

1 A bill to be entitled
 2 An act relating to lost or stray dogs and cats;
 3 amending s. 823.151, F.S.; providing legislative
 4 intent; requiring certain animal organizations to
 5 adopt certain policies and procedures to achieve
 6 specified goals; authorizing such organizations to
 7 implant dogs and cats with radio frequency
 8 identification devices; allowing such organizations to
 9 verify pet ownership; providing an effective date.

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

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 13 Section 1. Section 823.151, Florida Statutes, is amended
 14 to read:

15 823.151 Lost or stray dogs and cats.—

16 (1) The Legislature finds:

17 (a) That natural disasters, such as hurricanes, may result
 18 in an increase in owned dogs and cats becoming lost or stray.

19 The Legislature further finds that dog and cat owners statewide
 20 should be afforded the opportunity to quickly and reliably claim
 21 their lost pets. It is therefore declared to be the public
 22 policy of the state that animal control agencies and humane
 23 organizations shall adopt policies and procedures to help return
 24 lost cats or dogs to identified owners.

25 (b) Shelter operating practices that require an

26 | arbitrarily established live release rate of animals can lead to
27 | serious problems with public health and safety and animal
28 | welfare. In order to achieve these arbitrary targets, agencies
29 | may refuse admission to animals they cannot subsequently offer
30 | for adoption, denying animals in need of a safe haven.
31 | Alternatively, these shelter practices can result in overcrowded
32 | conditions, fighting, compromised safety for animals and staff,
33 | disease outbreaks, and suffering. Further, dangerous dogs may be
34 | released into the community in order to meet statistical live
35 | release goals. It is therefore declared to be the policy of the
36 | state that animal control agencies and humane organizations
37 | shall adopt policies and procedures to maximize live outcomes
38 | for animals, while also balancing animal well-being and public
39 | health and safety.

40 | (2)~~(a)~~ A public or private animal shelter, humane
41 | organization, or animal control agency operated by a humane
42 | organization or by a county, municipality, or other incorporated
43 | political subdivision that takes receivership of any lost or
44 | stray dogs or cats shall adopt written policies and procedures
45 | to ensure that every reasonable effort is made to quickly and
46 | reliably return owned animals to their owners. Such policies and
47 | procedures shall include:

48 | 1. Upon intake, screening of lost or stray dogs and cats
49 | for identification, including tags, licenses, implanted
50 | microchips, and tattoos.

51 2. A process for matching received lost or stray dogs and
52 cats with any reports of lost pets received by the shelter from
53 owners.

54 3. Public notice of lost or stray dogs and cats received,
55 provided at the shelter or on the Internet, as appropriate,
56 within 48 hours of the animal's admission.

57 4. Reasonable efforts to notify identified owners of lost
58 or stray dogs and cats within 48 hours of identification. Such
59 reasonable efforts may include, but are not limited to, attempts
60 to contact identified owners by telephone, by electronic mail,
61 by United States mail, or by personal service at the owner's
62 last known phone number and address.

63 5. Notice to the public of the shelter's location, hours,
64 fees, and the return-to-owner process posted on the Internet,
65 with the shelter's business hours posted outside the shelter
66 facility and recorded on the shelter's telephone answering
67 system message.

68 6. Access for owners to retrieve dogs and cats at least 1
69 weekend day per week and after 5:00 p.m. 1 weekday per week,
70 provided that complying with the requirements of this
71 subparagraph does not require an increase in total operating
72 hours.

73 7. Direct return-to-owner protocols that allow animal
74 control officers in the field to directly return lost or stray
75 dogs and cats to their owners when the owners have been

76 identified.

77 8. Procedural safeguards to minimize the euthanasia of
78 owned dogs and cats. Such safeguards shall include, but are not
79 limited to, record verification to ensure that each animal to be
80 euthanized is the correct animal designated for the procedure
81 and proper scanning for an implanted microchip using a universal
82 scanner immediately prior to the procedure.

83 9. Temporary extension of local minimum stray hold periods
84 after a disaster is declared by the President of the United
85 States or a state of emergency is declared by the Governor, if
86 deemed necessary by a local government in the area of the
87 declaration.

88 (3) A public or private animal shelter, humane
89 organization, or animal control agency operated by a humane
90 organization or by a county, municipality, or other incorporated
91 political subdivision, that takes receivership or any lost,
92 stray, unwanted, or homeless dogs or cats shall adopt written
93 policies and procedures to achieve the following goals:

94 (a) Ensure every lost, stray, unwanted, or homeless dog or
95 cat has a safe place to go for shelter and care.

96 (b) Make every apparently healthy and safe dog or cat
97 available for adoption.

98 (c) Assess the medical and behavioral needs of homeless
99 dogs and cats and ensure these needs are thoughtfully addressed
100 on a case-by-case basis regardless of breed, including full

101 disclosure of all medical conditions and behavioral issues.

102 (d) Consider the needs of the community and ensure the
 103 public trust.

104 (e) Alleviate suffering and make appropriate euthanasia
 105 decisions.

106 (f) Consider the health and wellness of dogs and cats for
 107 each community when transferring animals.

108 (g) Foster a culture of transparency, ethical
 109 decisionmaking, mutual respect, continual learning, and
 110 collaboration between shelters, human organizations, animal
 111 rescue organizations, and the public.

112 (h) Strive to follow the Best Practices for Humane Care
 113 and High Live Release Programming published by the Florida
 114 Animal Control Association and Florida Association of Animal
 115 Welfare Organizations.

116 (4) ~~(b)~~ Records related to this section and maintained by a
 117 public or private animal shelter, humane organization, or animal
 118 control agency operated by a humane society or by a county,
 119 municipality, or other incorporated political subdivision must
 120 be made available to the public pursuant to chapter 119.

121 (5) Employees, agents, or contractors of a public or
 122 private animal shelter, humane organization, or animal control
 123 agency operated by a humane organization or by a county,
 124 municipality, or other incorporated political subdivision may
 125 implant dogs and cats with radio frequency identification

126 | devices for the purposes of pet identification to reduce the
127 | number of pets entering shelters, save taxpayer dollars, and
128 | assist pet owners in reuniting with lost dogs and cats.

129 | (6) Notwithstanding s. 474.2165, employees, agents, or
130 | contractors of a public or private animal shelter, humane
131 | organization, or animal control agency operated by a humane
132 | organization or by a county, municipality, or other incorporated
133 | political subdivision may contact the owner of record listed on
134 | a radio frequency identification device to verify pet ownership.

135 | Section 2. This act shall take effect July 1, 2020.