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1
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; making technical changes; amending s.
6 767.10, F.S.; revising legislative findings relating
7 to dangerous dogs; reordering and amending s. 767.11,
8 F.S.; revising definitions; amending s. 767.12, F.S.;
9 requiring, rather than authorizing, that dogs subject
10 to certain dangerous dog investigations which have
11 killed or bitten a human being to a certain severity
12 be immediately confiscated, placed in quarantine if
13 necessary, impounded, and held; requiring, rather than
14 authorizing, that such dogs be held until the
15 completion of certain actions; authorizing dogs that
16 are the subject of multiple dangerous dog
17 investigations to be immediately confiscated, placed
18 in quarantine, impounded, and held; requiring that
19 certain dogs not impounded with the animal control
20 authority be confined in a proper enclosure by the
21 owner; requiring the owner of a dog subject to a
22 dangerous dog investigation to provide certain
23 information to an animal control authority; requiring
24 the owner of a dog classified as dangerous to obtain a
25 certificate of registration for the dog from a certain

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26 animal control authority and renew the certification
27 annually; authorizing an animal control authority to
28 issue certain certificates of registration to certain
29 persons if certain conditions have been met, including
30 implantation of a microchip, spaying or neutering the
31 dog, and obtaining limited liability insurance;
32 requiring the owner of a dog classified as a dangerous
33 dog to obtain dangerous dog liability insurance
34 coverage and provide proof of such insurance to a
35 certain animal control authority; providing
36 requirements for such insurance; requiring and
37 authorizing an animal control authority to humanely
38 euthanize a dangerous dog under certain circumstances;
39 requiring an animal shelter, a humane organization, or
40 certain animal control agencies to provide specified
41 information to potential adopters; revising the
42 conditions under which an owner is authorized to
43 exercise a dangerous dog; revising the civil penalty
44 for violations; providing criminal penalties for
45 persons who resist or obstruct an animal control
46 authority; making technical changes; amending s.
47 767.13, F.S.; increasing a penalty for the owner of a
48 dog previously declared dangerous which attacks and
49 causes severe injury to or the death of any human;
50 making technical changes; conforming provisions to

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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

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76 to the safety and welfare of the people of this state because of
77 unprovoked attacks which cause injury to persons and domestic
78 animals; that such attacks are in part attributable to the
79 failure of owners to confine and properly train and control
80 their dogs; that existing laws inadequately address this growing
81 problem; and that it is appropriate and necessary to impose
82 uniform requirements for dog ~~the owners of dangerous dogs~~.

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

85 767.11 Definitions.—As used in this part ~~act~~, unless the
86 context clearly requires otherwise:

87 (3) ~~(1)~~ "Dangerous dog" means a ~~any~~ dog that according to
88 the records of the appropriate authority:

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

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

94 (c) Has, when unprovoked, chased or approached a person
95 upon the streets, sidewalks, or any public grounds in a menacing
96 fashion or apparent attitude of attack, provided that such
97 actions are attested to in a sworn statement by one or more
98 persons and dutifully investigated by the appropriate authority.

99 (7) ~~(2)~~ "Unprovoked" means that the victim who has been
100 conducting himself or herself peacefully and lawfully has been

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101 bitten or chased in a menacing fashion or attacked by a dog.

102 (6)~~(3)~~ "Severe injury" means any physical injury that
103 results in broken bones, multiple bites, or disfiguring
104 lacerations requiring sutures or reconstructive surgery.

105 (5)~~(4)~~ "Proper enclosure ~~of a dangerous dog~~" means, while
106 on the owner's property, a ~~dangerous~~ dog is securely confined
107 indoors or in a securely enclosed and locked pen or structure,
108 suitable to prevent the entry of young children and designed to
109 prevent the dog ~~animal~~ from escaping. The ~~Such~~ pen or structure
110 must ~~shall~~ have secure sides and a secure top to prevent the dog
111 from escaping over, under, or through the structure and must
112 ~~shall~~ also provide protection from the elements.

113 (1)~~(5)~~ "Animal control authority" means an entity acting
114 alone or in concert with other local governmental units and
115 authorized by them to enforce the animal control laws of the
116 city, county, or state. In those areas not served by an animal
117 control authority, the sheriff shall carry out the duties of the
118 animal control authority under this part ~~act~~.

119 (2)~~(6)~~ "Animal control officer" means any individual
120 employed, contracted with, or appointed by the animal control
121 authority for the purpose of aiding in the enforcement of this
122 part ~~act~~ or any other law or ordinance relating to the licensure
123 of animals, control of animals, or seizure and impoundment of
124 animals and includes any state or local law enforcement officer
125 or other employee whose duties in whole or in part include

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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; it placed in quarantine, if necessary, for the proper length of time; ~~it~~ ~~or~~ impounded; and held. The animal must ~~may~~ be held

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151 pending the outcome of the investigation and any hearings or
152 appeals related to the dangerous dog classification or any
153 penalty imposed under this section. If the dog is to be
154 destroyed, the dog may not be destroyed while an appeal is
155 pending. The owner is responsible for payment of all boarding
156 costs and other fees as may be required to humanely and safely
157 keep the animal pending any hearing or appeal.

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

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176 transferred.

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

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

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

186 (3) After the investigation, the animal control authority
187 shall make an initial determination as to whether there is
188 sufficient cause to classify the dog as dangerous and, if
189 sufficient cause is found, as to the appropriate penalty ~~under~~
190 ~~subsection (5)~~. The animal control authority shall afford the
191 owner an opportunity for a hearing before ~~prior to~~ making a
192 final determination regarding the classification or penalty. The
193 animal control authority shall provide written notification of
194 the sufficient cause finding and proposed penalty to the owner
195 by registered mail or ~~7~~ certified hand delivery~~7~~, or service in
196 conformance with the provisions of chapter 48 relating to
197 service of process. The owner may file a written request for a
198 hearing regarding the dangerous dog classification, penalty, or
199 both, within 7 calendar days after receipt of the notification
200 of the sufficient cause finding and proposed penalty. If the

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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 ~~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 ~~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:

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

236 a. A current certificate of rabies vaccination for the
237 dog.

238 b. A proper enclosure to confine the ~~a~~ dangerous dog and
239 the posting of the premises with a clearly visible warning sign
240 at all entry points which informs both children and adults of
241 the presence of a dangerous dog on the property.

242 c. Permanent identification of the dog by, ~~such as a~~
243 ~~tattoo on the inside thigh or electronic~~ implantation of a
244 microchip. Any person who knowingly and willfully removes a
245 microchip implanted pursuant to this sub-subparagraph commits a
246 felony of the third degree, punishable as provided in s.
247 775.082, s. 775.083, or s. 775.084.

248 d. The dog having been spayed or neutered.

249 e. Liability insurance as required by subparagraph 2.
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251 The appropriate governmental unit may impose an annual fee for
252 the issuance of certificates of registration required by this
253 section.

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

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

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

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

271 a. The new owner must comply with ~~all of the requirements~~
272 ~~of~~ this section and any implementing local ordinances, even if
273 the animal is moved from one local jurisdiction to another
274 within this the state, ~~and. The animal control officer~~ must
275 notify the animal control authority ~~be notified by the owner of~~

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276 ~~a dog classified as dangerous~~ that the dog is in the authority's
277 ~~his or her~~ jurisdiction.

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

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

293 ~~5.3. Not allow permit~~ the dog to be outside a proper
294 enclosure unless the dog is muzzled and restrained by a
295 substantial chain or leash and under control of a competent
296 person. The muzzle must be made in a manner that will not cause
297 injury to the dog or interfere with its vision or respiration
298 but will prevent it from biting a person or an animal. The owner
299 may exercise the dog on the owner's property in a proper
300 enclosure ~~securely fenced or enclosed area that does not have a~~

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

307 (b) If a dog is classified as a dangerous dog due to an
308 incident that causes severe injury to a human being, based upon
309 the nature and circumstances of the injury and the likelihood of
310 a future threat to the public safety, health, and welfare, the
311 dog may be destroyed in an expeditious and humane manner.

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

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

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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; 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 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

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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 7. 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

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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.