

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 by law, any person who
27 violates the criminal provisions of this chapter and rules
28 adopted pursuant to this chapter by illegally killing, taking,
29 possessing, or selling game or fur-bearing animals as defined
30 in s. 372.001(3) or s. 372.001(4) in or out of season while
31 violating chapter 810 shall pay a fine of \$250 for each such

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

31

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 7 days 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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