



27 sale; and  
28 3. Sells 16 or more animals during any 12-month period.  
29 (c) "Dealer" means a person, partnership, firm,  
30 corporation, or other entity, excluding a retail pet store, that  
31 for profit or compensation is engaged in the business of:  
32 1. Buying, selling, or offering to sell animals;  
33 2. Transferring animals at wholesale for resale to  
34 another; or  
35 3. Offering to sell or maintaining animals at wholesale  
36 for resale to another as defined in 9 C.F.R. s. 1.1.  
37 (d) "Department" means the Department of Business and  
38 Professional Regulation.  
39 (e) "Federal animal welfare standards" means the  
40 requirements for humane handling, care, treatment, housing,  
41 temperature, exhibition, and transportation of animals under 9  
42 C.F.R. part 3.  
43 (f) "Retail pet store" means a place of business as  
44 defined in 9 C.F.R. s. 1.1.  
45 (2) (a) A commercial breeder or dealer in this state,  
46 regardless of whether the breeder or dealer is subject to  
47 regulation by the United States Department of Agriculture under  
48 9 C.F.R. part 2, must comply with the federal animal welfare  
49 standards. If the United States Department of Agriculture amends  
50 the federal animal welfare standards, the department may adopt  
51 rules requiring that commercial breeders and dealers comply with  
52 the amended standards.

53 (b) A commercial breeder or dealer must register with the  
54 department on a form prescribed by the department before  
55 engaging in the business of breeding animals for sale or buying,  
56 selling, or offering to sell animals; transferring animals at  
57 wholesale for resale to another; or offering to sell or  
58 maintaining animals at wholesale for resale to another.

59 (c) Effective January 1, 2015, a commercial breeder who  
60 engages in the business of breeding animals for sale, or a  
61 dealer who engages in the business of buying, selling, or  
62 offering to sell animals; transferring animals at wholesale for  
63 resale to another; or offering to sell or maintaining animals at  
64 wholesale for resale to another, without being registered with  
65 the department under this section commits a felony of the third  
66 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
67 775.084, Florida Statutes.

68 (3) (a) A registration application must include the address  
69 of each location where the commercial breeder or dealer houses  
70 animals, including the address where the breeder's or dealer's  
71 mobile or traveling housing facilities are kept. The commercial  
72 breeder or dealer must allow the department to inspect any  
73 location or mobile or traveling housing facility where animals  
74 are housed. Before housing animals at any other location or  
75 using any other mobile or traveling housing facility, a  
76 commercial breeder or dealer must notify the department of such  
77 location or facility on a form prescribed by the department.

78 (b) An application for an initial or renewal registration

79 must be accompanied by a registration fee prescribed by the  
80 department which, in the aggregate, does not exceed the  
81 department's actual costs of administering this section.

82 (c) The department must conduct an onsite inspection of  
83 each location or mobile or traveling housing facility and shall  
84 approve a commercial breeder or dealer's application if the  
85 application is complete and accompanied by the registration fee  
86 and, upon inspection, the department determines that the  
87 commercial breeder or dealer has complied with the federal  
88 animal welfare standards pursuant to paragraph (2) (a). The  
89 department must annually reinspect each location or mobile or  
90 traveling housing facility where a commercial breeder or dealer  
91 houses animals.

92 (d) Except as provided in this paragraph, a registration  
93 is valid for 2 years. A registration must be renewed on or  
94 before its expiration date. In order to establish staggered  
95 expiration dates, the department may extend the expiration date  
96 of an initial registration for a period not to exceed 12 months.  
97 A registration is only valid for the location or mobile or  
98 traveling housing facility listed on the registration.

99 (4) If the department determines that a commercial breeder  
100 or dealer has violated or is operating in violation of this  
101 section or rules or orders issued pursuant to this section, the  
102 department may enter an order for any of the following:

103 (a) Issuing a notice of noncompliance under s. 120.695,  
104 Florida Statutes.

105 (b) Imposing an administrative fine not to exceed \$5,000  
 106 for each violation.

107 (c) Directing the commercial breeder or dealer to cease  
 108 and desist specified activities.

109 (d) Refusing to register or revoking or suspending a  
 110 registration.

111 (e) Placing the registrant on probation for a specified  
 112 period, subject to the conditions specified by the department.

113 (5) Administrative proceedings seeking the entry of an  
 114 order imposing any of the penalties specified in subsection (4)  
 115 shall be governed by chapter 120, Florida Statutes.

116 (6) The department may adopt rules to administer this  
 117 section.

118 (7) This section does not apply to:

119 (a) A breeder who sells directly to the consumer 15 or  
 120 fewer animals per year that are born and raised on the breeder's  
 121 residential property.

122 (b) An exhibitor licensed under 9 C.F.R. part 2.

123 (c) A kennel operated for the breeding, sale, or care of  
 124 greyhounds that are not intended to be companion pets.

125 (d) A humane society.

126 (e) A public or private animal shelter.

127 (8) In order to enforce this section, a retail pet store  
 128 shall annually provide to the department a list of commercial  
 129 breeders and dealers from which the store purchases animals.

130 Section 2. This act shall take effect July 1, 2014.