

By Senator Abruzzo

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1 A bill to be entitled
2 An act relating to animal control agencies and animal
3 shelters; creating the "Animal Rescue Act"; creating
4 s. 828.067, F.S.; defining the terms "animal control
5 agency," "animal rescue group," and "animal shelter";
6 requiring an animal control agency or animal shelter
7 that euthanizes animals to maintain a euthanasia
8 registry; requiring an agency, shelter, or rescue
9 group to submit certain information before being added
10 to the registry; authorizing an agency or shelter to
11 include or remove certain rescue groups in its
12 registry; authorizing the agency or shelter to require
13 a rescue group to provide certain data to the agency
14 or shelter monthly; prohibiting an agency or shelter
15 from euthanizing an animal until the agency or shelter
16 has notified all applicable agencies, shelters, or
17 rescue groups listed on the registry; providing
18 exceptions from the notification requirements;
19 providing holding period requirements; authorizing an
20 agency or shelter to assess fees; providing an
21 effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. This act may be cited as the "Animal Rescue
26 Act."

27 Section 2. Section 828.067, Florida Statutes, is created to
28 read:

29 828.067 Euthanasia registry.-

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30 (1) DEFINITIONS.—As used in this section, the term:

31 (a) "Animal control agency" or "agency" means an
32 organization operated by or under contract with this state or a
33 political subdivision for the purpose of impounding or harboring
34 seized, stray, homeless, abandoned, or unwanted animals.

35 (b) "Animal rescue group" or "rescue group" means a group
36 of persons who accept or solicit animals with the intent of
37 finding permanent adoptive homes or providing lifelong care for
38 such animals and who use foster homes as the primary means of
39 housing animals.

40 (c) "Animal shelter" or "shelter" means a facility used for
41 the housing or containment of animals which is owned, operated,
42 or maintained by a humane society, animal welfare society,
43 society for the prevention of cruelty to animals, or other
44 nonprofit organization devoted to the welfare, protection, and
45 humane treatment of animals.

46 (2) EUTHANASIA REGISTRY.—An animal control agency or animal
47 shelter that euthanizes animals shall maintain a registry of
48 other agencies, shelters, or animal rescue groups that are
49 willing and able to accept an animal that is at risk of
50 euthanasia.

51 (a) To be added to a registry, an agency, a shelter, or a
52 rescue group must provide an agency or a shelter with the
53 following information:

- 54 1. The name of the agency, shelter, or rescue group;
55 2. The mailing address and telephone number of the agency,
56 shelter, or rescue group;
57 3. The website and e-mail address, if available, of the
58 agency, shelter, or rescue group;

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59 4. Emergency contact information of the agency, shelter, or
60 rescue group;

61 5. Preference for a type of animal, including the species
62 and breed, which the agency, shelter, or rescue group requests
63 to be notified of if such type of animal is at risk of
64 euthanasia; and

65 6. Preference for the state of the animal, such as an
66 unweaned, sick, or injured animal or an animal with behavioral
67 problems, which the agency, shelter, or rescue group requests to
68 be notified of if such animal is at risk of euthanasia.

69 (b) An agency or shelter shall include in its registry a
70 rescue group that is designated as a tax-exempt organization
71 under s. 501(c) (3) of the Internal Revenue Code, regardless of
72 the geographical location of the agency or shelter or other
73 factors, and may also include in its registry a rescue group
74 that does not qualify as a tax-exempt organization under s.
75 501(c) (3) of the Internal Revenue Code.

76 (c) An agency or shelter may refuse to include in, or may
77 remove a rescue group from, its registry if a current director,
78 officer, staff member, or volunteer of the rescue group has been
79 convicted of a crime relating to animal cruelty or neglect; if
80 such charges are pending; or if the rescue group is constrained
81 by a court order that prevents it from taking in or keeping
82 animals. An agency or shelter may require a rescue group to
83 disclose any conviction, charge, or legal impediment described
84 in this paragraph.

85 (d) An agency or shelter may require a rescue group to
86 provide monthly, for public inspection, the following data
87 concerning the number of animals that:

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88 1. Have been placed with the rescue group from an agency or
89 shelter.

90 2. Have been adopted.

91 3. Have died or have been euthanized.

92 4. Remain in the care of the rescue group.

93 (e) The information required by this section may be
94 provided informally, such as by e-mail. Additional information
95 may not be required to be included or to remain on the registry.

96 (3) NOTIFICATION.—An animal control agency or animal
97 shelter may not euthanize an animal until the agency or shelter
98 has notified, or made a reasonable attempt to notify, each
99 agency, shelter, and rescue group on the registry which has
100 indicated a willingness and ability to take an animal of that
101 type or state.

102 (a) Notification must take place at least 24 hours before
103 the animal is scheduled to be euthanized and must, at a minimum,
104 be conducted through verifiable electronic communication.

105 (b) If an agency, a shelter, or a rescue group indicates a
106 willingness to take possession of the animal, the animal may not
107 be euthanized. The agency, shelter, or rescue group must take
108 possession of the animal within 2 business days after indicating
109 a willingness and ability to take the animal.

110 (c) If an unweaned animal is impounded without its mother
111 and an agency or shelter is unable to place such animal into
112 foster care or provide supplemental feeding, the agency or
113 shelter must immediately make an emergency appeal to each
114 agency, shelter, and rescue group on the registry which has
115 indicated a willingness to care for an unweaned animal. If an
116 agency, a shelter, or a rescue group responds within a

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117 reasonable time of up to 8 hours and indicates a willingness and
118 ability to take possession of the unweaned animal, the animal
119 may not be euthanized.

120 (d) This subsection does not apply if an animal is
121 irremediably suffering as provided under s. 828.05 or is
122 classified as a dangerous dog pursuant to s. 767.12.

123 (4) HOLDING PERIODS.—

124 (a) The required holding period for a stray animal is 5
125 business days, not including the day of impoundment. Animals
126 must be held for owner redemption during the first 2 days of the
127 holding period and are available for owner redemption, transfer,
128 and adoption for the remainder of the holding period. The
129 holding period expires if the animal is redeemed, transferred,
130 or adopted, except as follows:

131 1. The requirements of this paragraph do not apply to cats
132 that are impounded for sterilization and then returned.

133 2. A shelter may transfer an animal any time after impound
134 to a nonprofit rescue group, a private shelter, or an
135 organization formed for the prevention of cruelty to animals, as
136 long as a potential owner is afforded the same rights of
137 reclamation as if the animal were still in the shelter.

138 (b) The required holding period for an owner-relinquished
139 animal impounded by a public or private animal control agency or
140 animal shelter is the same as that for stray animals. The
141 holding period expires if the animal is redeemed, transferred,
142 or adopted as follows:

143 1. An animal is available for owner redemption, transfer,
144 and adoption for the entire holding period.

145 2. The requirements of this paragraph do not apply to cats

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146 that are impounded for sterilization and then returned.

147 (5) FEE.—An animal control agency or animal shelter may
148 assess a fee, not to exceed the standard adoption fee, for each
149 animal released to an animal control agency, animal shelter, or
150 animal rescue group pursuant to this section.

151 Section 3. This act shall take effect July 1, 2014.