

By the Committee on Water & Resource Management and  
Representative Feeney

1                                   A bill to be entitled  
2           An act relating to wildlife; creating s.  
3           372.7015, F.S.; providing a fine for the  
4           illegal taking or killing of wildlife or game;  
5           providing for the disposition of the fine;  
6           creating s. 372.7016, F.S.; establishing a  
7           "Voluntary Authorized Hunter Identification  
8           Program"; providing that persons who hunt on  
9           private land enrolled in the program must have  
10          identification and authorization available  
11          while hunting when demanded by law enforcement  
12          officers; providing definitions; providing  
13          penalties for violations; amending s. 810.09,  
14          F.S.; providing that unauthorized persons  
15          shooting lethal projectiles across private land  
16          are guilty of trespassing; providing  
17          definitions; providing penalties; providing an  
18          effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22           Section 1. Section 372.7015, Florida Statutes, is  
23          created to read:

24           372.7015 Illegal killing, taking, possessing, or  
25          selling wildlife or game; fines; disposition of fines.--In  
26          addition to any other penalty provided for in this chapter for  
27          illegally killing, taking, possessing, or selling wildlife or  
28          game in or out of season, any person who violates the criminal  
29          provisions of this chapter and rules adopted pursuant to this  
30          chapter by illegally killing, taking, possessing, or selling  
31          wildlife or game in or out of season shall pay a fine of \$250

1 for each such violation, plus court costs and any restitution  
2 ordered by the court. All fines collected under this section  
3 shall be deposited into the Game and Fresh Water Fish  
4 Commission's State Game Trust Fund.

5 Section 2. Section 372.7016, Florida Statutes, is  
6 created to read:

7 372.7016 Voluntary Authorized Hunter Identification  
8 Program.--

9 (1) There is created the "Voluntary Authorized Hunter  
10 Identification Program" to assist landowners and law  
11 enforcement officials in better controlling trespass and  
12 illegal or unauthorized hunting. Landowners wishing to  
13 participate in the program shall:

14 (a) Annually notify the sheriff's office in the county  
15 in which the land is situated and the respective area  
16 supervisor of the Game and Fresh Water Fish Commission by  
17 letter of their desire to participate in the program, and  
18 provide a description of their property which they wish to  
19 have in the program by township, range, section, partial  
20 section, or other geographical description.

21 (b) Provide a means of identifying authorized hunters  
22 as provided in subsection (2).

23 (2) Any person hunting on private land enrolled in the  
24 Voluntary Authorized Hunter Identification Program shall have  
25 readily available on the land at all times when hunting on the  
26 property written authorization from the owner or his or her  
27 authorized representative to be on the land for the purpose of  
28 hunting. The written authorization shall be presented on  
29 demand to any law enforcement officer, the owner, or the  
30 authorized agent of the owner.

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1           (a) For purposes of this section, the term "hunting"  
2 means to be engaged in or reasonably equipped to engage in the  
3 pursuit or taking by any means of any animal described in s.  
4 372.001(3), or s. 372.001(4), and the term "written  
5 authorization" means a card, letter, or other written  
6 instrument which shall include, but need not be limited to,  
7 the name of the person or entity owning the property, the name  
8 and signature of the person granting the authorization, a  
9 description by township, range, section, partial section, or  
10 other geographical description of the land to which the  
11 authorization applies, and a statement of the time period  
12 during which the authorization is valid.

13           (b) Failure by any person hunting on private land  
14 enrolled in the program to present written authorization to  
15 hunt on said land to any law enforcement officer or the owner  
16 or representative thereof within 72 hours of demand shall be  
17 prima facie evidence of violation of s. 810.09(2)(c),  
18 punishable as provided in s. 775.082, s. 775.083, or s.  
19 775.084. However, such evidence may be contradicted or  
20 rebutted by other evidence.

21           Section 3. Paragraph (f) is added to subsection (2) of  
22 section 810.09, Florida Statutes, 1996 Supplement, to read:

23           810.09 Trespass on property other than structure or  
24 conveyance.--

25           (2)

26           (f) Any person who in taking or attempting to take any  
27 animal described in s. 372.001(3) or s. 372.001(4), or in  
28 killing, attempting to kill, or endangering any animal  
29 described in s. 585.01(13) knowingly propels or causes to be  
30 propelled any potentially lethal projectile over or across  
31 private land without authorization commits trespass, a felony

1 of the third degree, punishable as provided in s. 775.082, s.  
2 775.083, or s. 775.084. For purposes of this paragraph, the  
3 term "potentially lethal projectile" includes any projectile  
4 launched from any firearm, bow, crossbow or similar tensile  
5 device. This section shall not apply to any governmental  
6 agent or employee acting within the scope of his or her  
7 official duties.

8 Section 4. This act shall take effect October 1, 1997.

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