" means a person who owns or possesses
333 breeding female dogs and offers for sale more than two litters
334 of dogs per calendar year.

335 (d) "Dog breeding facility" means a location that is the
336 site of a dog breeder which houses five or more breeding female
337 dogs.

338 (e) "Litter" means the collection of dogs birthed, whether
339 naturally or from cesarean section, from a breeding female dog
340 from the same pregnancy.

341 (2) Each dog breeder in this state must apply to the
342 department, on forms supplied by the department, for a
343 certificate of registration. The certificate of registration
344 must be renewed every 2 years thereafter. To be eligible to
345 receive a certificate of registration, a dog breeder must submit
346 documentation to the department that the breeder meets the best
347 management practices adopted by the Department of Agriculture
348 and Consumer Services pursuant to s. 585.701.

349 (3) If the department is notified that a certified dog
350 breeder is not in compliance with the best management practices

351 adopted by the Department of Agriculture and Consumer Services
352 pursuant to s. 585.701, the department may investigate such
353 claim. The department may establish a whistleblower program
354 through which any individual may alert the department or its
355 contracted authority about a violation of s. 585.701. The
356 department may contract with a private entity to administer the
357 whistleblower program. If a private entity is contracted to
358 receive calls, the private entity must provide monthly reports
359 to the department detailing the number of calls received, the
360 number of calls referred to law enforcement, and the status of
361 each case referred to law enforcement.

362 (4) Any individual, dog breeder, or dog breeding facility
363 that is found to employ any of the following practices or
364 conditions is subject to penalties under s. 828.073 or s.
365 828.12; the individual, dog breeder, or dog breeding facility
366 must be placed on the Department of Law Enforcement's website
367 pursuant to s. 828.12(7); and the department shall provide all
368 applicable information to law enforcement to pursue criminal
369 charges:

370 (a) Overcrowding of dogs crammed into cages or pens with
371 no space to move.

372 (b) Enclosures with significant build-up of feces, urine,
373 and waste.

374 (c) Dogs exhibiting untreated infections or parasites due
375 to unsanitary conditions.

376 (d) Limited or no access to clean water.

377 (e) Breeding a female dog more than 2 times per year.

378 (f) Exposing breeding females and their litters to extreme
379 temperatures without appropriate shelter.

380 **Section 5.** Best management practices for dog breeding.—

381 (1) The purpose of this section is to provide best
382 management practices for minimum standards of care, facility
383 operations, and breeding practices for individuals or entities
384 engaged in the breeding of dogs in order to protect animal
385 welfare, promote responsible breeding, and ensure the health and
386 safety of animals and consumers. The Department of Agriculture
387 and Consumer Services shall use these best management practices
388 as baseline requirements for breeder permitting, inspection, and
389 oversight in this state when developing rules to implement this
390 section.

391 (2) All dog breeding facilities in this state must:

392 (a) Provide animals with clean, safe, temperature-
393 controlled housing.

394 (b) Provide a space for each dog that, at a minimum:

395 1. Allows the dog to stand, turn, lie down, and move
396 freely.

397 2. Is not a stacked primary enclosure.

398 (c) Provide separate areas for whelping and sick or
399 quarantined animals.

400 (d) Store food in sealed, rodent-proof containers.

401 (e) Clean kennels daily and disinfect kennels regularly.

402 (f) Remove waste in a manner that minimizes odors,
403 insects, and contamination of living areas.

404 (g) Clean and sanitize food and water bowls daily.

405 (h) Provide daily socialization appropriate to the age and
406 temperament of each dog.

407 (i) Provide access to exercise outside the primary
408 enclosure at least twice each day.

409 (j) Provide toys, bedding, and sensory enrichment unless
410 medically contraindicated.

411 (k) Provide continuous access to clean, potable water.

412 (l) Provide a diet appropriate for the age, breed, and
413 condition of each dog in accordance with veterinary
414 recommendations.

415 (3) All dog breeders must:

416 (a) Maintain a written veterinary care plan signed
417 annually by a veterinarian licensed in this state.

418 (b) Ensure that every dog receives:

419 1. Annual physical examinations.

420 2. Core vaccinations.

421 3. Regular heartworm and parasite prevention.

422 (c) Maintain detailed veterinary records for each dog.

423 (d) Provide immediate veterinary attention for any sign of
424 illness, injury, or distress.

425 (e) Ensure all whelping female dogs receive prenatal and

426 postpartum care.

427 (f) Provide an agreement that the breeder and pet store
428 must sign with an independent consulting veterinarian.

429 (4) (a) A female dog may not be bred before 18 months of
430 age or for more than two litters within any 12-month period.

431 (b) Female dogs must be given adequate recovery time
432 between litters based on veterinary guidance.

433 (c) Genetic screening must be performed for breed-specific
434 inherited disorders when such tests are available.

435 (d) Breeding dogs demonstrating severe hereditary defects
436 must be retired from breeding.

437 (e) Artificial insemination may only occur under
438 veterinary supervision.

439 (5) (a) Breeders must maintain accurate records onsite for
440 at least 7 years which include all of the following information
441 for each dog:

442 1. Identification of each dog by a microchip.

443 2. Birthdates, parentage, litter sizes, and breeding
444 dates.

445 3. Veterinary records, vaccinations, and treatments.

446 4. Sales or transfers, including buyer information.

447 5. Mortality records with cause, if known.

448 (b) The records must be available for inspection upon
449 request.

450 (6) (a) A dog may not be sold or transferred before 8 weeks

451 of age. Every dog must have:

452 1. A veterinary health certificate.

453 2. Age-appropriate vaccinations.

454 3. A microchip registered to the breeder until the buyer
455 assumes ownership.

456 (b) Breeders must provide buyers with:

457 1. A written contract.

458 2. Disclosure of any known hereditary conditions.

459 3. Instructions for care, feeding, and veterinary
460 followup.

461 (7) Breeders shall be subject to annual inspections and
462 complaint-based inspections. Inspectors must be granted access
463 to all areas in which dogs are housed or cared for.

464 (8) Violations may result in written warnings, fines,
465 permit suspension or revocation, or, in cases of imminent danger
466 or cruelty, the seizure of animals.

467 (9) The following acts are prohibited:

468 (a) Operating a breeding operation without proper
469 registration. If applicable, a United States Department of
470 Agriculture permit shall be required.

471 (b) Failure to provide dogs with adequate veterinary care,
472 nutrition, sanitation, or space.

473 (c) Falsifying records relating to dog breeding.

474 (d) Transporting puppies younger than 8 weeks of age,
475 except for veterinary care.

476 (e) Selling dogs obtained from unlicensed breeders or
477 breeders who are not in compliance with applicable laws.

478 (f) Selling dogs in parking lots, flea markets, or other
479 temporary venues.

480 (10)(a) Violations shall be classified as civil
481 infractions with escalating penalties.

482 (b) Repeat violations may be referred for prosecution
483 under applicable animal cruelty laws.

484 (c) Any fees collected for breeder permits must be used
485 exclusively for enforcement, inspections, animal care and
486 sheltering, and public education on responsible breeding.

487 **Section 6.** This act shall take effect July 1, 2026.