

1 A bill to be entitled
2 An act relating to domestic animals; creating s.
3 828.291, F.S.; providing purpose; providing
4 construction; requiring the Department of Agriculture
5 and Consumer Services to develop voluntary best
6 management practices for dog breeders in this state;
7 requiring the department to post certain information
8 on its website; creating s. 828.2911, F.S.; requiring
9 the department to establish the voluntary Dog
10 Awareness and Welfare Guidelines (DAWG) Breeding
11 Program; providing requirements for participation in
12 the program; providing for the issuance, suspension,
13 revocation, and use of program certificates; requiring
14 the department to adopt rules; amending s. 828.29,
15 F.S.; extending the period of time after the sale of
16 an animal that a consumer may return or exchange the
17 animal and receive a refund or receive reimbursement
18 for certain costs; requiring that a pet sale financing
19 agreement be terminated without penalty under certain
20 circumstances; removing a limit on veterinary costs
21 under certain circumstances; requiring all financial
22 terms be disclosed to the consumer before the sale of
23 an animal; removing certain provisions relating to a
24 consumer's waiver relinquishing his or her rights to
25 return an animal; requiring a pet dealer to provide

26 | copies of specified medical records to a consumer;
 27 | revising requirements for a required notice to a
 28 | consumer; revising the text of the required notice;
 29 | revising the definition of the term "pet dealer";
 30 | requiring a pet dealer to retain a copy of certain
 31 | records for a specified period; providing
 32 | construction; providing an effective date.
 33 |

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

35 |
 36 | **Section 1. Section 828.291, Florida Statutes, is created**
 37 | **to read:**

38 | 828.291 Best management practices for dog breeding.-

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

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

48 | (3) The Department of Agriculture and Consumer Services
 49 | shall develop best management practices that individuals or
 50 | entities engaged in the breeding of dogs may voluntarily adopt

51 and implement. Such best management practices must include
52 minimum standards of care, facility operations, and breeding
53 practices for individuals or entities engaged in the breeding of
54 dogs, including, but not limited to, the following:

55 (a) Breeding.

56 (b) Feeding.

57 (c) Housing.

58 (d) Health.

59 (e) Enrichment.

60 (f) Selling and transferring, in accordance with s.
61 828.29.

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

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

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

75 **Section 2. Section 828.2911, Florida Statutes, is created**

76 **to read:**

77 828.2911 Dog Awareness and Welfare Guidelines (DAWG)
78 Breeder Program.—

79 (1) The Department of Agriculture and Consumer Services
80 shall establish the Dog Awareness and Welfare Guidelines (DAWG)
81 Breeder Program to recognize dog breeders who have voluntarily
82 adopted and implemented the best management practices for dog
83 breeding. The department shall certify any individual or entity
84 that the department has determined has voluntarily adopted and
85 implemented the best management practices for dog breeding
86 pursuant to s. 828.291 and who has complied with this section.
87 Such certification is good for 2 years and dog breeders may
88 reapply at the expiration of such certification.

89 (2) Participants in the DAWG Breeder Program must agree to
90 submit to inspection by the Department of Agriculture and
91 Consumer Services or its designee and pay the actual cost of the
92 inspection. Subject to appropriations, the department or its
93 designee may conduct an inspection of the applicant's dog
94 breeding program, including, but not limited to, all animals
95 located on an applicant's premises, the breeding and housing
96 facilities for such animals, and any health records or records
97 of sale for such animals maintained by the applicant.

98 (a) The department may contract with and designate local
99 law enforcement or animal services, if local staff and resources
100 are available, or any other public or private entity that the

101 department determines regularly conducts animal welfare
102 investigations to perform inspections or related investigative
103 activities. Private service providers may include Florida-
104 licensed veterinarians currently in good standing who have been
105 licensed for at least 10 years.

106 (b) Local governments or enforcement authorities may
107 contract with the department to conduct dog breeder inspections,
108 subject to the availability of local funding, staff, and
109 resources. If the local government or enforcement authority
110 lacks the staff or resources to perform dog breeder inspections,
111 such inspections may be conducted by a private provider
112 designated and approved by the department, provided that the
113 breeder bears the cost of the inspection.

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

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

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

124 (5) A dog breeder that is certified by the program may
125 identify the certification in the breeder's professional

126 practice, including in marketing and advertising materials.

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

129 (7) The department shall adopt rules to implement this
 130 section.

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

134 828.29 Dogs and cats transported or offered for sale;
 135 health requirements; consumer guarantee; disclosures. -

136 (5) If, within 30 ~~14~~ days after ~~following~~ the sale by a
 137 pet dealer of an animal subject to this section, a licensed
 138 veterinarian of the consumer's choosing certifies that, at the
 139 time of the sale, the animal was unfit for purchase due to
 140 illness or disease, the presence of symptoms of a contagious or
 141 infectious disease, or the presence of internal or external
 142 parasites, excluding fleas and ticks; or if, within 1 year after
 143 ~~following~~ the sale of an animal subject to this section, a
 144 licensed veterinarian of the consumer's choosing certifies such
 145 animal to be unfit for purchase due to a congenital or
 146 hereditary disorder which adversely affects the health of the
 147 animal; or if, within 1 year after ~~following~~ the sale of an
 148 animal subject to this section, the breed, sex, or health of
 149 such animal is found to have been misrepresented to the
 150 consumer, the pet dealer shall afford the consumer the right to

151 choose one of the following options:

152 (a) The right to return the animal and receive a refund of
153 the purchase price, including any interest accrued and ~~the~~ sales
154 tax or fees paid or due from the purchaser, and reimbursement
155 for reasonable veterinary costs directly related to the
156 veterinarian's examination and certification that the animal ~~dog~~
157 ~~or cat~~ is unfit for purchase pursuant to this section or ~~and~~
158 directly related to necessary emergency services and treatment
159 undertaken to relieve suffering of the animal. If the consumer
160 financed the animal pursuant to a financing agreement with the
161 pet dealer, the pet dealer must ensure that the financing
162 arrangement is terminated without penalty to the consumer;

163 (b) The right to return the animal and receive an exchange
164 ~~dog or cat~~ of the consumer's choice of equivalent value, and
165 reimbursement for reasonable veterinary costs directly related
166 to the veterinarian's examination and certification that the
167 animal ~~dog or cat~~ is unfit for purchase pursuant to this section
168 or ~~and~~ directly related to necessary emergency services and
169 treatment undertaken to relieve suffering of the animal; or

170 (c) The right to retain the animal and receive
171 reimbursement for reasonable veterinary costs for necessary
172 services and treatment related to the attempt to cure or curing
173 of the animal, or necessary emergency services or treatment
174 undertaken to relieve the suffering of the animal related to
175 such services received within 1 year after purchase ~~dog or cat~~.

176
177 Reimbursement for veterinary costs may not exceed the purchase
178 price of the animal. The cost of veterinary services is
179 reasonable if such costs are comparable to the cost of similar
180 services rendered by other licensed veterinarians in proximity
181 to the treating veterinarian and the services rendered are
182 related to the examination and ~~appropriate for the~~ certification
183 of fitness by the veterinarian.

184 (6) All financial terms must be disclosed by the pet
185 dealer to the consumer before the sale of an animal, including
186 the total cost of the animal, any fees, taxes, and, if
187 applicable, financing charges or interest over the period
188 financed

189 ~~(6) A consumer may sign a waiver relinquishing his or her~~
190 ~~right to return the dog or cat for congenital or hereditary~~
191 ~~disorders. In the case of such waiver, the consumer has 48~~
192 ~~normal business hours, excluding weekends and holidays, in which~~
193 ~~to have the animal examined by a licensed veterinarian of the~~
194 ~~consumer's choosing. If the veterinarian certifies that, at the~~
195 ~~time of sale, the dog or cat was unfit for purchase due to a~~
196 ~~congenital or hereditary disorder, the pet dealer must afford~~
197 ~~the consumer the right to choose one of the following options:~~

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

201 ~~cat is unfit; or~~

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

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

218 (8) The refund or exchange required by subsection (5) must
219 ~~or subsection (6)~~ shall be made by the pet dealer not later than
220 10 business days after ~~following~~ receipt of a signed veterinary
221 certification as required in subsection (5) ~~or subsection (6)~~.
222 The consumer must provide notice and documentation to ~~notify~~ the
223 pet dealer within 7 ~~2-business~~ days after receipt of the
224 veterinarian's determination that the animal is unfit. ~~The~~
225 ~~written certification of unfitness must be presented to the pet~~

226 ~~dealer not later than 3 business days following receipt thereof~~
227 ~~by the consumer.~~

228 (10) If a pet dealer wishes to contest a demand for
229 veterinary expenses, refund, or exchange made by a consumer
230 under this section, the dealer may require the consumer to
231 produce the animal for examination by a licensed veterinarian
232 designated by the dealer. Upon such examination, if the consumer
233 and the dealer are unable to reach an agreement that constitutes
234 one of the options set forth in subsection (5) ~~or subsection (6)~~
235 within 10 business days after ~~following~~ receipt of the animal
236 for such examination, the consumer may initiate an action in a
237 court of competent jurisdiction or the small claims court of the
238 county court in which the consumer resides to recover or obtain
239 reimbursement of veterinary expenses and a ~~refund~~, or an
240 exchange, as set forth in subsection (5), and may collect
241 punitive damages in an amount not less than \$2,500, at the
242 discretion of the court.

243 (12) Every pet dealer who sells an animal to a consumer
244 must provide the consumer at the time of sale with a printed,
245 written notice in 14-point bold font to be signed by the
246 consumer, ~~printed or typed,~~ which is separate from the contract.
247 The pet dealer shall retain a copy of the signed notice, and the
248 consumer must be given a copy of the signed notice. Such notice
249 must read ~~reads~~ as follows:
250

RIGHT TO CANCEL

Florida consumers have certain rights under s. 828.29, Florida Statutes. You have the right to return the animal, exchange the animal, and 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 list all vaccines and deworming medications administered to the animal and list any medical diagnosis and treatments ~~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 of the veterinarian's determination that the animal was

276 unfit. The consumer has the right to retain, return,
277 or exchange the animal and receive reimbursement for
278 certain related veterinary services rendered to the
279 animal, subject to the right of the dealer to have the
280 animal examined by another veterinarian.

281
282 ...(Signature of Animal Owner or Lessee, Purchaser, or
283 Authorized Person)...

284
285 (13) For the purposes of this section ~~subsections (5) (12)~~
286 ~~and (16)~~, the term "pet dealer" means any person, firm,
287 partnership, corporation, or other association which, in the
288 ordinary course of business, engages in the sale of more than
289 three ~~two~~ litters, or 30 ~~20~~ dogs or cats, per year, whichever is
290 greater, to the public. The term ~~This definition~~ includes
291 breeders of animals who sell such animals directly to a
292 consumer. The term does not include not-for-profit entities that
293 offer animals for sale or adoption as long as the total cost of
294 such sale or adoption does not exceed \$500, including all taxes
295 and fees, or other costs.

296 (17) Except as otherwise provided in this chapter, a
297 person who violates ~~any provision of~~ this section commits a
298 misdemeanor of the first degree, punishable as provided in s.
299 775.082 or s. 775.083.

300 (18) Any record provided to a consumer related to the sale

301 of an animal under this section must be maintained by the pet
302 dealer for a period of at least 3 years after the date of sale.

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