

32.9 RESTRAIN AND ABANDON A DOG DURING A NATURAL DISASTER

§ 828.13(4), Fla. Stat.

To prove the crime of Restrain and Abandon a Dog During a Natural Disaster, the State must prove the following two elements beyond a reasonable doubt:

- 1. (Defendant) restrained a dog outside during a natural disaster.**
- 2. Thereafter, (defendant) abandoned that dog.**

“Restrain” means to attach a dog to a stationary object or trolley system by way of a chain, rope, tether, leash, cable, or other device.

“Natural disaster” means a situation in which a hurricane, tropical storm, or tornado warning has been issued for a municipality or a county by the National Weather Service, or the municipality or county is under a mandatory or voluntary evacuation order.

“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

RESTRAIN AND ABANDON A DOG DURING A NATURAL DISASTER — 828.13(4)			
CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Aggravated Animal Cruelty	828.12(2)	30.1
	Animal Cruelty	828.12(1)	30.2
	Confinement or Abandonment of an Animal	828.13(2)	30.6
	Abandonment of an Animal	828.13(3)	30.7
	Attempt	777.04(1)	5.1

Comment

This instruction was adopted on March 20, 2026.