FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 559	**COMPANION BILL:** CS/SB 676 (Arrington)
TITLE: Animal Welfare	**LINKED BILLS:** None
SPONSOR(S): Chaney and López, J.	**RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 114 **Y's** 0 **N's** **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:
The bill:

- Creates new third degree felony offenses if a person 18 years of age or older causes or entices a minor to commit, or in the presence of a minor commits, aggravated animal cruelty; fighting or baiting animals; or sexual activities involving animals.
- Revises the ranking of fighting and baiting animals and ranks the newly created offenses on the offense severity ranking chart (OSRC).
- Requires a juvenile court to order a minor who commits animal cruelty to undergo a psychological evaluation and, if recommended, receive specified counseling or treatment.
- Increases maximum civil fines related to specified animal control or animal cruelty ordinance violations.
- Updates requirements related to the animal abuser database maintained by the Florida Department of Law Enforcement (FDLE) to:
  - Specify the information that must appear on the database;
  - Limit how long such information may remain on the database;
  - Provide a process to petition FDLE to remove specified information from the database; and
  - Require each clerk of court and county detention facility to provide specified information to FDLE.

Fiscal or Economic Impact:
The bill may have a positive indeterminate impact on prison beds by creating new third degree felony offenses related to animal cruelty with increased rankings on the OSRC, and may have a positive indeterminate impact on local government by authorizing increased civil fines for specified animal control or animal cruelty ordinance violations.

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ANALYSIS

EFFECT OF THE BILL:

The bill creates new third degree felony offenses if a person 18 years of age or older causes or entices a minor to commit, or in the presence of a minor commits, a violation related to:

- Aggravated animal cruelty;
- Fighting or baiting animals; or
- Sexual activities involving animals. (Sections 1, 2, and 3)

The bill also revises a current ranking and ranks the newly created offenses on the offense severity ranking chart (OSRC) of the Criminal Punishment Code, as follows:

- Increases fighting or baiting animals from a Level 1 to a Level 5 offense.
- Ranks causing or enticing a minor to commit, or in the presence of a minor committing, fighting or baiting animals as a Level 6 offense, one level above the Level 5 offense for fighting or baiting animals.
- Ranks causing or enticing a minor to commit, or in the presence of a minor committing, aggravated animal cruelty as a Level 6 offense, one level above the current Level 5 offense for aggravated animal cruelty.

- Ranks causing or enticing a minor to commit, or in the presence of a minor committing, sexual activities involving animals as a Level 7 offense, one level above the current Level 6 offense for sexual activities involving animals. (Section 5)

The bill requires a juvenile court to order a minor who commits an animal cruelty offense under s. 828.12(1) or (2), F.S., to undergo a psychological evaluation and, if recommended, receive specified counseling or treatment for a length of time as prescribed by the juvenile court. Under the bill, the minor's parent or guardian, or the state if the minor is a ward of the state, must pay the cost of such evaluation, counseling, or treatment, but if the juvenile court makes a finding of indigency and significant financial hardship, it must waive the fee or reduce it to an amount deemed appropriate. If the minor's parent or guardian willfully refuses to follow the recommended treatment for the minor, the juvenile court may hold the parent or guardian in contempt. (Section 1)

Additionally, the bill updates requirements related to information about animal abuse offenders that the Florida Department of Law Enforcement (FDLE) must post on its website. Specifically, the bill requires:

- Specified information to appear on the website in addition to the current requirement to include an offender's name, including all aliases, the date of birth, race, county of conviction, charge or charges, case number, disposition, description of any identifying marks and tattoos, and a photograph taken at the time of booking related to the animal cruelty offense of each individual who has been convicted of, or who has entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of s. 828.12, F.S.
- Each clerk of court and county detention facility to provide such information to FDLE.
- FDLE to post such information for:
  - Three years from the date of conviction, for a first misdemeanor conviction;
  - Five years from the date of conviction, for a first felony conviction; and
  - 10 years from the date of conviction, for any subsequent conviction.
- FDLE to develop a procedure to allow a person whose conviction has been overturned or who has received a sealing of the criminal history record for which his or her information was publicly posted to petition for the removal of his or her information. FDLE must remove such information from the website within 30 days after receiving a petition with adequate documentation, and may adopt rules to implement such requirement. (Section 1)

The bill increases the maximum civil penalty that the governing body of a county or municipality may enact under s. 828.27(2), F.S., related to specified animal control or animal cruelty ordinances. Instead of a maximum fine of $500, the bill authorizes a county or municipality to enact a maximum fine of:

- $2,500 for a first violation.
- $5,000 for a second violation.
- $7,500 for a third or subsequent violation. (Section 4)

The bill was approved by the Governor on May 12, 2026, ch. 2026-78, L.O.F., and will become effective on October 1, 2026. (Section 6)

RULEMAKING:

The bill authorizes FDLE to develop rules to implement the requirement to allow a person whose conviction has been overturned or who has received a sealing of the criminal history record for which his or her information was publicly posted to petition for the removal of such information from the publicly available website.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have a positive indeterminate impact on prison beds by creating new third degree felony offenses related to animal cruelty when a person causes or entices a minor to commit, or in the presence of a minor commits, such offenses, to the extent that individuals are sentenced to longer periods of incarceration under the bill than they would be under current law.

LOCAL GOVERNMENT:

The bill may have a positive indeterminate impact on local government by authorizing counties or municipalities to increase the maximum civil penalty related to specified animal control or animal cruelty ordinance violations.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Animal Cruelty

Under s. 828.12, F.S., a person commits animal cruelty, a first degree misdemeanor, punishable by up to one year in county jail, a fine of not more than $5,000, or both, if he or she:

- Unnecessarily overloads, overdrives, torments,[1] mutilates, or kills an animal;
- Deprives an animal of necessary sustenance or shelter;
- Causes any of the above to be done to an animal; or
- Carries an animal in or upon a vehicle, or otherwise, in a cruel or inhumane manner.[2]

A person commits aggravated animal cruelty, a third degree felony, punishable by up to five years in prison, a fine of not more than $10,000, or both, by intentionally committing an act on an animal – or failing to act if the person owns and has custody and control of the animal – and such action or omission:

- Results in the cruel death of the animal; or the excessive or repeated infliction of unnecessary pain or suffering on the animal; or
- Causes the same to be done to the animal.[3]

If a person is convicted of aggravated animal cruelty and the violation is found to include the knowing and intentional torture or torment of an animal that injures, mutilates, or kills the animal,[4] he or she must pay a minimum fine of $2,500 and complete psychological counseling or anger management for a first conviction.[5] If a person is convicted of any offense of aggravated animal cruelty a second or subsequent time, he or she must pay a minimum fine of $5,000, must be sentenced to at least six months of incarceration, and is ineligible for any form of early release, including gain time.[6]

Additionally, a person who is convicted of animal cruelty or aggravated animal cruelty may be prohibited from owning, possessing, keeping, harboring, or having custody or control over any animal for a period of time determined by the court.[7]

Fighting or Baiting Animals

[1] The terms "cruelty," "torture," "torment" and a "cruel manner" include every act, omission, or neglect whereby unnecessary or unjustifiable pain or suffering is caused, except when done in the interest of medical science, permitted, or allowed to continue when there is reasonable remedy or relief. S. 828.02, F.S.
[2] S. 828.12(1), F.S.
[3] S. 828.12(2), F.S.
[4] Fla. Std. Jury Instr. (Crim.) 29.13.
[5] S. 828.12(2)(a), F.S.
[6] S. 828.12(2)(b), F.S.
[7] S. 828.12(6), F.S.

Under s. 828.122, F.S., it is a third degree felony[8] for a person[9] to commit any of the following acts:

- Baiting, breeding, training, transporting, selling, owning, possessing, or using any wild or domestic animal for the purpose of animal fighting[10] or baiting[11];
- Owning, possessing, or selling equipment for use in any activity related to fighting or baiting animals;
- Owning, leasing, managing, operating, or having control of any property kept or used for any activity related to fighting or baiting animals;
- Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals;
- Performing any service or act to facilitate animal fighting or baiting, including, but not limited to, providing security, refereeing, or handling or transporting animals or being a stakeholder of any money wagered on animal fighting or baiting;
- Removing or facilitating the removal of any animal impounded under this section from an agency where the animal is impounded or from a specified location designated without prior authorization;
- Betting or wagering any money or other valuable consideration on the fighting or baiting of animals; or
- Attending the fighting or baiting of animals.[12]

If a court finds probable cause to believe that a violation of animal fighting or baiting under 828.122, F.S., or animal cruelty under s. 828.12, F.S., has occurred, the court must order the seizure of any animals and equipment used in committing the violation and provide for appropriate and humane care or disposition of the animals.[13] In addition to other penalties prescribed by law, the court may issue an order prohibiting a person who is convicted of animal baiting or fighting from owning, possessing, keeping, harboring, or having custody or control over any animals within the species that are the subject of the conviction, or any animals kept for the purpose of fighting or baiting, for a period of time determined by the court.[14]

Sexual Activities Involving Animals

Section 828.126, F.S., prohibits a person from engaging in sexual contact with an animal for the purpose of sexual gratification, abuse, or financial gain which involves:

- Contact between the sex organ or anus of one and the mouth, sex organ, or anus of the other;
- The fondling of the sex organ or anus of an animal; or
- The insertion, however slight, of any part of the body of a person or any object into the vaginal or anal opening of an animal, or the insertion of any part of the body of an animal into the vaginal or anal opening of a person.[15]

Specifically, a person commits a third degree felony if he or she:

- Knowingly engages in any sexual contact with an animal;
- Knowingly causes, aids, or abets another person to engage in any sexual contact with an animal;
- Knowingly permits any sexual contact with an animal to be conducted on any premises under his or her charge or control;
- Knowingly organizes, promotes, conducts, aids, abets, participates in as an observer, or advertises, offers, solicits, or accepts an offer of an animal for the purpose of sexual contact with such animal, or performs any service in the furtherance of an act involving any sexual contact with an animal; or

[8] A third degree felony is punishable by up to five years in prison and a $5,000 fine. Ss. 775.082, 775.083, or 775.084, F.S.
[9] "Person" means every natural person, firm, copartnership, association, or corporation. S. 828.122(1), F.S.
[10] "Animal fighting" means fighting between roosters or other birds or between dogs, bears, or other animals. *Id.*
[11] "Baiting" means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, "baiting" means the use of live animals in the training of racing greyhounds. *Id.*
[12] S. 828.122(3), F.S.
[13] S. 828.122(4), F.S.
[14] S. 828.122(8), F.S.
[15] S. 828.126(1), F.S.

- Knowingly films, distributes, or possesses any pornographic image or video of a person and an animal engaged in any of the activities described above.[16]

In addition to other penalties prescribed by law, the court must issue an order, effective for up to 5 years after the date of the conviction, prohibiting a person convicted of sexual activities involving animals from:

- Harboring, owning, possessing, or exercising control over any animal;
- Residing in any household in which animals are present; and
- Engaging in an occupation, whether paid or unpaid, or participating in a volunteer position at any establishment at which animals are present.[17]

Criminal Punishment Code

Offense Severity Ranking Chart

All felony offenses, with the exception of capital felonies, committed on or after October 1, 1998, are subject to the Criminal Punishment Code.[18] Felony offenses which are subject to the Criminal Punishment Code are listed in a single offense severity ranking chart (OSRC),[19] which uses 10 offense levels to rank felonies from least severe to most severe. Each felony offense listed in the OSRC is assigned a level according to the severity of the offense.[20,21] A person's primary offense, any other current offenses, and prior convictions are scored using the points designated for the offense severity level of each offense.[22,23] The final score calculation, following the scoresheet formula, determines the lowest permissible sentence that a trial court may impose, absent a valid reason for departure.[24]

Florida's Animal Abuse Website

In 2025, the Legislature required the Florida Department of Law Enforcement (FDLE) to post on its website, in a searchable format prescribed by the department, the names of those individuals who have been convicted of, or who have entered a plea of guilty or nolo contendere to, regardless of adjudication, an animal cruelty violation under s. 828.12, F.S.[25]

Animal Abuse Registries in Florida

Hillsborough County was the first county in Florida to establish an animal abuser registry,[26] requiring that any individual residing in Hillsborough County, who has been convicted of an animal abuse offense on or after November 1, 2016, must self-register within 10 business days after their release from incarceration or from the

[16] S. 828.126(2)-(3), F.S.
[17] S. 828.126(4), F.S.
[18] S. 921.002, F.S.
[19] S. 921.0022, F.S.
[20] S. 921.0022(2), F.S.
[21] Felony offenses that are not listed in the OSRC default to statutorily assigned levels, as follows: an unlisted third-degree felony defaults to a level 1; an unlisted second-degree felony defaults to a level 4; an unlisted first-degree felony defaults to a level 7; an unlisted first-degree felony punishable by life defaults to a level 9; and an unlisted life felony defaults to a level 10. S. 921.0023, F.S.
[22] Ss. 921.0022, F.S. and 921.0024, F.S.
[23] A person may also accumulate points for factors such as victim injury points, community sanction violation points, and certain sentencing multipliers. S. 921.0024(1), F.S.
[24] If a person scores more than 44 points, the lowest permissible sentence is a specified term of months in state prison, determined by a formula. If a person scores 44 points or fewer, the court may impose a nonprison sanction, such as a county jail sentence, probation, or community control. S. 921.0024(2), F.S.
[25] Ch. 2025-102, Laws of Fla. *See Aggravated Animal Cruelty* (FDLE), https://web.fdle.state.fl.us/dexter/about.jsf (last visited May 14, 2026).
[26] By requiring FDLE to create a specified database related to animal cruelty offenders, the bill does not require such offenders to affirmatively register specified information with the department.

date of his or her conviction.[27] The registry contains the names, residences, photographs, and other related information of those living in the county who are convicted of an animal offense on or after November 1, 2016.[28] Registrants must remain on the registry for a period of three years for a first conviction of a misdemeanor abuse offense; for a period of five years for a first conviction of a felony abuse offense; or for a period of 10 years for a second or subsequent conviction of either a misdemeanor or felony abuse offense.[29]

In addition, registrants are not allowed to own, possess, or reside in the same household or on the same property as an animal while on the registry; prohibited from working with a companion animal, with or without compensation; and strictly prohibited from adopting, purchasing, or otherwise obtaining certain animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale, or other means.[30]

Animal abuser registries also exist in the following local jurisdictions, among others:

- Marion County.[31]
- Lee County.[32]
- Seminole County.[33]
- Miami-Dade County.[34]
- Volusia County.[35]
- City of Tallahassee.[36]
- Collier County.[37]

Civil Penalties Related to Animal Control or Cruelty Ordinances

Section 828.27, F.S., authorizes the governing body of a county or municipality to enact ordinances[38] relating to animal control[39] or animal cruelty,[40] which must provide, in part:

- That a violation of such an ordinance is a civil infraction.
- A maximum civil penalty not to exceed $500.
- A civil penalty of less than the maximum civil penalty if the person who has committed the civil infraction does not contest the citation.

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[27] *Hillsborough County Animal Abuser Registry*; https://hcfl.gov/residents/animals-and-pets/animal-abuser-registry/about-the-animal-abuser-registry (last visited May 14, 2026). *See also* Tampa Bay Creative Loafing, Kate Bradshaw, February 11, 2016, *The Worst Offenders: Hillsborough May Become the First County in Florida to Adopt an Animal Abuser Registry*; https://www.cltampa.com/news/the-worst-offenders-hillsborough-may-become-the-first-county-in-florida-to-adopt-an-animal-abuser-registry-12289553 (last visited May 14, 2026).

[28] *Id.*

[29] *Id.*

[30] *Id.*

[31] Marion County, https://animalservices.marionfl.org/animal-control/animal-control-and-pet-laws/animal-abuser-registry (last visited May 14, 2026).

[32] Lee County, https://www.sheriffleefl.org/animal-abuser-search/ (last visited May 14, 2026).

[33] Seminole County, https://www.seminolecountyfl.gov/departments-services/prepare-seminole/animal-services/animal-abuse-registry.stml (last visited May 14, 2026).

[34] Miami-Dade County, https://www.miamidade.gov/Apps/ASD/crueltyweb/ (last visited May 14, 2026).

[35] Volusia County, https://www.volusia.org/services/public-protection/animal-services/animal-abuse-listing.stml (last visited May 14, 2026).

[36] City of Tallahassee, https://www.talgov.com/animals/asc-abuse (last visited May 14, 2026).

[37] Collier County, https://www2.colliersheriff.org/animalabusesearch/Enjoined (last visited May 14, 2026).

[38] "Ordinance" means any ordinance relating to the control of or cruelty to animals enacted by the governing body of a county or municipality the violation of which is a civil infraction. S. 828.27(1)(g), F.S.

[39] "Control" means the regulation of the possession, ownership, care, and custody of animals. S. 828.27(1)(c), F.S.

[40] "Cruelty" means any act of neglect, torture, or torment that causes unjustifiable pain or suffering of an animal. S. 828.27(1)(d), F.S.

- For the issuance of a citation by an officer who has probable cause to believe that a person has committed an act in violation of an ordinance.[41]
- For the contesting of a citation in the county court.

A county or municipality may enact any ordinance relating to animal control or animal cruelty which is identical to the provisions of ch. 828, F.S., or any other state law, except as to penalty, but may not pass an ordinance that conflicts with such provisions.[42]

Contributing to the Delinquency or Dependency of a Child

Under s. 827.04, F.S., a person commits a first degree misdemeanor[43] if he or she:

- Commits any act which causes, tends to cause, encourages, or contributes to a child becoming a delinquent or dependent child or a child in need of services; or
- Induces or endeavors to induce, by act, threat, command, or persuasion, a child to commit or perform any act, follow any course of conduct, or live in a manner that causes or tends to cause such child to become or to remain a dependent or delinquent child or a child in need of services.

A court exercising juvenile jurisdiction does not have to make an adjudication that a child is delinquent or dependent, or a child in need of services, in order to prosecute a person for contributing to the delinquency or dependency of a child. Additionally, an adjudication that a child is delinquent or dependent, or a child in need of services, does not preclude a subsequent prosecution for contributing to the delinquency or dependency of a child.[44]

Juvenile Counseling or Treatment

The Department of Juvenile Justice is authorized to utilize juvenile assessment centers to the fullest extent possible for the purpose of conducting predisposition assessments and evaluations of youth. Such assessments and evaluations may include, but are not limited to:

- Needs assessment;
- Substance abuse evaluations;
- Physical and mental health evaluations;
- Psychological evaluations;
- Behavioral assessments;
- Educational assessments;
- Aptitude testing; and
- Vocational testing.[45]

To the extent possible, the youth's parents or guardians and other family members should be involved in the assessment and evaluation process. All information, conclusions, treatment recommendations, and reports derived from any assessment and evaluation performed on a youth must be included as a part of the youth's commitment packet and accompany the youth if he or she is placed in a residential commitment facility.[46]

Additionally, a court may order a child who has been found to have committed a delinquent act, or before such finding with the consent of any parent or legal custodian of the child, to be treated by a physician, receive mental health, substance abuse, or intellectual disability services from a psychiatrist, psychologist, or other appropriate service provider, and be placed in a residential facility if necessary.[47]

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[41] Any person who willfully refuses to sign and accept a citation issued by an officer commits a second degree misdemeanor, punishable by up to 60 days in county jail and a $500 fine under ss. 775.082 and 775.083, F.S. S. 828.27(5), F.S.
[42] S. 828.27(7), F.S.
[43] A first degree misdemeanor is punishable by up to one year in county jail and a $1,000 fine. Ss. 775.082 and 775.083, F.S.
[44] S. 827.04(2), F.S.
[45] S. 985.135(7), F.S.
[46] *Id.*
[47] S. 985.18(2), F.S.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2025	CS/HB 255 - Aggravated Animal Cruelty	Chaney, Weinberger/ *Leek*	Became law on May 28, 2025 and implementation began on July 1, 2025.