

HB 907

2018

1 A bill to be entitled

2 An act relating to emergency evacuation of domestic  
3 companion and service animals; creating s. 828.131,  
4 F.S.; providing definitions; prohibiting certain  
5 persons from leaving a domestic companion animal or  
6 service animal outdoors and unattended when an area is  
7 under an evacuation order; specifying alternatives if  
8 such an animal cannot be evacuated with the owner;  
9 providing penalties; providing construction; providing  
10 an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Section 828.131, Florida Statutes, is created  
15 to read:

16 828.131 Emergency evacuation of domestic animals.—

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

18 (a) "Domestic companion animal" means any animal commonly  
19 referred to as a household pet that was bought, adopted, bred,  
20 raised, or otherwise acquired, in accordance with local  
21 ordinances and state and federal law, for the primary purpose of  
22 providing companionship, rather than for business or  
23 agricultural purposes. The term does not include animals of an  
24 "animal enterprise" as defined in s. 828.41 or "livestock" as  
25 defined in s. 585.01.

26        (b) "Service animal" has the same meaning as provided in  
27 s. 413.08.

28        (2) It is unlawful for a person who is the owner or  
29 possessor of, or has charge or custody of, a domestic companion  
30 animal or service animal to knowingly and intentionally leave  
31 the animal outdoors and unattended when an evacuation of the  
32 area has been ordered by state or local authorities due to  
33 weather or other emergency conditions. If possible, such  
34 domestic companion animal or service animal shall be evacuated  
35 with the animal's owner or other person who has possession,  
36 custody, or charge of the animal. If evacuation with such a  
37 person is not an option, the domestic companion animal or  
38 service animal shall be:

39        (a) Delivered to a licensed kennel, shelter, or pound,  
40 temporary animal shelter established for the purposes of the  
41 emergency, or other suitable animal care facility established by  
42 law enforcement, animal control, or an animal welfare  
43 organization; or

44        (b) Secured in an indoor area that is as protective of the  
45 animal as possible under the circumstances and provides proper  
46 shelter according to state and local laws.

47        (3) A person who violates this section commits a  
48 noncriminal violation, punishable as provided in s. 775.083.

49        (4) This section does not revoke a person's lawful  
50 ownership, possession, charge, or custody of a domestic

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51 companion animal or service animal, nor does this section affect  
52 the authority of any law enforcement officer, any animal control  
53 officer certified pursuant to s. 828.27, or any agent of any  
54 county or of any society or association for the prevention of  
55 cruelty to animals appointed under s. 828.03 to aid or take  
56 custody of any animal found in distress as provided in s.  
57 828.073.

58 Section 2. This act shall take effect July 1, 2018.