

32.11 ABANDONMENT OF AN ANIMAL

§ 828.13(3), Fla. Stat.

To prove the crime of Abandonment of an Animal, the State must prove the following two elements beyond a reasonable doubt:

1. (Defendant) **[was the owner or possessor] [or] [had charge of or custody of] an animal, to wit:** (insert animal in charging document).

Give 2a or 2b or both as applicable.

2. (Defendant) **abandoned that animal**

- a. **to suffer injury or malnutrition.**

- b. **in a street, road, or public place without providing for the care, sustenance, protection, and shelter of the animal.**

“Owner” includes any owner, custodian, or other person in charge of an animal.

Give if applicable. § 828.02, Fla. Stat.

“Person” includes a corporation.

“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

ABANDONMENT OF AN ANIMAL — 828.13(3)			
CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Animal Cruelty	828.12(1)	30.1
	Confinement or Abandonment of an Animal	828.13(2)	30.6
	Attempt	777.04(1)	5.1

Comment

This instruction was adopted on March 20, 2026.