

## CHAPTER 2025-61

### Committee Substitute for House Bill No. 593

An act relating to dangerous dogs; providing a short title; amending s. 767.01, F.S.; requiring certain dog owners to securely confine their dogs in a proper enclosure; making technical changes; amending s. 767.10, F.S.; revising legislative findings relating to dangerous dogs; reordering and amending s. 767.11, F.S.; revising definitions; amending s. 767.12, F.S.; requiring, rather than authorizing, that dogs subject to certain dangerous dog investigations which have killed or bitten a human being to a certain severity be immediately confiscated, placed in quarantine if necessary, impounded, and held; requiring, rather than authorizing, that such dogs be held until the completion of certain actions; authorizing dogs that are the subject of multiple dangerous dog investigations to be immediately confiscated, placed in quarantine, impounded, and held; requiring that certain dogs not impounded with the animal control authority be confined in a proper enclosure by the owner; requiring the owner of a dog subject to a dangerous dog investigation to provide certain information to an animal control authority; requiring the owner of a dog classified as dangerous to obtain a certificate of registration for the dog from a certain animal control authority and renew the certification annually; authorizing an animal control authority to issue certain certificates of registration to certain persons if certain conditions have been met, including implantation of a microchip, spaying or neutering the dog, and obtaining limited liability insurance; requiring the owner of a dog classified as a dangerous dog to obtain dangerous dog liability insurance coverage and provide proof of such insurance to a certain animal control authority; providing requirements for such insurance; requiring and authorizing an animal control authority to humanely euthanize a dangerous dog under certain circumstances; requiring an animal shelter, a humane organization, or certain animal control agencies to provide specified information to potential adopters; revising the conditions under which an owner is authorized to exercise a dangerous dog; revising the civil penalty for violations; providing criminal penalties for persons who resist or obstruct an animal control authority; making technical changes; amending s. 767.13, F.S.; increasing a penalty for the owner of a dog previously declared dangerous which attacks and causes severe injury to or the death of any human; making technical changes; conforming provisions to changes made by the act; amending s. 767.135, F.S.; making technical changes; conforming provisions to changes made by the act; amending s. 767.136, F.S.; increasing a penalty for the owner of a dog that causes 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)(4)~~ "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 upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

~~(7)(2)~~ "Unprovoked" means that the victim who has been conducting himself or herself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog.

~~(6)(3)~~ "Severe injury" means any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

~~(5)(4)~~ “Proper enclosure of a dangerous dog” means, while on the owner’s property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the dog animal from escaping. The Such pen or structure must shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and must shall also provide protection from the elements.

~~(1)(5)~~ “Animal control authority” means an entity acting alone or in concert with other local governmental units and authorized by them to enforce the animal control laws of the city, county, or state. In those areas not served by an animal control authority, the sheriff shall carry out the duties of the animal control authority under this part act.

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

~~(4)(7)~~ “Owner” means a any person, a firm, a corporation, or an organization possessing, harboring, keeping, or having control or custody of an animal or, if the animal is owned by a person under the age of 18, that person’s parent or guardian.

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

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

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

(a) An animal that is the subject of a dangerous dog investigation and that has killed a human being or has bitten a human being and left a bite mark that scores 5 or higher on the Dunbar bite scale must because of severe injury to a human being may be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded; and held. The animal must may be held pending the outcome of the investigation and any hearings or appeals related to the dangerous dog classification or any penalty imposed under this section. If the dog is to be destroyed, the dog may not be destroyed while an 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 pending any hearing or appeal.

(b) An animal that is the subject of any other a dangerous dog investigation may be immediately confiscated by an animal control authority; placed in quarantine, if necessary, for the proper length of time; impounded; and held. An animal that investigation which is not impounded with the animal control authority must be humanely and safely confined by the owner in a proper enclosure securely fenced or enclosed area. ~~The animal shall be confined in such manner~~ pending the outcome of the investigation and the resolution of any hearings or appeals related to the dangerous dog classification or any penalty imposed under this section. The owner shall provide the address at which the animal resides ~~shall be provided~~ to the animal control authority. A dog that is the subject of a dangerous dog investigation may not be relocated or have its ownership transferred pending the outcome of the investigation and any hearings or appeals related to the dangerous dog classification or any penalty imposed under this section. If a dog is to be destroyed, the dog may not be relocated or have its ownership transferred.

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

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

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

(3) After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous and, if sufficient cause is found, as to the appropriate penalty ~~under subsection (5).~~ The animal control authority shall afford the owner an opportunity for a hearing before ~~prior to~~ making a final determination regarding the classification or penalty. The animal control authority shall provide written notification of the sufficient cause finding and proposed penalty to the owner by registered mail or, certified hand delivery, or service in conformance with the provisions of chapter 48 relating to service of process. The owner may file a written request for a hearing regarding the dangerous dog classification, penalty, or both, within 7 calendar days after receipt of the notification of the sufficient cause finding and proposed penalty. If the owner requests a hearing, the hearing must ~~shall~~ be held as soon as possible, but not later than 21 calendar days and not sooner than 5 days after receipt of the request from the owner. If a hearing is not timely requested regarding the dangerous dog classification or proposed penalty, the determination of the animal control authority as to such matter is ~~shall become~~ final. Each applicable local governing authority shall establish hearing procedures that conform to this subsection.

(4) Upon a dangerous dog classification and penalty becoming final after a hearing or by operation of law pursuant to subsection (3), the animal control authority shall provide a written final order to the owner by registered mail or, certified hand delivery or service in conformance with the provisions of chapter 48 relating to service of process. The owner may appeal the classification or, penalty, or both, to the circuit court in accordance with the Florida Rules of Appellate Procedure after receipt of the final order. If the dog is not held by the animal control authority, the owner must confine the dog in a proper enclosure ~~securely fenced or enclosed area~~ pending resolution of the appeal. Each applicable local governing authority must establish appeal procedures that conform to this subsection.

(5)(a) Except as otherwise provided in paragraph (b), the owner of a dog classified as a dangerous dog shall do all of the following:

1. ~~Upon~~ Within 14 days after issuance of the final order classifying the dog as dangerous or the conclusion of any appeal that affirms such final order, obtain a certificate of registration for the dog from the animal control authority serving the area in which he or she resides, and renew the certificate annually. Animal control authorities may ~~are authorized to~~ issue such certificates of registration, and renewals thereof, only to persons who are at least 18 years of age and who present to the animal control authority sufficient evidence of all of the following:

- a. A current certificate of rabies vaccination for the dog.
- b. A proper enclosure to confine ~~the~~ a dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points which informs both children and adults of the presence of a dangerous dog on the property.
- c. Permanent identification of the dog ~~by, such as a tattoo on the inside thigh or electronic implantation of a microchip. Any person who knowingly and willfully removes a microchip implanted pursuant to this sub-subparagraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~
- d. The dog having been spayed or neutered.
- e. Liability insurance as required by subparagraph 2.

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

2. Upon issuance of the final order classifying the dog as dangerous or the conclusion of any appeal that affirms such final order, obtain liability insurance coverage in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage to the animal control authority for the area in which the dog is kept.

3. Immediately notify the appropriate animal control authority when the dog:

- a. Is loose or unconfined;:-
- b. Has bitten a human being or attacked another animal;:-
- c. Is sold, given away, or dies; or:-
- d. Is moved to another address.

4. Before selling or giving away the a dangerous dog, ~~is sold or given away, the owner shall~~ provide the name, address, and telephone number of the new owner to the animal control authority.

a. The new owner must comply with ~~all of the requirements of this section and any implementing local ordinances, even if the animal is moved from one local jurisdiction to another within this the state, and. The animal control officer must~~ notify the animal control authority ~~be notified by the owner of a dog classified as dangerous that the dog is in the authority's his or her jurisdiction.~~

b. If a dangerous dog has killed a human being or has bitten a human being and left a bite mark that scores 5 or higher on the Dunbar bite scale and is surrendered to an animal control authority, the authority must humanely euthanize the dog.

c. For any other dangerous dog that is surrendered to an animal control authority, the authority may humanely euthanize the dog. If the animal control authority elects to place the animal for adoption, it must post signage on the dog's enclosure to inform potential adopters that the dog has been declared dangerous and inform any adopter of the dog owner's requirements under this section. The animal control authority must provide a person who adopts a dangerous dog with a copy of the declaration and must require them to sign a contract with the authority agreeing to abide by the requirements of the declaration.

~~5.3.~~ Not ~~allow~~ permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting a person or an animal. The owner may exercise the dog on the owner's property in a proper enclosure ~~securely fenced or enclosed area that does not have a top,~~ without a muzzle or leash, if the dog remains within the owner's his or her sight and only members of the immediate household or persons 18 years of age or older, if applicable, are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.

(b) If a dog is classified as a dangerous dog due to an incident that causes severe injury to a human being, based upon the nature and circumstances of

the injury and the likelihood of a future threat to the public safety, health, and welfare, the dog may be destroyed in an expeditious and humane manner.

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

(7) A person who violates ~~any provision of~~ this section commits a noncriminal infraction, punishable by a fine not to exceed \$1,000 per violation. In addition, any person who resists or obstructs an animal control authority in enforcing this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 \$500.

Section 6. 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; ~~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 second ~~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 animal control authority; ~~placed in quarantine, if necessary, for the proper length of time;~~ ~~impounded;~~ ~~and~~ ~~or~~ 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.

Section 7. Section 767.135, Florida Statutes, is amended to read:

767.135 Attack or bite by unclassified dog that causes death; confiscation; destruction.—If a dog that has not been declared dangerous attacks and causes the death of a human, the dog must ~~shall~~ be immediately confiscated by an animal control authority; placed in quarantine, if necessary, for the proper length of time; impounded; and ~~or~~ 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. If the owner files a written appeal under s. 767.12 or this section, the dog must be held and may not be 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 8. 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 demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog commits a misdemeanor of the first ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083.

Section 9. This act shall take effect July 1, 2025.

Approved by the Governor May 21, 2025.

Filed in Office Secretary of State May 21, 2025.