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LEGISLATIVE ACTION

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|------------|---|-------|
| Senate     | . | House |
| Comm: WD   | . |       |
| 03/11/2013 | . |       |
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The Committee on Agriculture (Montford) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 823.15, Florida Statutes, is amended to  
read:

(Substantial rewording of section.

See s. 823.15, F.S., for present text.)

823.15 Dogs and cats taken in and released from animal  
shelters, humane organizations, or animal control agencies of a  
county, municipality, or other incorporated political



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13 subdivisions; sterilization requirement; reporting  
14 requirements.-

15 (1) The Legislature has determined that the importation of  
16 dogs and cats into and the uncontrolled breeding of dogs and  
17 cats in this state pose risks to the well-being of dogs and  
18 cats, the health of humans and other animals, and the  
19 agricultural interests in this state. Importation of dogs and  
20 cats from outside the state and country and uncontrolled  
21 breeding could result in the transmission of diseases that had  
22 been eradicated in this state to dogs and cats, other animals,  
23 and humans living in this state.

24 (2) In furtherance of this concern, provision shall be made  
25 for the sterilization of all dogs and cats sold or released for  
26 adoption from any public or private animal shelter, humane  
27 organization, or animal control agency operated by a county,  
28 municipality, or other incorporated political subdivision, by  
29 either:

30 (a) Providing sterilization by a licensed veterinarian  
31 before relinquishing custody of the animal; or

32 (b) Entering into a written agreement with the adopter or  
33 purchaser guaranteeing that sterilization will be performed  
34 within 30 days after adoption or purchase or prior to sexual  
35 maturity. The shelter or animal control agency shall require a  
36 sufficient deposit or donation from the adopter or purchaser,  
37 which deposit shall be refundable upon presentation to the  
38 shelter or animal control agency of written evidence by the  
39 veterinarian performing the sterilization that the animal has  
40 been sterilized. The deposit may be based upon recommended  
41 guidelines established by the Florida Federation of Humane



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42 Societies. Failure by either party to comply with the provisions  
43 of this paragraph is a noncriminal violation as defined in s.  
44 775.08, punishable by a fine, forfeiture, or other civil  
45 penalty, and, in addition thereto, the deposit shall be  
46 forfeited to the shelter or animal control agency. Any legal  
47 fees or court costs used for the enforcement of this paragraph  
48 are the responsibility of the adopter or purchaser. Upon the  
49 request of a licensed veterinarian, and for a valid reason, the  
50 animal shelter or animal control agency shall extend the time  
51 limit within which the dog or cat must be sterilized.

52 (3) (a) Also in furtherance of this concern, provision shall  
53 be made for the reporting of statistics and data related to dogs  
54 and cats taken in and the ultimate disposition of the dog or  
55 cat. Each public or private animal shelter, including each  
56 animal shelter, humane organization, and animal control agency  
57 of a county, municipality, or other political subdivision that  
58 receives public funding shall prepare and maintain the following  
59 records on a monthly and annual basis using the calendar year  
60 and make the records available for public inspection and  
61 dissemination no later than 5 business days after the end of the  
62 each calendar month:

63 1. The total number of dogs and cats taken in by the animal  
64 shelter, humane organization, or animal control agency of a  
65 county, municipality, or other incorporated political  
66 subdivision, divided by dogs and cats, in the following  
67 categories:

- 68 a. Shelter count on the first day of each month;
- 69 b. Stray;
- 70 c. Impounded involuntarily;



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71 d. Relinquished by owner;

72 e. Born in shelter;

73 f. Owner requested euthanasia;

74 g. Transferred in or imported from within this state; and

75 e. Transferred in or imported from out of the state.

76 2. The disposition of all dogs and cats taken into the  
77 animal shelter, humane organization, or animal control agency of  
78 a county, municipality, or other incorporated political  
79 subdivision, divided by dogs and cats, in the following  
80 categories:

81 a. Adoption;

82 b. Reclaimed by owner;

83 c. Transferred out or exported within the state;

84 d. Transferred out or exported to another state;

85 e. Released in field;

86 f. Shelter euthanasia;

87 g. Owner requested euthanasia;

88 h. Died in care in the shelter;

89 i. Lost while in care; missing animals or records; and

90 j. Shelter count on the last day of the month.

91 (b) Each animal shelter, humane organization, or animal  
92 control agency of a county, municipality, or other incorporated  
93 political subdivision, that receives public funding and which  
94 routinely euthanizes dogs based on the dog's size or breed alone  
95 must have a written policy statement to that effect and post the  
96 written policy statement prominently at the shelter's site. Dogs  
97 euthanized due to breed, temperament, or size must be recorded  
98 and included in the calculation of the total euthanasia  
99 percentage as part of the monthly reporting requirement.



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100       (c) Each animal shelter, humane organization or animal  
101 control agency of a county, municipality, or other incorporated  
102 political subdivision shall make the records of the specified  
103 information available, if requested, as required by chapter 119.  
104 The entities referenced above that have Internet access may post  
105 the required records online. Each record must be maintained  
106 onsite for not less than 3 years.

107       (4) All costs of sterilization generated pursuant to this  
108 section shall be paid by the prospective adopter unless  
109 otherwise provided for by ordinance of the local governing body,  
110 with respect to animal control agencies or shelters operated or  
111 subsidized by a unit of local government, or provided for by the  
112 humane society governing body, with respect to an animal control  
113 agency or shelter operated solely by the humane society and not  
114 subsidized by public funds.

115       Section 2. This act shall take effect July 1, 2013.

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117 ===== T I T L E   A M E N D M E N T =====

118 And the title is amended as follows:

119       Delete everything before the enacting clause  
120 and insert:

121                       A bill to be entitled  
122       An act relating to animal shelters and animal control  
123       agencies; amending s. 823.15, F.S.; declaring  
124       legislative intent relating to the importation and  
125       uncontrolled breeding of dogs and cats; providing for  
126       the sterilization of all dogs and cats sold or  
127       released for adoption from an animal shelter, humane  
128       organization, or animal control agency; requiring the



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129 animal shelter, humane organization, or animal control  
130 agency operated by a county, municipality, or other  
131 incorporated political subdivision to enter into a  
132 written agreement with an adopter or purchaser of the  
133 dog or cat to guarantee the dog or cat will be  
134 sterilized by a specified date; requiring a deposit to  
135 ensure the sterilization of the dog or cat; requiring  
136 that each public or private animal shelter, humane  
137 organization, or animal control agency operated by a  
138 county, municipality, or other incorporated political  
139 subdivision prepare and maintain specified records;  
140 specifying the information and data that must be  
141 included in the records; declaring that the records be  
142 maintained and distributed pursuant to ch. 119, F.S.;  
143 requiring that all costs of sterilization generated  
144 pursuant to this section be paid by the prospective  
145 adopter unless otherwise provided for by ordinance of  
146 the local governing body; providing an effective date.