

**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.)

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Prepared By: The Professional Staff of the Committee on Fiscal Policy

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BILL: CS/SB 676

INTRODUCER: Fiscal Policy Committee and Senators Arrington and Leek

SUBJECT: Criminal Offenses

DATE: February 25, 2026

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<b>Favorable</b>
2.	<u>Atchley</u>	<u>Harkness</u>	<u>ACJ</u>	<b>Favorable</b>
3.	<u>Cellon</u>	<u>Siples</u>	<u>FP</u>	<b>Fav/CS</b>

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 676 amends ss. 828.12, 828.122 and 828.126, F.S., to create a third degree felony offense for a person eighteen years of age or older who causes or entices a minor to commit, or in the presence of a minor, commits a violation of the following sections of law:

- Aggravated animal cruelty pursuant to s. 828.12(2), F.S.
- Fighting or baiting animals pursuant to s. 828.122, F.S.
- Sexual activities involving animals pursuant to s. 828.126, F.S.

The bill amends the Offense Severity Ranking Chart to rank new offenses created by the bill and increase the ranking for the offense of fighting or baiting animals.

The bill requires a court-ordered psychological evaluation and, if recommended, counseling or treatment for a length of time as prescribed by the juvenile court for a juvenile who commits an act of animal cruelty as described in s. 828.12, F.S. The bill addresses the responsibilities of the parent or guardian of the juvenile.

Beginning January 1, 2027, the Florida Department of Law Enforcement is required to expand the information available on its animal cruelty website with information provided by the county jails and the county Clerks. The information is to be posted for certain time limits, and the bill includes a procedure for the information to be removed from the website.

The bill includes provisions for maximum civil penalties for city or county animal control or cruelty ordinances.

The bill may have a positive indeterminate prison bed impact on the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect on October 1, 2026.

## II. Present Situation:

### Crimes Victimizing Animals

#### *Aggravated Animal Cruelty*

A person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty. This offense is a third degree felony.<sup>1,2</sup>

#### *Fighting or Baiting Animals*

A person who knowingly commits any of the following acts commits a third degree felony:

- Baiting,<sup>3</sup> breeding, training, transporting, selling, owning, possessing, or using any wild or domestic animal for the purpose of animal fighting<sup>4</sup> or baiting;
- Owning, possessing, or selling equipment for use in any such activity;
- Owning, leasing, managing, operating, or having control of any property kept or used for such activities;
- Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals;
- Performing any service or act to facilitate animal fighting or baiting, including but not limited to, providing security, refereeing, or handling or transporting animals or being a stakeholder of any money wagered on animal fighting or baiting;

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<sup>1</sup> A third degree felony is generally punishable by not more than 5 years in prison and a fine not exceeding \$5,000; ss. 775.082 and 775.083, F. S. As part of the sentence for the offense of aggravated animal cruelty the court may impose a fine of *not more than* \$10,000.

<sup>2</sup> A person convicted of a violation of s. 828.12(2), F.S., where the finder of fact determines that the violation includes the knowing and intentional torture or torment of an animal that injures, mutilates, or kills the animal, must be ordered to pay a minimum mandatory fine of \$2,500 and undergo psychological counseling or complete an anger management treatment program. A person convicted of a second or subsequent violation of s. 828.12(2), F.S., must be required to pay a minimum mandatory fine of \$5,000 and serve a minimum mandatory period of incarceration of 6 months. In addition, the person shall be released only upon expiration of sentence, is not eligible for parole, control release, or any form of early release, and must serve 100 percent of the court-imposed sentence. Any plea of nolo contendere shall be considered a conviction for purposes of s. 828.12(2), F.S.

<sup>3</sup> “Baiting” means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, “baiting” means the use of live animals in the training of racing greyhounds. Section 828.122(2)(b), F.S.

<sup>4</sup> “Animal fighting” means fighting between roosters or other birds or between dogs, bears, or other animals. Section 828.122(2)(a), F.S.

- Removing or facilitating the removal of any animal impounded under s. 828.122, F.S., from an agency where the animal is impounded or from a location designated by the court, without prior authorization from the court.
- Betting or wagering any money or other valuable consideration on the fighting or baiting of animals; or
- Attending the fighting or baiting of animals.<sup>5</sup>

### ***Sexual Activities Involving Animals***

“Sexual contact with an animal” means any act committed between a person and an animal for the purpose of sexual gratification, abuse, or financial gain which involves:

- Contact between the sex organ or anus of one and the mouth, sex organ, or anus of the other;
- The fondling of the sex organ or anus of an animal; or
- The insertion, however slight, of any part of the body of a person or any object into the vaginal or anal opening of an animal, or the insertion of any part of the body of an animal into the vaginal or anal opening of a person.<sup>6</sup>

A person commits a third degree felony<sup>7</sup> if he or she knowingly:

- Engages in any sexual contact with an animal;
- Causes, aids, or abets another person to engage in any sexual contact with an animal;
- Permits any sexual contact with an animal to be conducted on any premises under his or her charge or control;
- Organizes, promotes, conducts, aids, abets, participates in as an observer, or advertises, offers, or accepts an offer of an animal for the purpose of sexual contact with such animal, or performs any service in the furtherance of an act involving any sexual contact with an animal; or
- Films, distributes, or possesses any pornographic image or video of a person and an animal engaged in any of the prohibited activities.<sup>8,9</sup>

### **Criminal Punishment Code**

The Criminal Punishment Code<sup>10</sup> (Code) is Florida’s primary sentencing policy. Noncapital felonies sentenced under the Code receive an offense severity level ranking (Levels 1-10).<sup>11</sup>

<sup>5</sup> Section 828.122(3)(a)-(h), F.S., is a third degree felony which is punishable by up to 5 years in prison and a fine not to exceed \$5,000; ss. 775.082 and 775.083, F.S.

<sup>6</sup> Section 828.126(1)(a)-(c), F.S. *See also* the definition in s. 775.0847(1)(g), F.S., “sexual bestiality means any sexual act, actual or simulated, between a person and an animal involving the sex organ of the one and the mouth, anus, or female genitals of the other.”

<sup>7</sup> A third degree felony is punishable by up to five years in prison and a \$5,000 fine; ss. 775.082 and 775.083, F.S.

<sup>8</sup> Section 828.126, F.S.

<sup>9</sup> A study of incidents from 1975 to 2015 found that 31.6 percent of animal sex offenders also sexually offended adults and children. Additionally, 52.9 percent of animal sex offenders had a prior or subsequent criminal record involving human sexual abuse, animal abuse, interpersonal violence, substances or property offenses. The Journal of the American Academy of Psychiatry and the Law, *Arrest and Prosecution of Animal Sex Abuse (Bestiality) Offenders in the United States, 1975 – 2015*, May 2019, available at <http://jaapl.org/content/early/2019/05/16/JAAPL.003836-19> (last visited February 24, 2026).

<sup>10</sup> Sections 921.002-921.0027, F.S.; *See* chs. 97-194 and 98-204, L.O.F. The Code is effective for offenses committed on or after October 1, 1998.

<sup>11</sup> Offenses are either ranked in the offense severity level ranking chart in s. 921.0022, F.S., or are ranked by default based on a ranking assigned to the felony degree of the offense as provided in s. 921.0023, F.S.

The maximum sentence that can be imposed for a criminal offense is generally based on the degree of the misdemeanor or felony:

- Sixty days in a county jail for a second degree misdemeanor;
- One year in a county jail for a first degree misdemeanor;
- Five years in state prison for a third degree felony;
- Fifteen years in state prison for a second degree felony;
- Generally, 30 years to life in state prison for a first degree felony; and
- The death penalty, or life imprisonment without the possibility of parole for a capital felony.<sup>12</sup>

### ***Severity Ranking Chart***

Section 921.0022(1) and (2), F.S., provides the offense severity ranking chart that must be used with the Criminal Punishment Code worksheet to compute a sentence score for each felony offender whose offense was committed on or after October 1, 1998. The chart has 10 offense levels, ranked from least severe to most severe.

Section 921.0023, F.S., provides that until the Legislature specifically assigns an offense to a severity level in the offense severity ranking chart, the severity level is within the following parameters:

- A third degree felony is within offense level 1;
- A second degree felony is within offense level 4;
- A first degree felony is within offense level 7;
- A first degree punishable by life felony is within offense level 9; and
- A life felony is within offense level 10.

Points are assigned and accrue based upon the offense severity level ranking assigned to the primary offense, additional offenses, and prior offenses. Sentence points escalate as the severity level escalates. Points may also be added or multiplied for other factors such as victim injury or the commission of certain offenses. The lowest permissible sentence is any non-state prison sanction in which total sentence points equal to or less than 44 points, unless the court determines that a prison sentence is appropriate. If total sentence points exceed 44 points, the lowest permissible sentence in prison months is calculated by subtracting 28 points from the total sentence points and decreasing the remaining total by 25 percent.<sup>13</sup> Absent mitigation,<sup>14</sup> the permissible sentencing range under the Code is generally the lowest permissible sentence scored up to and including the maximum penalty provided under s. 775.082, F.S.<sup>15</sup>

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<sup>12</sup> Section 775.082, F.S. Fines may also be imposed, and those fines escalate based on the degree of the offense. Section 775.083, F.S., provides the following maximum fines; \$500 for a second degree misdemeanor; \$1,000 for a first degree misdemeanor; \$5,000 for a third degree felony; and \$10,000 for a second degree felony and a first degree felony.

<sup>13</sup> Section 921.0024, F.S. Unless otherwise noted, information on the Code is from this source.

<sup>14</sup> The court may “mitigate” or “depart downward” from the scored lowest permissible sentence, if the court finds a mitigating circumstance. Section 921.0026, F.S., provides a list of mitigating circumstances.

<sup>15</sup> If the scored lowest permissible sentence exceeds the maximum penalty in s. 775.082, F.S., the sentence required by the Code must be imposed. If total sentence points are greater than or equal to 363 points, the court may sentence the offender to life imprisonment. Section 921.0024(2), F.S.

## Juvenile Counseling or Treatment

The Department of Juvenile Justice is authorized to utilize juvenile assessment centers to the fullest extent possible for the purpose of conducting predisposition assessments and evaluations of youth. Such assessments and evaluations may include, but are not limited to:

- Needs assessment;
- Substance abuse evaluations;
- Physical and mental health evaluations;
- Psychological evaluations;
- Behavioral assessments;
- Educational assessments;
- Aptitude testing; and
- Vocational testing.<sup>16</sup>

To the extent possible, the youth's parents or guardians and other family members should be involved in the assessment and evaluation process. All information, conclusions, treatment recommendations, and reports derived from any assessment and evaluation performed on a youth must be included as a part of the youth's commitment packet and accompany the youth if he or she is placed in a residential commitment facility.<sup>17</sup>

Additionally, a court may order a child who has been found to have committed a delinquent act, or before such finding with the consent of any parent or legal custodian of the child, to be treated by a physician, receive mental health, substance abuse, or intellectual disability services from a psychiatrist, psychologist, or other appropriate service provider, and be placed in a residential facility if necessary.<sup>18</sup>

## Florida's Animal Abuse Website

In 2025, the Legislature required the Florida Department of Law Enforcement (FDLE) to post on its website, in a searchable format prescribed by the department, the names of those individuals who have been convicted of, or who have entered a plea of guilty or nolo contendere to, regardless of adjudication, an animal cruelty violation under s. 828.12, F.S.<sup>19</sup>

### *Animal Abuse Registries in Florida*

Hillsborough County was the first county in Florida to establish an animal abuser registry,<sup>20</sup> requiring that any individual residing in Hillsborough County, who has been convicted of an animal abuse offense on or after November 1, 2016, must self-register within 10 business days after their release from incarceration or from the date of his or her conviction.<sup>21</sup> The registry

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<sup>16</sup> Section. 985.135(7), F.S.

<sup>17</sup> *Id.*

<sup>18</sup> Section. 985.18(2), F.S.

<sup>19</sup> Ch. 2025-102, Laws of Fla. See *Aggravated Animal Cruelty* (FDLE), <https://web.fdle.state.fl.us/dexter/about.jsf> (last visited Feb. 24, 2026).

<sup>20</sup> By requiring FDLE to create a specified database related to animal cruelty offenders, the bill does not require such offenders to affirmatively register specified information with the department.

<sup>21</sup> *Hillsborough County Animal Abuser Registry*; <https://hcfl.gov/residents/animals-and-pets/animal-abuser-registry/about-the-animal-abuser-registry> (last visited Feb. 24, 2026). See also Tampa Bay Creative Loafing, Kate Bradshaw,

contains the names, residences, photographs, and other related information of those living in the county who are convicted of an animal offense on or after November 1, 2016.<sup>22</sup> Registrants must remain on the registry for a period of three years for a first conviction of a misdemeanor abuse offense; for a period of five years for a first conviction of a felony abuse offense; or for a period of 10 years for a second or subsequent conviction of either a misdemeanor or felony abuse offense.<sup>23</sup>

In addition, registrants are not allowed to own, possess, or reside in the same household or on the same property as an animal while on the registry; prohibited from working with a companion animal, with or without compensation; and strictly prohibited from adopting, purchasing, or otherwise obtaining certain animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale, or other means.<sup>24</sup>

Animal abuser registries also exist in the following local jurisdictions, among others:

- Marion County.<sup>25</sup>
- Lee County.<sup>26</sup>
- Seminole County.<sup>27</sup>
- Miami-Dade County.<sup>28</sup>
- Volusia County.<sup>29</sup>
- City of Tallahassee.<sup>30</sup>
- Collier County.<sup>31</sup>

### **Civil Penalties Related to Animal Control or Cruelty Violations**

Section 828.27, F.S., authorizes the governing body of a county or municipality to enact ordinances<sup>32</sup> relating to animal control<sup>33</sup> or animal cruelty,<sup>34</sup> which must provide, in part:

- That a violation of such an ordinance is a civil infraction.
- A maximum civil penalty not to exceed \$500.

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February 11, 2016, *The Worst Offenders: Hillsborough May Become the First County in Florida to Adopt an Animal Abuser Registry*; <https://www.cltampa.com/news/the-worst-offenders-hillsborough-may-become-the-first-county-in-florida-to-adopt-an-animal-abuser-registry-12289553> (last visited Feb. 24, 2026).

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> Marion County, <https://animalservices.marionfl.org/animal-control/animal-control-and-pet-laws/animal-abuser-registry> (last visited Feb. 24, 2026).

<sup>26</sup> Lee County, <https://www.sheriffleefl.org/animal-abuser-search/> (last visited Feb. 24, 2026).

<sup>27</sup> Seminole County, <https://www.seminolecountyfl.gov/departments-services/prepare-seminole/animal-services/animal-abuse-registry.stml> (last visited Feb. 24, 2026).

<sup>28</sup> Miami-Dade County, <https://www.miamidade.gov/Apps/ASD/crueltyweb/> (last visited Feb. 24, 2026).

<sup>29</sup> Volusia County, <https://www.volusia.org/services/public-protection/animal-services/animal-abuse-listing.stml> (last visited Feb. 24, 2026).

<sup>30</sup> City of Tallahassee, <https://www.talgov.com/animals/asc-abuse> (last visited Feb. 24, 2026).

<sup>31</sup> Collier County, <https://www2.colliersheriff.org/animalabusesearch/Enjoined> (last visited Feb. 24, 2026).

<sup>32</sup> “Ordinance” means any ordinance relating to the control of or cruelty to animals enacted by the governing body of a county or municipality the violation of which is a civil infraction. s. 828.27(1)(g), F.S.

<sup>33</sup> “Control” means the regulation of the possession, ownership, care, and custody of animals. s. 828.27(1)(c), F.S.

<sup>34</sup> “Cruelty” means any act of neglect, torture, or torment that causes unjustifiable pain or suffering of an animal. s. 828.27(1)(d), F.S.

- A civil penalty of less than the maximum civil penalty if the person who has committed the civil infraction does not contest the citation.
- For the issuance of a citation by an officer who has probable cause to believe that a person has committed an act in violation of an ordinance.<sup>35</sup>
- For the contesting of a citation in the county court.

A county or municipality may enact any ordinance relating to animal control or animal cruelty which is identical to the provisions of ch. 828, F.S., or any other state law, except as to penalty, but may not pass an ordinance that conflicts with such provisions.<sup>36</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 828.12, F.S., to provide that it is a third degree felony offense for a person eighteen years of age or older to cause or entice a minor to commit, or in the presence of a minor to commit an offense of aggravated animal cruelty under s. 828.12(2), F.S.

The bill requires a juvenile court to order a minor who commits an animal cruelty offense under s. 828.12(1) or (2), F.S., to undergo a psychological evaluation and, if recommended, receive counseling or treatment for a length of time as prescribed by the juvenile court. Under the bill, the minor's parent or guardian, or the state if the minor is a ward of the state, must pay the cost of such evaluation, counseling, or treatment. If the juvenile court makes a finding of indigency and significant financial hardship, it must waive the fee or reduce it to an amount deemed appropriate. If the minor's parent or guardian willfully refuses to follow the recommended treatment for the minor, the juvenile court may hold the parent or guardian in contempt.

Additionally, the bill updates requirements related to information about animal abuse offenders that the FDLE must post on its website. Specifically, the bill requires:

- Specified information to appear on the website to include an offender's name, including all aliases, the date of birth, race, county of conviction, charge or charges, case number, disposition, description of any identifying marks and tattoos, and a photograph taken at the time of booking related to the animal cruelty offense of each individual who has been convicted of, or who has entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of s. 828.12, F.S.
- Each clerk of court and county detention facility to provide such information to the FDLE.
- The FDLE to post such information for:
  - Three years from the date of conviction, for a first misdemeanor conviction;
  - Five years from the date of conviction, for a first felony conviction; and
  - 10 years from the date of conviction, for any subsequent conviction.
- The FDLE to develop a procedure to allow a person whose conviction has been overturned or who has received a sealing of the criminal history record for which his or her information was publicly posted to petition for the removal of his or her information. The FDLE must

<sup>35</sup> Any person who willfully refuses to sign and accept a citation issued by an officer commits a second degree misdemeanor, punishable by up to 60 days in county jail and a \$500 fine under ss. 775.082, and 775.083, F.S. s. 828.27(5), F.S.

<sup>36</sup> s. 828.27(7), F.S.

remove such information from the website within 30 days after receiving a petition with adequate documentation, and may adopt rules to implement such requirement.

**Section 2** amends s. 828.122, F.S., to provide that it is a third degree felony offense for a person eighteen years of age or older to *cause or entice a minor to commit, or in the presence of a minor to commit an offense* of fighting or baiting animals, under s. 828.122, F.S.

**Section 3** amends s. 828.126, F.S., to provide that it is a third degree felony offense for a person eighteen years of age or older to *cause or entice a minor to commit, or in the presence of a minor to commit an offense* of sexual activities involving animals, under s. 828.126, F.S.

**Section 4** amends s. 828.27, F.S., increasing the maximum civil penalty that the governing body of a county or municipality may enact under s. 828.27(2), F.S., related to specified animal control or animal cruelty ordinances. Instead of a maximum fine of \$500, the bill authorizes a county or municipality to enact a maximum fine of:

- \$2,500 for a first violation.
- \$5,000 for a second violation.
- \$7,500 for a third or subsequent violation.

**Section 5** amends s. 921.0022, F.S., the Offense Severity Ranking Chart, to:

- Elevate the crime of fighting or baiting an animal from a Level 1 to a Level 5;
- Rank the offense for causing or enticing a minor to commit, or committing in the presence of a minor aggravated animal cruelty as a Level 6;
- Rank the offense for causing or enticing a minor to commit, or committing in the presence of a minor fighting or baiting animals as a Level 6; and
- Rank the offense for causing or enticing a minor to commit, or committing in the presence of a minor, sexual activities involving animals as a Level 7.

The bill takes effect October 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities or counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

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

None.

##### **C. Trust Funds Restrictions:**

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Office of Economic and Demographic Research estimated the bill will have a positive indeterminate prison bed impact.<sup>37</sup>

This bill amends s. 828.12, F.S., adding a Level 6, 3rd degree felony for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits” the following Level 5, 3rd degree felony: “a person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty...” Per DOC, in FY 24-25, there were 20 new commitments for the Level 5, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved.

Additionally, the bill amends s. 828.122, F.S., adding a Level 6, 3rd degree felony for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” the current Level 1, 3rd degree felony for a list of acts related to animal fighting or baiting. It then raises this felony to a Level 5, 3rd degree felony. Per DOC, in FY 24-25, there were no new commitments for this Level 1, 3rd degree felony.

Finally, the bill amends s. 828.126, F.S., adding a Level 7, 3rd degree felony for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” a Level 6, 3rd degree felony for a list of acts related to sexual activities involving animals. Per DOC, in FY 24-25, there were 5 new commitments for this Level 6, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added

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<sup>37</sup> Office of Economic and Demographic Research, *SB 676 – Criminal Offenses*, (on file with the Senate Committee on Criminal Justice).

with a minor involved. Per DOC, in FY 24-25, there was one new commitment involving such an act, though sexual conduct is broadly defined.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 828.12, 828.122, 828.126, 828.27, 921.0022.

**IX. Additional Information:**

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

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

**CS by Fiscal Policy on February 24, 2026:**

The committee substitute:

- Creates a requirement for a juvenile court-ordered psychological evaluation and counseling for a juvenile who commits an act of animal cruelty as defined in s. 828.12, F.S. and addresses the responsibilities of the parent or guardian of the juvenile.
- Requires FDLE to expand the information on its animal cruelty website with information provided by the county jails and the county Clerks, and makes additional modifications.
- Includes provisions for maximum civil penalties for city or county animal control or cruelty.
- Removes provisions relating to contributing to the delinquency of a minor.

**B. Amendments:**

None.