A bill to be entitled

An act relating to domestic animals; creating s. 828.291, F.S.; providing legislative findings and intent; providing applicability; requiring the Department of Agriculture and Consumer Services to post a list of voluntary best management practices for entities breeding dogs in this state; creating s. 828.2911, F.S.; creating the Dog Awareness and Welfare Guidelines (DAWG) Breeding Program; providing for voluntary participation; providing for an inspection and fee; requiring the department to provide a certificate upon completion of an inspecton; providing a process to suspend or revoke a certification; authorizing the department to adopt rules; amending s. 828.29, F.S.; requiring that if a pet sale is terminated for certain reasons, the financing agreement must be terminated without certain costs; deleting a limit on veterinary costs under certain provisions; requiring that all financial terms be disclosed to the consumer before the sale of the animal; deleting certain provisions relating to a consumer's waiver relinquishing his or her rights to return an animal; requiring a pet dealer to provide copies of specified medical records to a consumer; revising requirements for a required notice to a

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consumer; revising the text of the required notice; requiring a pet dealer to retain a copy of a specified notice for a specified period; providing construction; providing an effective date.

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

Section 1. Section 828.291, Florida Statutes, is created to read:

828.291 Best management practices for dog breeding. —

(1) The purpose of this section is to allow voluntary participation in best management practices for minimum standards of care, facility operations, and breeding practices for individuals or entities engaged in the breeding of dogs in order to protect animal welfare, promote responsible breeding, and ensure the health and safety of animals and consumers.

(2) This section may not be construed to prohibit a local jurisdiction from implementing requirements for individuals or entities engaged in the breeding of dogs.

(3) The Department of Agriculture and Consumer Services shall develop a list of best management practices that individuals or entities engaged in the breeding of dogs may voluntarily adopt and implement. Such best management practices must include minimum standards of care, facility operations, and breeding practices for individuals or entities engaged in the

breeding of dogs including, but not limited to, the following:

(a) Breeding.

(b) Feeding.

(c) Housing.

(d) Health.

(e) Enrichment.

(f) Selling and transferring, in accordance with s. 828.29.

(g) Recordkeeping, in accordance with s. 828.29.

(4) The Department of Agriculture and Consumer Services shall post on its website guidance for the public about how to identify the breeders that are following best breeder practices and provide a checklist to use when purchasing a dog.

(5) The Department of Agriculture and Consumer Services shall post on its website information regarding animal cruelty, including a description of conduct constituting animal cruelty under s. 828.12 and s. 828.13, the penalties for such conduct, and instructions for reporting suspected animal cruelty or abuse to the appropriate local authorities, including the contact information for at least one appropriate authority for each county in the state.

Section 2. Section 828.2911, Florida Statutes, is created to read:

828.2911 Dog Awareness and Welfare Guidelines (DAWG) Breeder Program. —

(1) The Department of Agriculture and Consumer Services shall establish the Dog Awareness and Welfare Guidelines (DAWG) Breeder Program to recognize dog breeders who have voluntarily adopted and implemented the best management practices for dog breeding. The department shall certify any individual or entity that the department has determined has voluntarily adopted and implemented the best management practices for dog breeding pursuant to s. 828.291 and who has complied with this section. Such certification is good for 2 years and dog breeders may reapply at the expiration of such certification.

(2) Participants in the DAWG Breeder Program must agree to submit to inspection by the Department of Agriculture and Consumer Services, or its designee, and pay the actual cost for such inspection. Subject to appropriations, the department, or its designee, may conduct an inspection of the applicant's dog breeding program including, but not limited to, all animals located on an applicant’s premises, the breeding and housing facility of such animals, and any records of health or sale maintained by the applicant.

(a) The department may contract with and designate local law enforcement or animal services, when local staff and resources are available, or any other public or private entity that the department determines regularly conducts animal welfare investigations, to perform inspections or related investigative activities. Private service providers may include Florida

licensed veterinarians currently in good standing that have been licensed for 10 years.

(b) Local governments or enforcement authorities may contract with the department to conduct breeder inspections subject to the availability of local funding, staff, and resources. If a local government or enforcement authority determines it lacks the staff or resources to perform the inspections, such inspection may be conducted by a department approved private provider, provided that the breeder bears the cost of inspection.

(c) If sufficient resources are not available, the applicant must wait until such resources are available or contract with a private provider designated and approved by the department in order to obtain certification.

(3) If the applicant passes inspection, the department must provide the applicant a DAWG Breeder Program certificate.

(4) The department may suspend or revoke the certification of any DAWG certified dog breeder at any time if the department discovers that such breeder has failed to maintain the best management practices created pursuant to s. 828.291.

(5) A dog breeder who is certified by the program may identify such certification in their professional practice, including in marketing and advertising materials.

(6) Recognition by the program is not required for a dog breeder to engage in dog breeding in the state.

(7) The department shall adopt rules to implement this section.

Section 3. Subsections (5) through (8), (10), (12), (13) and (17) of section 828.29, Florida Statutes, are amended, and subsections (18) is added to that section, to read:

828.29 Dogs and cats transported or offered for sale; health requirements; consumer guarantee; disclosures. —

(5) If, within 30 ~~14~~ days after ~~following~~ the sale by a pet dealer of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies that, at the time of the sale, the animal was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or the presence of internal or external parasites, excluding fleas and ticks; or if, within 1 year after ~~following~~ the sale of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies such animal to be unfit for purchase due to a congenital or hereditary disorder which adversely affects the health of the animal; or if, within 1 year after ~~following~~ the sale of an animal subject to this section, the breed, sex, or health of such animal is found to have been misrepresented to the consumer, the pet dealer shall afford the consumer the right to choose one of the following options:

(a) The right to return the animal and receive a refund of the purchase price, including any interest accrued and ~~the~~ sales

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tax or fees paid or due from the purchaser, and reimbursement for reasonable veterinary costs directly related to the veterinarian's examination and certification that the animal ~~dog or cat~~ is unfit for purchase pursuant to this section or ~~and~~ directly related to necessary emergency services and treatment undertaken to relieve suffering of such animal. If the consumer financed the animal pursuant to a financing agreement with the pet dealer, the pet dealer must ensure that the financing arrangement is terminated without penalty to the consumer;

(b) The right to return the animal and receive an exchange ~~dog or cat~~ of the consumer's choice of equivalent value, and reimbursement for reasonable veterinary costs directly related to the veterinarian's examination and certification that the animal ~~dog or cat~~ is unfit for purchase pursuant to this section or ~~and~~ directly related to necessary emergency services and treatment undertaken to relieve suffering of such animal; or

(c) The right to retain the animal and receive reimbursement for reasonable veterinary costs for necessary services and treatment related to the attempt to cure or curing of the animal, ~~dog or cat.~~ or necessary emergency services or treatment undertaken to relieve the suffering of such animal related to such services received within 1 year of purchase.

Reimbursement for veterinary costs may not exceed the purchase price of the animal. The cost of veterinary services is

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reasonable if such costs are comparable to the cost of similar services rendered by other licensed veterinarians in proximity to the treating veterinarian and the services rendered are related to ~~appropriate for~~ the examination and certification of fitness by the veterinarian.

(6) All financial terms must be disclosed by the pet dealer to the consumer before the sale of an animal, including the total cost of the animal, any fees, taxes and, if applicable, financing charges or interest over the period financed ~~A consumer may sign a waiver relinquishing his or her right to return the dog or cat for congenital or hereditary disorders. In the case of such waiver, the consumer has 48 normal business hours, excluding weekends and holidays, in which to have the animal examined by a licensed veterinarian of the consumer's choosing. If the veterinarian certifies that, at the time of sale, the dog or cat was unfit for purchase due to a congenital or hereditary disorder, the pet dealer must afford the consumer the right to choose one of the following options:~~

~~(a) The right to return the animal and receive a refund of the purchase price, including sales tax, but excluding the veterinary costs related to the certification that the dog or cat is unfit; or~~

~~(b) The right to return the animal and receive an exchange dog or cat of the consumer's choice of equivalent value, but not a refund of the veterinary costs related to the certification~~

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~~that the dog or cat is unfit~~.

(7) Before the sale of an animal, a pet dealer must provide to the consumer copies of records of all medical examinations or tests that were conducted on the animal or any medication given before the purchase of the animal. A pet dealer may specifically state at the time of sale, in writing to the consumer, the presence of specific congenital or hereditary disorders, in which case the consumer has no right to any refund or exchange for those identified disorders, if such consumer signs a notification that indicates that the animal has been examined by a veterinarian and it has been determined that the animal has the identified specific congenital or hereditary disorder.

(8) The refund or exchange required by subsection (5) must ~~or subsection (6) shall~~ be made by the pet dealer not later than 10 business days after ~~following~~ receipt of a signed veterinary certification as required in subsection (5) ~~or subsection (6)~~. The consumer must provide notice and documentation to ~~notify~~ the pet dealer within 7 ~~2 business~~ days after receipt of the veterinarian's determination that the animal is unfit. ~~The written certification of unfitness must be presented to the pet dealer not later than 3 business days following receipt thereof by the consumer.~~

(10) If a pet dealer wishes to contest a demand for veterinary expenses, refund, or exchange made by a consumer

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under this section, the dealer may require the consumer to produce the animal for examination by a licensed veterinarian designated by the dealer. Upon such examination, if the consumer and the dealer are unable to reach an agreement that constitutes one of the options set forth in subsection (5) ~~or subsection (6)~~ within 10 business days after ~~following~~ receipt of the animal for such examination, the consumer may initiate an action in a court of competent jurisdiction, or the county court, small claims court division in the county where the animal owner resides, to recover or obtain reimbursement of veterinary expenses~~,~~ and a refund, or exchange, as set forth in subsection (5), and may collect punitive damages in an amount not less than $2,500, at the discretion of the court.

(12) Every pet dealer who sells an animal to a consumer must provide the consumer at the time of sale with a printed, written notice in 14-point bold font to be signed by the consumer~~, printed or typed~~, which is separate from the contract. The pet dealer shall retain a copy of the signed notice, and the consumer must be given a copy of the signed notice. Such notice must read ~~reads~~ as follows:

RIGHT TO CANCEL

Florida consumers have certain rights under s. 828.29, Florida Statutes. You have the right to: 1) return the animal; 2) exchange the animal; and 3) receive reimbursement for certain

veterinary expenses under certain circumstances. Please have your new pet seen by a veterinarian immediately. A copy of this law is attached to this notice.

It is the consumer's right, pursuant to section 828.29, Florida Statutes, to receive a certificate of veterinary inspection with each animal ~~dog or cat~~ purchased from a pet dealer. Such certificate shall list all vaccines and deworming medications administered to the animal ~~and shall state that the animal,~~ and list any medical diagnosis and treatments. ~~has been examined by a Florida-licensed veterinarian who certifies that, to the best of the veterinarian's knowledge, the animal was found to have been healthy at the time of the veterinary examination.~~ In the event that the consumer purchases the animal and finds it to have been unfit for purchase as provided in section 828.29(5), Florida Statutes, the consumer must notify the pet dealer within 7 ~~2 business~~ days of the veterinarian's determination that the animal was unfit. The consumer has the right to retain, return, or exchange the animal and receive reimbursement for certain related veterinary services rendered to the animal, subject to the right of the dealer to have the animal examined by another veterinarian.

...(Signature of Animal Owner or Lessee, Purchaser, or Authorized Person)...

(13) For the purposes of this section ~~subsections (5)-(12) and (16)~~, the term "pet dealer" means any person, firm, partnership, corporation, or other association which, in the ordinary course of business, engages in the sale of more than three ~~two~~ litters, or 30 ~~20~~ dogs or cats, per year, whichever is greater, to the public. This definition includes breeders of animals who sell such animals directly to a consumer. This definition does not include not-for-profit entities that offer animals for sale or adoption as long as the total cost of such sale or adoption does not exceed $500, including all taxes and fees, or other costs.

(17) Except as otherwise provided in this chapter, a person who violates ~~any provision of~~ this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(18) Any record provided to a consumer related to the sale of an animal under this section must be maintained by the pet dealer for a period of at least 3 years after the date of sale.

Section 4. This act shall take effect July 1, 2026.