

1 A bill to be entitled
 2 An act relating to restraint of dogs; amending s. 828.13,
 3 F.S.; defining the term "restraint that unreasonably
 4 limits the dog's movement"; prohibiting leaving a dog
 5 outside and unattended by use of a restraint that
 6 unreasonably limits the dog's movement or when specified
 7 severe weather warnings have been issued; providing
 8 penalties; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Subsections (1) and (2) of section 828.13,
 13 Florida Statutes, are amended to read:

14 828.13 Confinement of animals without sufficient food,
 15 water, or exercise; abandonment of animals.--

16 (1) As used in this section:

17 (a) "Abandon" means to forsake an animal entirely or to
 18 neglect or refuse to provide or perform the legal obligations
 19 for care and support of an animal by its owner.

20 (b) "Owner" includes any owner, custodian, or other person
 21 in charge of an animal.

22 (c)1. "Restraint that unreasonably limits the dog's
 23 movement" means a restraint that:

24 a. Uses a collar that is pinch-type, prong-type, or choke-
 25 type or that is not properly fitted to the dog;

26 b. Is shorter than the greater of five times the length of
 27 the dog, as measured from the tip of the dog's nose to the base
 28 of the dog's tail, or 10 feet;

29 c. Is in an unsafe condition; or
 30 d. Causes injury to the dog.
 31 2. A restraint does not unreasonably limit a dog's
 32 movement if it can be verified that adequate daily socialization
 33 and exercise off the restraint have been provided to the dog. If
 34 a dog is confined on a restraint, the restraint must be free
 35 from entanglements and of proper weight for the dog's size, the
 36 restrained dog must wear a properly fitted harness or buckle-
 37 type collar, and the dog must be released from the restraint at
 38 least twice daily for adequate exercise. Collars, harnesses,
 39 halters, and the like shall be properly fitted to prevent
 40 discomfort or injury.
 41 (2) Whoever:
 42 (a) Impounds or confines any animal in any place and fails
 43 to supply the animal during such confinement with a sufficient
 44 quantity of good and wholesome food and water,
 45 (b) Keeps any animals in any enclosure without wholesome
 46 exercise and change of air, or
 47 (c) Abandons to die any animal that is maimed, sick,
 48 infirm, or diseased,
 49 (d) Leaves a dog outside and unattended by use of a
 50 restraint that unreasonably limits the dog's movement or left
 51 outside and unattended by use of a restraint, regardless of the
 52 type of restraint, when a hurricane, tropical storm, or tornado
 53 warning has been issued for the jurisdiction by the National
 54 Weather Service,
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HB 1023

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56 | commits ~~is guilty of~~ a misdemeanor of the first degree,
57 | punishable as provided in s. 775.082 or by a fine of not more
58 | than \$5,000, or by both imprisonment and a fine.

59 | Section 2. This act shall take effect October 1, 2008.