

1 A bill to be entitled
2 An act relating to dangerous dogs; providing a short
3 title; amending s. 767.01, F.S.; requiring certain dog
4 owners to securely confine their dogs in a proper
5 enclosure; amending s. 767.10, F.S.; revising
6 legislative findings relating to dangerous dogs;
7 reordering and amending s. 767.11, F.S.; defining the
8 term "department"; revising definitions; amending s.
9 767.12, F.S.; requiring, rather than authorizing, that
10 dogs subject to certain dangerous dog investigations
11 be confiscated, impounded, and held; requiring, rather
12 than authorizing, that such dogs be held until the
13 completion of certain actions; revising the
14 circumstances under which an owner is responsible for
15 paying certain costs and fees; requiring that certain
16 dogs not impounded be confined in a proper enclosure
17 by the owner; requiring animal control authorities to
18 provide certain information to the Department of
19 Agriculture and Consumer Services and to destroy
20 certain dogs; revising the information that the owner
21 of a dog classified as a dangerous dog is required to
22 provide to an animal control authority; requiring such
23 owner to obtain dangerous dog liability insurance
24 coverage; providing requirements for such insurance;
25 revising the civil penalty for violations; creating s.

767.125, F.S.; requiring the department to create and maintain a statewide Dangerous Dog Registry; providing the purpose of the registry; requiring animal control authorities to provide the department with certain information; requiring the department to adopt rules; amending ss. 767.13 and 767.135, F.S.; making technical changes; conforming provisions to changes made by the act; amending s. 767.136, F.S.; revising the circumstances under which the owner of a dog that has not been declared dangerous is liable for such dog's severe injury to, or the death of, a human; providing an effective date.

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

Section 1. This act may be cited as the "Pam Rock Act."

Section 2. Section 767.01, Florida Statutes, is amended to read:

767.01 Dog owner's liability for damages to persons, domestic animals, or livestock.—

(1) A dog owner is ~~Owners of dogs shall be~~ liable for any damage done by the owner's dog ~~their dogs~~ to a person or to any animal included in the definitions of "domestic animal" and "livestock" as provided by s. 585.01.

(2) If a dog owner has knowledge of the dog's dangerous

propensities, the owner must securely confine the dog in a proper enclosure as defined in s. 767.11.

Section 3. Section 767.10, Florida Statutes, is amended to read:

767.10 Legislative findings.—The Legislature finds that dangerous dogs are an increasingly serious and widespread threat to the safety and welfare of the people of this state because of unprovoked attacks which cause injury to persons and domestic animals; that such attacks are in part attributable to the failure of owners to confine and properly train and control their dogs; that existing laws inadequately address this growing problem; and that it is appropriate and necessary to impose uniform requirements for dog the owners of ~~dangerous dogs~~.

Section 4. Section 767.11, Florida Statutes, is reordered and amended to read:

767.11 Definitions.—As used in this part ~~act~~, unless the context clearly requires otherwise:

(3)~~(1)~~ "Dangerous dog" means a ~~any~~ dog that according to the records of the appropriate authority:

(a) Has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property;

(b) Has more than once severely injured or killed a domestic animal while off the owner's property; or

(c) Has, when unprovoked, chased or approached a person

76 upon the streets, sidewalks, or any public grounds in a menacing
77 fashion or apparent attitude of attack, provided that such
78 actions are attested to in a sworn statement by one or more
79 persons and dutifully investigated by the appropriate authority.

80 (4) "Department" means the Department of Agriculture and
81 Consumer Services.

82 (8)(2) "Unprovoked" means that the victim who has been
83 conducting himself or herself peacefully and lawfully has been
84 bitten or chased in a menacing fashion or attacked by a dog.

85 (7)(3) "Severe injury" means any physical injury that
86 results in broken bones, multiple bites, or disfiguring
87 lacerations requiring sutures or reconstructive surgery.

88 (6)(4) "Proper enclosure ~~of a dangerous dog~~" means, while
89 on the owner's property, a ~~dangerous~~ dog is securely confined:

90 (a) Indoors;

91 (b) In a locked, fenced yard, suitable to prevent the
92 entry of young children and designed to prevent the dog from
93 escaping over, under, or through the fence; or

94 (c) In a securely enclosed and locked pen or structure,
95 suitable to prevent the entry of young children and designed to
96 prevent the dog ~~animal~~ from escaping. The ~~Such~~ pen or structure
97 must ~~shall~~ have secure sides and a secure top to prevent the dog
98 from escaping over, under, or through the structure and must
99 ~~shall~~ also provide protection from the elements.

100 (1)(5) "Animal control authority" means an entity acting

101 alone or in concert with other local governmental units and
102 authorized by them to enforce the animal control laws of the
103 city, county, or state. In those areas not served by an animal
104 control authority, the sheriff shall carry out the duties of the
105 animal control authority under this part ~~act~~.

106 (2) ~~(6)~~ "Animal control officer" means any individual
107 employed, contracted with, or appointed by the animal control
108 authority for the purpose of aiding in the enforcement of this
109 part ~~act~~ or any other law or ordinance relating to the licensure
110 of animals, control of animals, or seizure and impoundment of
111 animals and includes any state or local law enforcement officer
112 or other employee whose duties in whole or in part include
113 assignments that involve the seizure and impoundment of an ~~any~~
114 animal.

115 (5) ~~(7)~~ "Owner" means a ~~any~~ person, a firm, a corporation,
116 or an organization possessing, harboring, keeping, or having
117 control or custody of an animal or, if the animal is owned by a
118 person ~~under the age of 18~~ years of age or younger, that
119 person's parent or guardian.

120 **Section 5. Section 767.12, Florida Statutes, is amended to**
121 **read:**

122 767.12 Classification of dogs as dangerous; owner
123 requirements; penalty ~~certification of registration; notice and~~
124 ~~hearing requirements; confinement of animal; exemption; appeals;~~
125 ~~unlawful acts.—~~

126 (1) An animal control authority shall investigate reported
127 incidents involving any dog that may be dangerous and, if
128 possible, shall interview the owner and require a sworn
129 affidavit from any person, including any animal control officer
130 or enforcement officer, desiring to have a dog classified as
131 dangerous.

132 (a) An animal that is the subject of a dangerous dog
133 investigation for behavior described in s. 767.11(3)(a) or (c)
134 must ~~because of severe injury to a human being~~ may be
135 immediately confiscated by an animal control authority; placed
136 in quarantine, if necessary, for the proper length of time; or
137 impounded; and held. The animal must ~~may~~ be held pending the
138 outcome of the investigation and any hearings or appeals related
139 to the dangerous dog classification or any penalty imposed under
140 this section. If the dog is to be destroyed, the dog may not be
141 destroyed while an appeal is pending. The owner is responsible
142 for payment of all boarding costs and other fees as may be
143 required to humanely and safely keep the animal pending any
144 hearing or appeal, unless it is determined that the dog is not
145 dangerous.

146 (b) An animal that is the subject of a dangerous dog
147 investigation for behavior described in s. 767.11(3)(b) may be
148 immediately confiscated by an animal control authority; placed
149 in quarantine, if necessary, for the proper length of time; or
150 impounded and held. An animal that ~~which~~ is not impounded with

151 the animal control authority must be ~~humanely and safely~~
152 confined by the owner in a proper enclosure ~~securely fenced or~~
153 ~~enclosed area. The animal shall be confined in such manner~~
154 pending the outcome of the investigation and the resolution of
155 any hearings or appeals related to the dangerous dog
156 classification or any penalty imposed under this section. The
157 owner shall provide the address at which the animal resides
158 ~~shall be provided~~ to the animal control authority. A dog that is
159 the subject of a dangerous dog investigation may not be
160 relocated or have its ownership transferred pending the outcome
161 of the investigation and any hearings or appeals related to the
162 dangerous dog classification or any penalty imposed under this
163 section. If a dog is to be destroyed, the dog may not be
164 relocated or have its ownership transferred.

165 (2) A dog may not be declared dangerous if any of the
166 following apply:

167 (a) The threat, injury, or damage was sustained by a
168 person who, at the time, was unlawfully on the property or who,
169 while lawfully on the property, was tormenting, abusing, or
170 assaulting the dog or its owner or a family member.

171 (b) The dog was protecting or defending a human being
172 within the immediate vicinity of the dog from an unjustified
173 attack or assault.

174 (3) After the investigation, the animal control authority
175 shall make an initial determination as to whether there is

176 sufficient cause to classify the dog as dangerous and, if
177 sufficient cause is found, as to the appropriate penalty ~~under~~
178 ~~subsection (5)~~. The animal control authority shall afford the
179 owner an opportunity for a hearing before ~~prior to~~ making a
180 final determination regarding the classification or penalty. The
181 animal control authority shall provide written notification of
182 the sufficient cause finding and proposed penalty to the owner
183 by registered mail or ~~certified hand delivery~~, or service in
184 conformance with the provisions of chapter 48 relating to
185 service of process. The owner may file a written request for a
186 hearing regarding the dangerous dog classification, penalty, or
187 both, within 7 calendar days after receipt of the notification
188 of the sufficient cause finding and proposed penalty. If the
189 owner requests a hearing, the hearing must ~~shall~~ be held as soon
190 as possible, but not later than 21 calendar days and not sooner
191 than 5 days after receipt of the request from the owner. If a
192 hearing is not timely requested regarding the dangerous dog
193 classification or proposed penalty, the determination of the
194 animal control authority as to such matter is ~~shall become~~
195 final. Each applicable local governing authority shall establish
196 hearing procedures that conform to this subsection.

197 (4) Upon a dangerous dog classification and penalty
198 becoming final after a hearing or by operation of law pursuant
199 to subsection (3), the animal control authority shall do all of
200 the following:

201 (a) Provide a written final order to the owner by
202 registered mail or~~7~~ certified hand delivery or service. The
203 owner may appeal the classification or~~7~~ penalty, or both, to the
204 circuit court in accordance with the Florida Rules of Appellate
205 Procedure after receipt of the final order. If the dog is not
206 held by the animal control authority, the owner must confine the
207 dog in a proper enclosure ~~securely fenced or enclosed area~~
208 pending resolution of the appeal. Each applicable local
209 governing authority must establish appeal procedures that
210 conform to this paragraph ~~subsection~~.

211 (b) Provide the information required by s. 767.125(2) to
212 the department for the dangerous dog's inclusion in the
213 statewide Dangerous Dog Registry.

214 (c) If the dog is classified as a dangerous dog due to an
215 incident that caused severe injury to a human being, destroy the
216 dog in an expeditious and humane manner.

217 (5)~~(a)~~ Except as otherwise provided in paragraph (4) (c)
218 ~~(b)~~, the owner of a dog classified as a dangerous dog shall do
219 all of the following:

220 (a)1. Upon ~~Within 14 days after~~ issuance of the final
221 order classifying the dog as dangerous or the conclusion of any
222 appeal that affirms such final order, obtain a certificate of
223 registration for the dog from the animal control authority
224 serving the area in which he or she resides, and renew the
225 certificate annually. Animal control authorities may ~~are~~

226 ~~authorized to~~ issue such certificates of registration, and
227 renewals thereof, only to persons who are at least 18 years of
228 age and who present to the animal control authority sufficient
229 evidence of all of the following:

230 ~~1.a.~~ A current certificate of rabies vaccination for the
231 dog.

232 ~~2.b.~~ A proper enclosure to confine the ~~a~~ dangerous dog and
233 the posting of the premises with a clearly visible warning sign
234 at all entry points which informs both children and adults of
235 the presence of a dangerous dog on the property.

236 ~~3.c.~~ Permanent identification ~~of the dog~~, such as a tattoo
237 on the inside thigh of the dog or ~~electronic~~ implantation of a
238 microchip.

239 4. The dog having been spayed or neutered.

240 5. Liability insurance as required by paragraph (b).

241
242 The appropriate governmental unit may impose an annual fee for
243 the issuance of certificates of registration required by this
244 section.

245 (b) Upon issuance of the final order classifying the dog
246 as dangerous or the conclusion of any appeal that affirms such
247 final order, obtain liability insurance coverage in an amount of
248 at least \$100,000 to cover damages resulting from an attack by
249 the dangerous dog causing bodily injury to a person and provide
250 proof of the required liability insurance coverage to the animal

251 control authority for the area in which the dog is kept.

252 (c)2- Immediately notify the appropriate animal control
253 authority when the dog:

254 1.a- Is loose or unconfined;-

255 2.b- Has bitten a human being or attacked another animal;-

256 3.e- Is sold, given away, or dies;or-

257 4.d- Is moved to another address.

258 (d) Before selling or giving away the ~~a~~ dangerous dog ~~is~~
259 ~~sold or given away, the owner shall~~ provide the name, address,
260 and telephone number of the new owner to the animal control
261 authority. The new owner must comply with ~~all of the~~
262 ~~requirements of~~ this section and any implementing local
263 ordinances, even if the animal is moved from one local
264 jurisdiction to another within this ~~the~~ state, and. ~~The animal~~
265 ~~control officer~~ must notify the animal control authority ~~be~~
266 ~~notified by the owner of a dog classified as dangerous~~ that the
267 dog is in the authority's ~~his or her~~ jurisdiction.

268 (e)3- Not allow ~~permit~~ the dog to be outside a proper
269 enclosure unless the dog is muzzled and restrained by a
270 substantial chain or leash and under control of a competent
271 person. The muzzle must be made in a manner that will not cause
272 injury to the dog or interfere with its vision or respiration
273 but will prevent it from biting a person or an animal. The owner
274 may exercise the dog on the owner's property in a proper
275 enclosure ~~securely fenced or enclosed area that does not have a~~

276 ~~top,~~ without a muzzle or leash, if the dog remains within the
277 owner's ~~his or her~~ sight and only members of the immediate
278 household or persons 18 years of age or older, if applicable,
279 are allowed in the enclosure when the dog is present. When being
280 transported, such dogs must be safely and securely restrained
281 within a vehicle.

282 ~~(b) If a dog is classified as a dangerous dog due to an~~
283 ~~incident that causes severe injury to a human being, based upon~~
284 ~~the nature and circumstances of the injury and the likelihood of~~
285 ~~a future threat to the public safety, health, and welfare, the~~
286 ~~dog may be destroyed in an expeditious and humane manner.~~

287 (6) Hunting dogs are exempt from this section when engaged
288 in any legal hunt or training procedure. Dogs engaged in
289 training or exhibiting in legal sports such as obedience trials,
290 conformation shows, field trials, hunting/retrieving trials, and
291 herding trials are exempt from this section when engaged in any
292 legal procedures. However, such dogs at all other times in all
293 other respects are subject to this and local laws. Dogs that
294 have been classified as dangerous may not be used for hunting
295 purposes.

296 (7) A person who violates ~~any provision of~~ this section
297 commits a noncriminal infraction, punishable by a fine not to
298 exceed \$1,000 per violation ~~\$500~~.

299 **Section 6. Section 767.125, Florida Statutes, is created**
300 **to read:**

301 767.125 Statewide Dangerous Dog Registry.—

302 (1) The department shall create and maintain a statewide
303 Dangerous Dog Registry that provides the public with a
304 searchable online statewide database of dogs that have been
305 declared dangerous by local animal control authorities.

306 (2) Each animal control authority shall, at a minimum,
307 report all of the following information regarding a dangerous
308 dog within its jurisdiction to the department for inclusion in
309 the registry:

310 (a) A current certificate of rabies vaccination for the
311 dog.

312 (b) Evidence of a proper enclosure within which the
313 dangerous dog will be confined and of the posting on the
314 premises of a clearly visible warning sign at all entry points
315 which informs both children and adults of the presence of a
316 dangerous dog on the property.

317 (c) Evidence of permanent identification, such as a tattoo
318 on the inside thigh of the dog or implantation of a microchip.

319 (d) Evidence of the dog having been spayed or neutered.

320 (e) Evidence that the owner has obtained the required
321 liability insurance.

322 (f) The dog's name and a photograph of the dog.

323 (g) The county in which the dog is located.

324 (h) The owner's name and address.

325 (3) The department shall adopt rules to administer this

section.

Section 7. Subsections (1) and (2) of section 767.13, Florida Statutes, are amended to read:

767.13 Attack or bite by dangerous dog; penalties; confiscation; destruction.—

(1) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. ~~In addition,~~ The dangerous dog must ~~shall~~ be immediately confiscated by an animal control authority; ~~or~~ placed in quarantine, if necessary, for the proper length of time; ~~or~~ impounded; and held for 10 business days after the owner is given written notification under s. 767.12, and thereafter destroyed in an expeditious and humane manner. ~~This 10-day time period shall allow~~ The owner may ~~to~~ request a hearing under s. 767.12 during the 10 business days after such notification. The owner ~~is shall be~~ responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

(2) If a dog that has previously been declared dangerous attacks and causes severe injury to or death of any human, the owner commits ~~is guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. ~~In addition,~~ The dog must ~~shall~~ be immediately confiscated by an

351 animal control authority;it placed in quarantine, if necessary,
352 for the proper length of time; impounded; and ~~or~~ held for 10
353 business days after the owner is given written notification
354 under s. 767.12, and thereafter destroyed in an expeditious and
355 humane manner. ~~This 10-day time period shall allow~~ The owner may
356 ~~to~~ request a hearing under s. 767.12 during the 10 business days
357 after such notification. The owner is ~~shall be~~ responsible for
358 payment of all boarding costs and other fees as may be required
359 to humanely and safely keep the animal during any appeal
360 procedure.

361 **Section 8. Section 767.135, Florida Statutes, is amended**
362 **to read:**

363 767.135 Attack or bite by unclassified dog that causes
364 death; confiscation; destruction.—If a dog that has not been
365 declared dangerous attacks and causes the death of a human, the
366 dog must ~~shall~~ be immediately confiscated by an animal control
367 authority;it placed in quarantine, if necessary, for the proper
368 length of time; impounded; and ~~or~~ held for 10 business days
369 after the owner is given written notification under s. 767.12,
370 and thereafter destroyed in an expeditious and humane manner.
371 ~~This 10-day time period shall allow~~ The owner may ~~to~~ request a
372 hearing under s. 767.12 during the 10 business days after such
373 notification. If the owner files a written appeal under s.
374 767.12 or this section, the dog must be held and may not be
375 destroyed while the appeal is pending. The owner is responsible

for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

Section 9. Subsection (1) of section 767.136, Florida Statutes, is amended to read:

767.136 Attack or bite by unclassified dog that causes severe injury or death; penalties.—

(1) If a dog that has not been declared dangerous attacks and causes severe injury to, or the death of, a human, and the owner of the dog had knowledge of the dog's dangerous propensities, yet failed to secure the dog in a proper enclosure pursuant to s. 767.01(2) ~~demonstrated a reckless disregard for such propensities under the circumstances,~~ the owner of the dog commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 10. This act shall take effect July 1, 2025.