

### 32.10 CONFINEMENT OR ABANDONMENT OF AN ANIMAL

§ 828.13(2), Fla. Stat.

**To prove the crime of Confinement or Abandonment of an Animal, the State must prove the following element beyond a reasonable doubt:**

*Give a., b., or c., or some combination as applicable.*

(Defendant)

- a. impounded or confined an animal in a place and failed to supply that animal during the confinement with a sufficient quantity of good and wholesome food and water**
- b. kept an animal in any enclosure without wholesome exercise and change of air.**
- c. abandoned to die an animal that was maimed, sick, infirm, or diseased.**

**“Abandon” means to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner.**

#### Lesser Included Offenses

#### CONFINEMENT OR ABANDONMENT OF AN ANIMAL — 828.13(2)

| CATEGORY ONE | CATEGORY TWO             | FLA. STAT. | INS. NO. |
|--------------|--------------------------|------------|----------|
| None         |                          |            |          |
|              | Animal Cruelty           | 828.12(1)  | 30.2     |
|              | Abandonment of an Animal | 828.13(3)  | 30.7     |
|              | Attempt                  | 777.04(1)  | 5.1      |

#### Comment

This instruction was adopted on March 20, 2026.