

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 765 Unlawful Slaughter of Horses

SPONSOR(S): Garcia and others

TIED BILLS: IDEN./SIM. BILLS: SB 1708

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Agriculture & Natural Resources Policy Committee		Thompson	Reese
2)	Criminal & Civil Justice Appropriations Committee			
3)	General Government Policy Council			
4)				
5)				

SUMMARY ANALYSIS

It has recently been reported that South Florida has experienced an increase in the illegal horse meat market. In response, in 2009, the Miami-Dade County Board of County Commissioners issued a resolution¹ urging the Florida Legislature to increase the criminal penalties related to the unlawful slaughter of horses.

The bill, in part:

- Creates four new horse meat for human consumption offenses: transporting, distributing, purchasing, or possessing.
- Increases the penalties for said offenses to a third degree unranked felony.
- Authorizes the sentencing of violent career criminals, habitual felony and habitual violent felony offenders, and three-time violent felony offenders of the horse meat for human consumption provision.
- Provides for a minimum mandatory fine of \$3,500 and a minimum mandatory period of incarceration of one year for violations of said offenses.
- Authorizes the suspension of any license of any restaurant, store, or other business, as provided for in the applicable licensing law, upon the conviction of an owner or employee of said business for a violation of the horse meat for human consumption provision.
- Expands the classification of protection for registered breeds of horses to include any animal of the genus Equus (horse) and provides for a minimum mandatory fine of \$3,500 and period of incarceration of one year for violations of the horse killing or aggravated abuse provision.

Although the bill creates a new third degree felony, the Department of Corrections anticipates an insignificant fiscal impact. The Criminal Justice Impact Conference determined that the bill will have an insignificant impact on prison admissions and populations. It is impossible to forecast how many violations might occur, thus the actual fiscal impact on state and local governments is unknown. Associated medical and insurance costs to the private sector may be reduced. (See Fiscal Comments section for additional details)

The bill has an effective date of October 1, 2010.

¹ Miami-Dade Resolution No. R.-1215-09