

NCSPHS AMENDMENT

The Neighborhoods, Community Services, Public Health & Safety Committee offers the following amendment to File No. 2020-614:

- (1) On **page 1, line 10, strike** "THOSE";
- (2) On **page 1, lines 15-16, and page 6, line 16, and lines 21-22, strike** "(False or fraudulent proof of need for an emotional support animal)" and **insert** "(Unlawful practices and penalties)";
- (3) On **page 6, line 6½, insert** the following:

"Sec. 406.506. Interference with or injury to a service animal; penalties; restitution.

(1) A person who, with reckless disregard, interferes with, or permits a dog that he or she owns or is in the immediate control of to interfere with, the use of a service animal by obstructing, intimidating, or otherwise jeopardizing the safety of the service animal or its user commits a misdemeanor of the second degree for the first offense and a misdemeanor of the first degree for each subsequent offense, punishable as provided in Section 775.082, *Florida Statutes*, or Section 775.083, *Florida Statutes*.

(2) A person who, with reckless disregard, injures or kills, or permits a dog that he or she owns or is in the immediate control of to injure or kill, a service animal commits a misdemeanor of the first degree, punishable as provided in Section 775.082, *Florida Statutes*, or Section 775.083, *Florida Statutes*.

(3) A person who intentionally injures or kills, or permits a dog that he or she owns or is in the immediate control of to injure or kill, a service animal commits a

felony of the third degree, punishable as provided in Section 775.082, *Florida Statutes*, Section 775.083, *Florida Statutes*, or Section 775.084, *Florida Statutes*.

(4) (a) A person who is convicted of a violation of this section, in addition to any other penalty, must make full restitution for all damages that arise out of or are related to the offense, including incidental and consequential damages incurred by the service animal's user.

(b) Restitution includes the value of the service animal; replacement and training or retraining expenses for the service animal and the user; veterinary and other medical and boarding expenses for the service animal; medical expenses for the user; and lost wages or income incurred by the user during any period that the user is without the services of the service animal.”;

- (4) On **page 6, line 7, strike “406.506” and insert “406.507”;**
- (5) On **page 6, lines 13 and 18, strike “those” and insert “individuals”;**
- (6) On **page 6, lines 17 and 22, after “Chapter 462” insert “, Ordinance Code”;**
- (7) On **page 8, line 15, after “alleviates” insert “one”;**
- (8) On **page 9, line 2, strike “a poses” and insert “poses a”;**
- (9) On **page 10, line 3, strike “support” and insert “supports”;**
- (10) On **page 11, line 5, strike “person” and insert “persons”;**
- (11) On **page 1, line 1, amend the introductory sentence to add that the bill was amended as reflected herein.**

Form Approved:

/s/ Margaret M. Sidman

Office of General Counsel

Legislation Prepared By: Paige H. Johnston

GC-#1399969-v1-2020-614_NCSPHS_Amd.docx