

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 150

SPONSOR: Senator Sebesta, and others

SUBJECT: Sale of Dog and Cat Fur

DATE: March 28, 2000 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Overcash</u>	<u>Poole</u>	<u>AG</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill prohibits the killing of any dog or cat with the sole intent of selling or giving away the pelt, and further prohibits the possession, importation, sale, purchase, acceptance, or giving away of any dog or cat for the purpose of killing the animal for the pelt.

The bill also prohibits the possession, importation, sale, purchase, acceptance, or giving away of the pelt of any dog or cat; provides that it is unlawful to knowingly engage in the business of buying or selling the pelt or fur of a dog or cat; and prohibits a common carrier from knowingly shipping any dog or cat pelts or furs within the state.

The bill further provides that it is unlawful to sell, or offer to sell, any item of clothing that is made, in whole or in part, from the fur of a dog or cat.

The bill provides for the imposition of penalties, fines, or imprisonment for violations of this act, and authorizes any law enforcement agency or humane officer to institute proceedings in the appropriate court to enforce compliance with this act.

This bill creates sections 828.123 and 828.1231, Florida Statutes.

II. Present Situation:

In 1998, the Humane Society of the United States (HSUS) completed an 18-month investigation which indicated that dog and cat fur was being sold in the United States as trim on coats, hats, gloves, decorative accessories, and toys.

Chapter 828, F.S., contains provisions regarding cruelty to animals, including laws that prohibit the unnecessary mutilation or cruel and inhumane killing of animals. Chapter 372, F.S., contains provisions regarding the unlawful sale, possession, or transporting of alligators or alligator skins. However, there are no laws in the Florida Statutes that specifically prohibit the killing of dogs and

cats for the purpose of selling or giving away the fur or pelts, or for engaging in the business of from the fur or pelt of cats or dogs.

Federal legislation has been introduced which would make it unlawful to import dog and cat

(Dog and Cat Protection Act of 1999; S.1197, H.R. 1622, 106th Congress, 1st Session (1999)).

This legislation would also require labeling of the fur species on all products, regardless of the more than \$150 be labeled as to the type of fur used.

III.

Section 1.

- animal commits a felony of the third degree, and is subject to a term of imprisonment of up to
- of any dog or cat for the purpose of selling or giving away the pelt commits a misdemeanor \$5,000, or both imprisonment and a fine.
Any person who possesses, imports into this state, sells, buys, gives away, or accepts any dog animal commits a felony of the third degree, and is subject to a term of imprisonment of up to
- any dog or cat, or who knowingly ships, transports or receives for transport any dog or cat s. 775.082, s. 775.083, or s. 775.084, F.S.

Creates s. 828.1231, F.S., to provide that:

Any person who knowingly sells or offers for sale, directly or indirectly, at wholesale or commits a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083,

- provided in s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S.

- Any law enforcement agency or humane officer may begin proceedings within the circuit court to enforce compliance of the provision.
- Any law enforcement agency or humane officer may seek a civil penalty of up to \$5,000 for each violation.

Section 3. Provides that this act shall take effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None

C. Government Sector Impact:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.