

## CS/HB 559 – Animal Welfare

This bill amends multiple statutes. First, it amends s. 828.12, F.S., adding a **Level 6, 3<sup>rd</sup> degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits” the following Level 5, 3<sup>rd</sup> degree felony: “a person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty...” Per DOC, in FY 24-25, there were 20 new commitments for the Level 5, 3<sup>rd</sup> degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved.

Additionally, the bill amends s. 828.122, F.S, adding a **Level 6, 3<sup>rd</sup> degree felony** for when “a person 18 years of age of older...causes or entices a minor to commit, or in the presence of a minor commits...” the current Level 1, 3<sup>rd</sup> degree felony for a list of acts related to animal fighting or baiting. It then raises this felony to a **Level 5, 3<sup>rd</sup> degree felony**. Per DOC, in FY 24-25, there were no new commitments for this Level 1, 3<sup>rd</sup> degree felony.

Finally, the bill amends s. 828.126, F.S., adding a **Level 7, 3<sup>rd</sup> degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” a Level 6, 3<sup>rd</sup> degree felony for a list of acts related to sexual activities involving animals. Per DOC, in FY 24-25, there were 5 new commitments for this Level 6, 3<sup>rd</sup> degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved. However, there are penalties under Chapter 827, where “sexual conduct” is defined with the inclusion of sexual bestiality, with felonies against similarly defined acts under s. 827.071, F.S. (sexual performance by a child). Per DOC, in FY 24-25, there was one new commitment involving such an act, though sexual conduct is broadly defined. Lastly, sexual conduct is also used for the 1<sup>st</sup> degree misdemeanor under s. 827.11, F.S. (expose children to an adult live performance). There were no arrests or convictions/adjudications withheld for this 1<sup>st</sup> degree misdemeanor in FY 24-25.

**CONFERENCE ADOPTED ESTIMATE: Positive Insignificant**

**Requested by: House**