

West's Florida Statutes Annotated

Title XLV. Torts (Chapters 766-774) (Refs & Annos)

Chapter 767. Damage by Dogs; Dangerous Dogs (Refs & Annos)

Part II. Dangerous Dogs

West's F.S.A. § 767.13

767.13. Attack or bite by dangerous dog; penalties; confiscation; destruction

Effective: March 8, 2016

[Currentness](#)

(1) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner 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 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 to request a hearing under [s. 767.12](#). The owner 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 is guilty of a felony of the third degree, punishable as provided in [s. 775.082](#), [s. 775.083](#), or [s. 775.084](#). In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time 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 to request a hearing under [s. 767.12](#). The owner 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.

(3) 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.

(4) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner is not guilty of any crime specified under this section.

Credits

[Laws 1990, c. 90-180, § 4](#); [Laws 1993, c. 93-13, § 4](#); [Laws 1994, c. 94-339, § 4](#). Amended by [Laws 2016, c. 2016-16, § 3](#), eff. March 8, 2016.

West's F. S. A. § 767.13, FL ST § 767.13

Current through the 2017 First Regular Session and Special "A" Session of the 25th Legislature