

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 980

INTRODUCER: Senator Brandes

SUBJECT: Lost, Stray, Unwanted, or Homeless Dogs and Cats

DATE: January 17, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Akhvein</u>	<u>Becker</u>	<u>AG</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>IT</u>	_____
3.	_____	_____	<u>RC</u>	_____

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**Summary:**

SB 980 directs animal control agencies and humane organizations to adopt community-focused policies and procedures to maximize live outcomes for animals, while also balancing animal welfare and public safety. The bill requires these entities to write and adopt policies and procedures to achieve these goals. It also gives authority to employees, agents or contractors of humane societies or animal control to apply radio-frequency identification devices for the purposes of pet identification and assisting pet owners in being reunited with lost pets.

**I. Present Situation:**

Animal sheltering operations that are primarily focused on the live release or adoption rate of their animals are not required by statute to consider other factors when measuring their success. As a result, some shelters may not give due consideration to other factors for success, including animal welfare and public safety. Operations solely focused on live release rates may suffer from overcrowding, fighting, compromised safety for the animals and staff, disease outbreaks, suffering, or the release of dangerous dogs into the community.

In 2018, the Florida Animal Control Association (FACA) and The Florida Association of Animal Welfare Organizations (FAAWO) published “Best Practices for Humane Care & High Live Release Programming” in recognition that animal sheltering operations have a responsibility to provide quality and humane care to every animal received and to be diligent in efforts to find appropriate live outcomes for as many animals as possible. The FACA and FAAWO also acknowledge and take seriously their responsibility for public safety and promoting safe interactions between the community and its pets. The document provides the following minimum best practices programming recommendations:

1. Offer flexible adoption fees;
2. Host adoption events;
3. Offer animals for adoption at offsite venues;
4. Engage in community outreach;
5. Use social media;
6. Offer an open/easy adoption process;
7. Provide assistance to adopters;
8. Use volunteers/fosters including foster to adopt;
9. Work with legitimate rescue organizations;
10. Have user friendly hours of operation;
11. Reserve certain hours for live release only;
12. Offer a lost/found program that is monitored by staff/volunteers;
13. Work with area organizations and individuals to offer pet retention resources;
14. Collaborate to maximize resources;
15. Conduct frequent budget analysis to identify resource limitations and plan for future needs;
16. Veterinary care must be offered by shelter veterinarian, contracted veterinarian or veterinary consultation;
17. Euthanasia should be the last option and provisions outlined in statute must be followed;
18. Animal shelters and rescue organizations should operate with transparency; and
19. Steps must be taken to minimize the length of stay and to avoid operating above capacity for care.<sup>1</sup>

## II. Effect of Proposed Changes:

**Section 1** amends s. 823.151, F.S., to provide legislative findings that animal shelter operating practices that primarily focus on the live release rate of animals can lead to serious problems for public health and safety and animal welfare.

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<sup>1</sup> Florida Animal Control Association and The Florida Association of Animal Welfare Organizations, "Best Practices for Humane Care & High Live Release Programming," See <https://floridaanimalcontrol.org/wp-content/uploads/2018/11/Best-Practices-Final-PDF.pdf> (Last visited January 16, 2020).

Agencies may refuse admission to animals that may not be adoptable, denying animals in need a safe haven. Alternatively, shelters may experience overcrowded conditions, fighting, compromised safety for animals and staff, disease outbreaks, and suffering, resulting in dangerous dogs being released into the community in order to meet statistical live-release goals.

Therefore, by this bill, the Legislature declares that the policy of this state is that animal control agencies and humane organizations shall adopt community-focused policies and procedures to maximize live outcomes for animals, while also balancing animal welfare and public safety.

The bill requires public or private animal shelters, humane organizations, or animal control agencies to adopt written policies and procedures to achieve the following goals:

- Ensure every lost, stray, unwanted, or homeless pet in its custody has appropriate shelter and care;
- Make every animal deemed healthy and safe available for adoption;
- Assess the medial and behavioral needs of homeless animals and ensure that those needs are met;
- Consider the needs of the community and secure public trust;
- Alleviate suffering and make appropriate euthanasia decisions;
- Consider the health and wellness of animals in each community when transferring animals;
- Foster a culture of transparency and ethical decision-making; and
- Strive to follow the Best Practices for Humane Care and High Live Release Programming.

All provisions of this bill are required to be made public pursuant to Chapter 119, F.S., concerning public records. Employees, agents, or contractors of the affected agencies may implant dogs and cats with radio-frequency identification devices in order to reduce the number of pets entering shelters, save taxpayer dollars, and assist pet owners in being reunited with lost pets. Such persons may contact the owner of record of a radio-frequency identification device to verify pet ownership.

**Section 2** provides that this act shall take effect July 1, 2020.

### III. **Constitutional Issues:**

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

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D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**IV. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

Indeterminate.

**V. Technical Deficiencies:**

None.

**VI. Related Issues:**

None.

**VII. Statutes Affected:**

This bill amends section 823.151 of the Florida Statutes.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.