

By the Committee on Natural Resources

312-351-00

1 A bill to be entitled
2 An act relating to licenses issued by the Fish
3 and Wildlife Conservation Commission; amending
4 s. 372.57, F.S.; providing for noncommercial
5 saltwater fishing licenses; providing for
6 exceptions; providing for a combination license
7 to hunt and take freshwater and saltwater fish;
8 providing for a combination freshwater and
9 saltwater fishing license; authorizing the
10 commission to issue temporary saltwater fishing
11 licenses for special events in management areas
12 for certain persons; providing that no fee is
13 charged for such temporary licenses; amending
14 s. 372.561, F.S.; requiring the commission to
15 issue licenses and permits to take wild animal
16 life or freshwater or saltwater aquatic life
17 upon proof of the applicant that he or she is
18 entitled to such a permit or license; providing
19 that licenses and permits for hunting,
20 saltwater fishing, and freshwater fishing must
21 be issued, without fee, to certain disabled
22 persons; amending s. 372.574, F.S.; providing
23 for the replacement of a lost or destroyed
24 license or permit; providing a fee; providing
25 that the license or permit is nontransferable;
26 specifying unlawful acts; providing penalties;
27 amending s. 372.66, F.S.; deleting the
28 nonresident fur dealer agent license, the
29 resident fur dealer agent license, and the
30 resident local fur dealer license; amending ss.
31 372.571, 372.5712, 372.5715, 372.573, 372.661,

1 F.S.; conforming cross-references; repealing s.
2 370.0605, F.S., relating to saltwater fishing
3 licenses; providing an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Section 372.57, Florida Statutes, is
8 amended to read:

9 372.57 Licenses and permits; exemptions; fees.--No
10 person, except as provided herein, shall take or possess game,
11 freshwater fish, saltwater fish, or fur-bearing animals within
12 this state without having first obtained a license, permit, or
13 authorization and paid the fees hereinafter set forth, unless
14 such license is issued without fee as provided in s. 372.561.
15 A person may not operate any vessel for which a fee is paid
16 either directly or indirectly for the purpose of taking,
17 attempting to take, or possessing any saltwater fish for
18 noncommercial purposes, unless he or she has been issued an
19 authorization or has obtained a license for each vessel for
20 that purpose and has paid the license fee imposed under this
21 section for such a vessel.Such license, permit, or
22 authorization shall authorize the person to whom it is issued
23 to take game, freshwater fish, saltwater fish, or fur-bearing
24 animals in accordance with law and commission rules. Such
25 license, permit, or authorization is not transferable.
26 One-year licenses must be dated when issued and remain valid
27 for 12 months after the date of issuance.Each license or
28 permit must bear on its face in indelible ink the name of the
29 person to whom it is issued and other information requested by
30 the commission, and, if the license is issued to the owner,
31 operator, or custodian of a vessel for which a fee is paid

1 either directly or indirectly for the purpose of taking or
2 attempting to take or possess saltwater fish for noncommercial
3 purposes, the vessel registration number or federal
4 documentation number must be included. Such license, permit,
5 or authorization issued by the commission or any agent must be
6 in the personal possession of the person to whom issued while
7 taking game, freshwater fish, saltwater fish, or fur-bearing
8 animals. The failure of such person to exhibit such license,
9 permit, or authorization to the commission or its wildlife
10 officers, when such person is found taking game, freshwater
11 fish, saltwater fish, or fur-bearing animals, is a violation
12 of law. A positive form of identification is required when
13 using an authorization, a lifetime license, a 5-year license,
14 or when otherwise required by the license or permit. The
15 lifetime licenses and 5-year licenses provided herein shall be
16 embossed with the name, date of birth, the date of issuance,
17 and other pertinent information as deemed necessary by the
18 commission. A certified copy of the applicant's birth
19 certificate shall accompany all applications for a lifetime
20 license for residents 12 years of age and younger. Each
21 applicant for a license, permit, or authorization shall
22 provide the applicant's social security number on the
23 application form. Disclosure of social security numbers
24 obtained through this requirement shall be limited to the
25 purpose of administration of the Title IV-D child support
26 enforcement program and use by the commission, and as
27 otherwise provided by law.

- 28 (1) A license or permit is not required for:
29 (a) Any child under 16 years of age except as
30 otherwise provided in this chapter.

31

1 (b) Any person hunting or fishing in the person's
2 county of residence on the person's homestead or the homestead
3 of the person's spouse or minor child, or any minor child
4 hunting or fishing on the homestead of her or his parent.

5 (c) Any resident who is a member of the Armed Forces
6 of the United States, who is not stationed in this state, when
7 home on leave for 30 days or less, upon submission of orders.

8 (d) Any resident when fishing with live or natural
9 bait, using poles or lines which are not equipped with a
10 fishing line retrieval mechanism, and fishing for
11 noncommercial purposes in the county of her or his residence,
12 except on legally established fish management areas. This
13 paragraph, as amended by chapter 76-156, Laws of Florida, may
14 be cited as the "Dempsey J. Barron, W. D. Childers, and Joe
15 Kershaw Cane Pole Tax Repeal Act of 1976."

16 (e) Any person fishing in a fish pond of 20 acres or
17 less which is located entirely within the private property of
18 the fish pond owner.

19 (f) Any person fishing in a fish pond which is
20 licensed in accordance with s. 372.5705.

21 (g) Any Florida resident fishing in salt water from
22 land or from a structure fixed to the land.

23 (h) Any person fishing from a vessel the operator of
24 which is licensed under subsection (1).

25 (i) Any person who holds a valid saltwater products
26 license issued under s. 370.06(2).

27 (j)~~(g)~~ Any person fishing who has been accepted as a
28 client for developmental services by the Department of
29 Children and Family Services, which department shall furnish
30 such person proof thereof.

31

1 (k) Any person fishing from a pier for the purpose of
2 taking or attempting to take or possess saltwater fish for
3 noncommercial purposes licensed under this section.

4 (l) Any person fishing for the purpose of taking or
5 attempting to take or possess saltwater fish for noncommercial
6 purposes from a vessel that is licensed under this section.

7 (m) Any Florida resident who is fishing for mullet in
8 fresh water and has a valid Florida freshwater fishing
9 license.

10 (n) Any Florida resident fishing for a saltwater
11 species in fresh water from land or from a structure fixed to
12 the land.

13 (o)~~(h)~~ Any resident 65 years of age or older who has
14 in her or his possession proof of age and residency. A free
15 license may be obtained from any tax collector's office upon
16 proof of age and residency.

17 (2) For residents and nonresidents, the license and
18 fees for noncommercial freshwater and saltwater fishing and
19 for hunting and trapping in this state, and the activity
20 authorized thereby, are as follows:

21 (a) A fishing license for a resident to take
22 freshwater or saltwater fish in this state is \$12 each for a
23 1-year license. For a resident, a freshwater license or a
24 saltwater license that is valid for 5 consecutive years from
25 the date of purchase is \$60.

26 (b) A fishing license for a nonresident to take
27 freshwater or saltwater fish in this state for 7 consecutive
28 days is \$15.

29 (c) For a nonresident, an annual ~~A~~ fishing license for
30 ~~a nonresident~~ to take freshwater fish or an annual license to
31 take saltwater fish in this state is \$30.

1 (d) A combination fishing and hunting license for a
2 resident to take freshwater fish and game in this state is
3 \$22.

4 (e) A combination fishing license for a resident to
5 take freshwater and saltwater fish is \$24.

6 (f) A combination license to hunt and take freshwater
7 and saltwater fish is \$34.

8 (g)1. For a person who operates a vessel that is
9 licensed to carry more than 10 customers and for which a fee
10 is paid, either directly or indirectly, for the purpose of
11 taking or attempting to take saltwater fish, the license is
12 \$800 per year. The license must be kept aboard the vessel at
13 all times.

14 2. For a person who operates a vessel that is licensed
15 to carry no more than 10 customers, or for a person who is
16 licensed to operate a vessel carrying 6 or fewer customers,
17 for which a fee is paid, either directly or indirectly, for
18 the purpose of taking or attempting to take saltwater fish,
19 the license is \$400 per year; however, for a person who is
20 licensed to operate a vessel carrying 6 or fewer customers but
21 who operates a vessel carrying 4 or fewer customers, for which
22 a fee is paid, either directly or indirectly, for such
23 purposes, the license is \$200 per year. The license must be
24 kept aboard the vessel at all times.

25 3. A person who operates a vessel required to be
26 licensed under subparagraph 1. or subparagraph 2. may obtain a
27 license in his or her own name, and the license is
28 transferable and applicable to any vessel operated by the
29 purchaser if the purchaser has paid the appropriate license
30 fee.

31

1 4. For any pier fixed to the land for the purpose of
2 taking or attempting to take saltwater fish therefrom, a
3 fishing license is \$500 per year. The owner, operator, or
4 custodian of such a pier may buy the annual \$500 license. The
5 purchaser of such a license must have the license available
6 for inspection at all times.

7 5. For a recreational vessel not for hire and for
8 which no fee is paid either directly or indirectly by guests,
9 for the purpose of taking or attempting to take saltwater fish
10 noncommercially, a fishing license is \$2,000 per year. The
11 license may be purchased at the option of the vessel owner and
12 must be kept aboard the vessel at all times. The licensee
13 shall maintain a log of species taken and the date the species
14 were taken and shall file a copy of the log with the Fish and
15 Wildlife Conservation Commission at the time of renewal of the
16 license.

17 (h)~~(e)~~ A hunting license for a resident to take game
18 in this state is \$11.

19 (i)~~(f)~~ A hunting license for a nonresident to take
20 game in this state is \$150.

21 (j)~~(g)~~ A hunting license for a nonresident to take
22 game in this state for 10 consecutive days is \$25.

23 (k)~~(h)~~ A license for a resident and nonresident to
24 take fur-bearing animals in this state is \$25.

25 (l)~~(i)~~ A sportsman's license for a resident is \$66.
26 The sportsman's license authorizes the holder to take
27 freshwater fish and game, subject to state and federal
28 regulations and rules of the commission in effect at the time
29 of taking, and authorizes the same activities authorized by a
30 management area permit, a muzzle-loading gun permit, a turkey
31

1 permit, a Florida waterfowl permit, and an archery permit. A
2 nonresident may not purchase a sportsman's license.

3 (m) License fees paid under this subsection are
4 nonrefundable and may not be used as credit toward any other
5 license fee required by this chapter. No other license fee
6 paid pursuant to this chapter may be used as credit towards
7 the license fees required by this subsection. The owner,
8 operator, or custodian of a vessel the operator of which has
9 been licensed under this section must maintain and report such
10 statistical data as required by, and in a manner set forth in,
11 the rules of the commission.

12 (3) The Fish and Wildlife Conservation Commission may
13 issue a temporary saltwater fishing license, upon request, to
14 any governmental or nonprofit organization that sponsors 1-day
15 special events in fishing management areas for individuals who
16 have physical, mental, or emotional disabilities or for the
17 economically disadvantaged. A fee may not be charged for such
18 a temporary license. The temporary license is valid for 1 day
19 and must designate the date and the maximum number of
20 individuals that it applies to.

21 (4)(3) A resident or nonresident taking fur-bearing
22 animals by the use of guns or dogs only and not by the use of
23 traps or other devices, and not for commercial purposes, who
24 has purchased the license provided for hunting in this
25 section, received a no-cost license, or is exempt from the
26 license requirements of this chapter is not required to
27 purchase a the license provided in paragraph (2)(h). A
28 resident who is age 65 or older is not required to purchase
29 the license provided in paragraph (2)(h).

30 (5)(4) In addition to any license required by this
31 chapter, the following permits and fees for certain hunting,

1 fishing, and recreational uses, and the activities authorized
2 thereby, are:

3 (a) A Florida waterfowl permit to take wild ducks or
4 geese within this state or its coastal waters is \$3.

5 (b)1. Management area permits to hunt, freshwater
6 fish, or otherwise use for outdoor recreational purposes, land
7 owned, leased, or managed by the commission or the State of
8 Florida for the use and benefit of the commission, up to \$25
9 annually. Permits, and fees thereof, for short-term use of
10 land which is owned, leased, or managed by the commission may
11 be established by rule of the commission for any activity on
12 such lands. Such permits and fees may be in lieu of or in
13 addition to the annual management area permit. Other than for
14 hunting or freshwater fishing, ~~the provisions of this~~
15 paragraph does ~~shall~~ not apply on any lands not owned by the
16 commission, unless the commission has ~~shall have~~ obtained the
17 written consent of the owner or primary custodian of such
18 lands.

19 2. A recreational user permit fee to hunt, fish in
20 fresh water, or otherwise use for outdoor recreational
21 purposes, land leased by the commission from private
22 nongovernmental owners, except for those lands located
23 directly north of the Apalachicola National Forest, east of
24 the Ochlockonee River until the point the river meets the dam
25 forming Lake Talquin, and south of the closest federal
26 highway. The fee for this permit shall be based upon economic
27 compensation desired by the landowner, game population levels,
28 desired hunter density, and administrative costs. The permit
29 fee shall be set by commission rule on a per-acre basis. On
30 property currently in the private landowner payment program,
31 the prior year's landowner payment shall be used to augment

1 the recreational user permit fee so as to decrease the permit
2 fee for the users of that property. One minor dependent child,
3 16 years old or under, per permittee may hunt under the
4 supervision of the permittee and is exempt from the permit
5 fee. The spouse and dependent children of a permittee are
6 exempt from the permit fee when engaged in outdoor
7 recreational activities other than hunting in the company of
8 the permittee. Notwithstanding any other provision of this
9 chapter, there are no other exclusions, exceptions, or
10 exemptions from this permit fee. The recreational user permit
11 fee, less an administrative permit fee of up to \$25 per
12 permit, shall be remitted to the landowner as provided in the
13 lease agreement for each area.

14 (c) A muzzle-loading gun permit to hunt within this
15 state with a muzzle-loading gun during those game seasons in
16 which hunting with a modern firearm is not allowed is \$5.

17 (d) An archery permit to hunt within this state with a
18 bow and arrow during those game seasons in which hunting with
19 a firearm is not allowed is \$5.

20 (e) A Florida turkey permit to take wild turkeys
21 within this state is \$5.

22 (f) A special use permit for limited entry hunting or
23 freshwater fishing, where such hunting or freshwater fishing
24 is authorized by commission rule, shall be up to \$100 per day
25 but shall not exceed \$250 per week. Notwithstanding any other
26 provision of this chapter, there are no exclusions,
27 exceptions, or exemptions from this fee. In addition to the
28 fee, the commission may charge each applicant for a special
29 use permit a nonrefundable application fee of up to \$10.

30
31

1 (g) The fee for a permanent hunting and freshwater
2 fishing license for a resident 64 years of age or older is
3 \$12.

4 ~~(6)(5)~~ The commission may ~~is authorized to~~ reduce the
5 fees for licenses and permits under this section for residents
6 of those states with which the commission has entered into
7 reciprocal agreements with respect to such fees.

8 ~~(7)(6)~~ The commission may designate by rule no more
9 than 2 consecutive or nonconsecutive days in each year as free
10 fishing days. Notwithstanding any other provision of this
11 chapter, any person may take freshwater fish or saltwater fish
12 for noncommercial purposes on a free fishing day without
13 obtaining or possessing a license or paying a license fee as
14 prescribed in this section. A person who takes freshwater
15 fish or saltwater fish on a free fishing day without obtaining
16 a license or paying a fee must comply with all laws and
17 regulations governing holders of a fishing license and all
18 other conditions and limitations regulating the taking of
19 freshwater fish as are imposed by law or rule.

20 ~~(8)(7)~~ A resident lifetime sportsman's license
21 authorizes the holder to engage in the following noncommercial
22 activities:

23 (a) To take or attempt to take or possess freshwater
24 fish, saltwater ~~marine~~ fish, and game, consistent with state
25 and federal regulations and rules of the commission in effect
26 at the time of taking.

27 (b) All activities authorized by a management area
28 permit, a muzzle-loading gun permit, a turkey permit, an
29 archery permit, a Florida waterfowl permit, a snook permit,
30 and a crawfish permit.

31

1 (9)~~(8)~~ The fee for a resident lifetime sportsman's
2 license is:
3 (a) 4 years of age or younger.....\$400
4 (b) 5-12 years of age.....\$700
5 (c) 13 years of age or older.....\$1,000
6 (10)~~(9)~~ A resident lifetime hunting license authorizes
7 the holder to engage in the following noncommercial
8 activities:
9 (a) To take or attempt to take or possess game
10 consistent with state and federal regulations and rules of the
11 commission in effect at the time of taking.
12 (b) All activities authorized by a management area
13 permit, excluding fishing, a muzzle-loading gun permit, a
14 turkey permit, an archery permit, and a Florida waterfowl
15 permit.
16 (11)~~(10)~~ The fee for a resident lifetime hunting
17 license shall be:
18 (a) 4 years of age or younger.....\$200
19 (b) 5-12 years of age.....\$350
20 (c) 13 years of age or older.....\$500
21 (12)~~(11)~~ A resident lifetime freshwater fishing
22 license authorizes the holder to engage in the following
23 noncommercial activities:
24 (a) To take or attempt to take or possess freshwater
25 fish consistent with state and federal regulations and rules
26 of the commission in effect at the time of taking.
27 (b) All activities authorized by a management area
28 permit, excluding hunting.
29 (13)~~(12)~~ The fee for a resident lifetime freshwater
30 fishing license shall be:
31 (a) 4 years of age or younger.....\$125

1 (b) 5-12 years of age.....\$225
2 (c) 13 years of age or older.....\$300
3 ~~(14)(13)~~ Fees collected pursuant to ~~s. 370.0605(2)~~ for
4 annual saltwater fishing licenses and an amount equal to the
5 cost of annual saltwater fishing licenses when sold as a
6 combination license, 5-year saltwater fishing licenses, fees
7 collected pursuant to s. 370.0605(6)(e) for replacement
8 annual, 5-year, and lifetime licenses, fees collected pursuant
9 to s. 370.0615 for lifetime saltwater fishing licenses, and 30
10 percent of the fee for the lifetime sportsman's license shall
11 be transferred within 30 days following the last day of the
12 month in which the license fees were received by the
13 commission to the Marine Resources Conservation Trust Fund.
14 ~~(15)(14)~~ The following 5-year licenses are authorized:
15 (a) A 5-year freshwater fishing license for a resident
16 to take or attempt to take or possess freshwater fish in this
17 state for 5 consecutive years is \$60 and authorizes the holder
18 to engage in noncommercial activities to take or attempt to
19 take or possess freshwater fish consistent with state and
20 federal regulations and rules of the commission in effect at
21 the time of taking.
22 (b) A 5-year hunting license for a resident to take or
23 attempt to take or possess game in this state for 5
24 consecutive years is \$55 and authorizes the holder to engage
25 in noncommercial activities to take or attempt to take or
26 possess game consistent with state and federal regulations and
27 rules of the commission in effect at the time of taking.
28 ~~(c)1.~~ The 5-year licenses provided for in this section
29 must be embossed with the applicant's name, date of birth, and
30 such other pertinent information as the commission considers
31 necessary.

1 2. A 5-year license that was purchased by a resident
2 of this state who subsequently resides in another state will
3 be honored for activities authorized by the license.

4 3. A positive form of identification is required when
5 using a 5-year license.

6 ~~(16)~~~~(15)~~ Proceeds from the sale of 5-year licenses as
7 provided in this chapter, unless otherwise specified, must
8 ~~shall~~ be deposited into the Dedicated License Trust Fund.
9 One-fifth of the total proceeds derived from the sale of
10 5-year licenses, replacement 5-year licenses, and all interest
11 derived therefrom shall be available for appropriation
12 annually.

13 Section 2. Section 372.561, Florida Statutes, is
14 amended to read:

15 372.561 Issuance of licenses to take wild animal life,
16 saltwater aquatic life,~~or~~ freshwater aquatic life; costs;
17 reporting.--

18 (1) The provisions of this section shall apply to such
19 licenses or permits as are established in s. 372.57.

20 (2) The commission shall issue licenses and permits to
21 take wild animal life or freshwater or saltwater aquatic life
22 upon proof by the applicant for licensure that she or he is
23 entitled to such license or permit. The commission shall
24 establish the forms for such licenses and permits. Each
25 applicant for a license, permit, or authorization shall
26 provide the applicant's social security number on the
27 application form. Disclosure of social security numbers
28 obtained through this requirement shall be limited to the
29 purpose of administration of the Title IV-D program for child
30 support enforcement and use by the commission, and as
31 otherwise provided by law.

1 (3) Licenses and permits for the state may be sold by
2 the commission, by any tax collector in this state, or by any
3 appointed subagent.

4 (4)(a) In addition to any license or permit fee, the
5 sum of \$1.50 shall be charged for each license or management
6 area permit sold. Such charge is for the purpose of, and the
7 source from which is subtracted, all administrative costs of
8 issuing a license or permit, including, but not limited to,
9 printing, distribution, and credit card fees.

10 (b) Tax collectors may retain \$1 for each license or
11 management area permit sold.

12 (5)(a) Hunting and saltwater and freshwater fishing
13 licenses and permits shall be issued, without fee, to any
14 resident who is certified:

15 1. To be totally and permanently disabled by the
16 United States Department of Veterans Affairs or its
17 predecessor ~~or, by the United States Social Security~~
18 ~~Administration, by any branch of the United States Armed~~
19 ~~Forces, or by the verified written statement which is based~~
20 ~~upon the criteria for permanent and total disability in~~
21 ~~chapter 440 of a physician licensed in this state or who holds~~
22 ~~a valid identification card issued under the provisions of s.~~
23 ~~295.17, upon proof of the same. Any license issued under this~~
24 provision after January 1, 1997, expires after 5 years and
25 must be reissued, upon request, every 5 years thereafter.

26 2. To be totally disabled ~~A Disability Award Notice~~
27 ~~issued~~ by the United States Social Security Administration
28 upon proof of the same. Any license issued under this
29 provision after October 1, 1999, expires after 1 year and must
30 be reissued, upon proof of certification as provided in this
31 subsection, every 2 years thereafter ~~is not sufficient~~

1 ~~certification for obtaining a permanent hunting and fishing~~
2 ~~license under this section unless said form certifies a~~
3 ~~resident is totally and permanently disabled.~~

4 (b) Notwithstanding any other provisions of this
5 section, any person who has received after July 1, 1997, and
6 before July 1, 1999, a valid disability license issued under
7 this subsection, retains the rights vested thereunder until
8 the license has expired.

9 (6)(a) Tax collectors shall remit license and permit
10 moneys, along with a report of funds collected and other
11 required documentation, to the commission within 7 days
12 following the last business day of the week in which the fees
13 were received by the tax collector. The tax collector shall
14 maintain records of all such licenses and permits which are
15 sold, and all stamps issued voided, stolen, or lost. The tax
16 collector is responsible to the commission for the fee for all
17 licenses and permits sold and for the value of all stamps
18 reported as lost. The tax collector shall report stolen
19 permits to the appropriate law enforcement agency. The tax
20 collector shall submit a written report and a copy of the law
21 enforcement agency's report to the commission within 5 days
22 after discovering the theft. The value of a validation stamp
23 is \$5.

24 (b) Tax collectors are also responsible for fees for
25 all licenses and permits sold by their subagents and for the
26 value of all stamps reported as lost. The commission may
27 adopt rules to implement this section.

28 (c) Not later than August 15 of each year, each county
29 tax collector shall submit to the commission all unissued
30 stamps for the previous year along with a written audit

31

1 report, on forms prescribed or approved by the commission, of
2 the numbers of the unissued stamps.

3 (7) Within 30 days after the submission of the annual
4 audit report, each county tax collector shall provide the
5 commission with a written audit report on unissued, sold, and
6 voided licenses, permits, and stamps with a certified
7 reconciliation statement prepared by a certified public
8 accountant. Concurrent with the submission of the
9 certification, the county tax collector shall remit to the
10 commission the monetary value of all licenses, permits, and
11 stamps that are unaccounted for. Each tax collector is also
12 responsible for fees for all licenses, permits, and stamps
13 distributed by him or her to subagents, sold by him or her, or
14 reported by him or her as lost.

15 Section 3. Section 372.574, Florida Statutes, is
16 amended to read:

17 372.574 Appointment of subagents for the sale of
18 hunting, fishing, and trapping licenses and permits.--

19 (1) A county tax collector who elects to sell licenses
20 and permits may appoint any person as a subagent for the sale
21 of fishing, hunting, and trapping licenses and permits that
22 the tax collector is allowed to sell. The following are
23 requirements for subagents:

24 (a) Each subagent must serve at the pleasure of the
25 county tax collector.

26 (b) Neither an employee of the county tax collector
27 nor her or his relative or next of kin, by blood or otherwise,
28 may be appointed as a subagent.

29 (c) The tax collector may require each subagent to
30 post an appropriate bond as determined by the tax collector,
31 using an insurance company acceptable to the tax collector.

1 In lieu of such bond, the tax collector may purchase blanket
2 bonds covering all or selected subagents or may allow a
3 subagent to post such other security as is required by the tax
4 collector.

5 (d) A subagent may sell licenses and permits as are
6 determined by the tax collector at such specific locations
7 within the county and in states contiguous to Florida as will
8 best serve the public interest and convenience in obtaining
9 licenses and permits. The commission may uniformly prohibit
10 subagents from selling certain licenses or permits.

11 (e) It is unlawful for any person to handle licenses
12 or permits for a fee or compensation of any kind unless she or
13 he has been appointed as a subagent.

14 (f) Any person who willfully violates any of the
15 provisions of this law is guilty of a misdemeanor of the
16 second degree, punishable as provided in s. 775.082 or s.
17 775.083.

18 (g) A subagent may charge and receive as her or his
19 compensation 50 cents for each license or permit sold. This
20 charge is in addition to the sum required by law to be
21 collected for the sale and issuance of each license or permit.

22 (h) A subagent shall submit payment for and report the
23 sale of licenses and permits to the tax collector as
24 prescribed by the tax collector but no less frequently than
25 monthly.

26 (i) Subagents shall submit an activity report for
27 sales made during the reporting period on forms prescribed or
28 approved by the commission. Periodic audits may be performed
29 at the discretion of the commission.

30 (2) If a tax collector elects not to appoint
31 subagents, the commission may appoint subagents within that

1 county. Subagents shall serve at the pleasure of the
2 commission. The commission may establish, by rule, procedures
3 for selection of subagents. The following are requirements
4 for subagents so appointed:

5 (a) The commission may require each subagent to post
6 an appropriate bond as determined by the commission, using an
7 insurance company acceptable to the commission. In lieu of
8 the bond, the commission may purchase blanket bonds covering
9 all or selected subagents or may allow a subagent to post
10 other security as required by the commission.

11 (b) A subagent may sell licenses and permits as
12 authorized by the commission at specific locations within the
13 county and in states as will best serve the public interest
14 and convenience in obtaining licenses and permits. The
15 commission may prohibit subagents from selling certain
16 licenses or permits.

17 (c) It is unlawful for any person to handle licenses
18 or permits for a fee or compensation of any kind unless he or
19 she has been appointed as a subagent.

20 (d) Any person who willfully violates any of the
21 provisions of this section commits a misdemeanor of the second
22 degree, punishable as provided in s. 775.082 or s. 775.083.

23 (e) A subagent may charge and receive as his or her
24 compensation 50 cents for each license or permit sold. This
25 charge is in addition to the sum required by law to be
26 collected for the sale and issuance of each license or permit.
27 In addition, no later than July 1, 1997, a subagent fee for
28 the sale of licenses over the telephone by credit card shall
29 be established by competitive bid procedures which are
30 overseen by the Fish and Wildlife Conservation Commission.

31

1 (f) A subagent shall submit payment for and report the
2 sale of licenses and permits to the commission as prescribed
3 by the commission.

4 (g) Subagents shall maintain records of all licenses
5 and permits sold and all stamps issued, voided, stolen, or
6 lost. Subagents are responsible to the commission for the
7 fees for all licenses and permits sold and for the value of
8 all stamps reported as lost. Subagents must report all stolen
9 validation stamps to the appropriate law enforcement agency.
10 The subagent shall submit a written report and a copy of the
11 law enforcement agency's report to the commission within 5
12 days after discovering the theft. The value of a lost
13 validation stamp is \$5.

14 (h) Subagents shall submit an activity report for
15 sales made during the reporting period on forms prescribed or
16 approved by the commission. Periodic audits may be performed
17 at the discretion of the commission.

18 (i) By July 15 of each year, each subagent shall
19 submit to the commission all unissued stamps for the previous
20 year along with a written audit report, on forms prescribed or
21 approved by the commission, on the numbers of the unissued
22 stamps.

23 (j) A replacement for a lost or destroyed license or
24 permit may be obtained by submitting an application for
25 replacement. The fee is \$10 for each application for
26 replacement of a lifetime license and \$2 for each application
27 for replacement for any other license or permit. The proceeds
28 of such fees must be used to pay for all administrative costs
29 of issuing the license or permit, including, but not limited
30 to, printing, distribution, and credit card fees. The tax
31

1 collector may retain \$1 for each application for a replacement
2 license or permit which the tax collector has processed.

3 (3) A person may not alter or change in any manner, or
4 loan or transfer to another, any license issued under this
5 section, nor may any person other than the person to whom it
6 is issued use the license.

7 (4) It is unlawful for any person to knowingly and
8 willfully enter false information on, or allow or cause false
9 information to be entered on or shown upon, any license issued
10 under this section in order to avoid prosecution or to assist
11 another to avoid prosecution or for any other wrongful
12 purpose.

13 (5) The Fish and Wildlife Conservation Commission or
14 any other law enforcement agency may carry out any
15 investigation necessary to secure information required to
16 carry out and enforce this section.

17 (6) It is unlawful for any person to make, forge,
18 counterfeit, or reproduce a freshwater fishing, hunting, or
19 saltwater fishing license unless authorized by the commission.
20 It is unlawful for any person to knowingly have in his or her
21 possession a forgery, counterfeit, or imitation of such a
22 license, unless possession by the person has been fully
23 authorized by the commission. A person who violates this
24 subsection commits a felony of the third degree, punishable as
25 provided in s. 775.082, s. 775.083, or s. 775.084.

26 (7)(a) Any person cited for a violation of the license
27 requirements of subsection (1) or the permit requirements of
28 s. 370.1111(1)(a) or s. 370.14(10)(a) is guilty of a
29 noncriminal infraction, shall be cited for such an infraction,
30 and shall be cited to appear before the county court. The
31 civil penalty for any such infraction is \$50, in addition to

1 the cost of the amount of the annual license fee or stamp
2 involved in the infraction, except as otherwise provided in
3 this section. The amount of the civil penalty for any other
4 noncriminal infraction is \$50, except as otherwise provided in
5 this section.

6 (b) A person who is cited for an infraction under this
7 section may:

8 1. Post a bond in an amount equal to the applicable
9 civil penalty; or

10 2. Sign and accept a citation indicating a promise to
11 appear before the county court.

12
13 The officer may indicate on the citation the time and location
14 of the scheduled hearing and must indicate the applicable
15 civil penalty.

16 (c) Any person who willfully refuses to post a bond or
17 accept and sign a citation commits a misdemeanor of the second
18 degree, punishable as provided in s. 775.082 or s. 775.083.

19 (d) Any person charged with a noncriminal infraction
20 under this section may:

21 1. Pay the civil penalty, either by mail or in person,
22 within 30 days after the date of receiving the citation; or

23 2. If the person has posted bond, forfeit bond by not
24 appearing at the designated time and location.

25
26 If the person cited follows either procedure prescribed in
27 this paragraph, he or she has admitted the infraction and
28 waives his or her right to a hearing on the issue of
29 commission of the infraction. Such an admission may not be
30 used as evidence in any other proceedings.

31

1 (e) Any person who elects to appear before the county
2 court or who is required to appear waives the limitations of
3 the civil penalty specified in paragraph (a). The court,
4 after a hearing, shall make a determination as to whether an
5 infraction has been committed. If the commission of an
6 infraction is proved, the court may impose a civil penalty not
7 to exceed \$500.

8 (f) At a hearing under this subsection, the commission
9 of a charged infraction must be proved beyond a reasonable
10 doubt.

11 (g) If a person is found by the hearing official to
12 have committed an infraction, he or she may appeal that
13 finding to the circuit court.

14 (h) A person who fails to pay the civil penalty
15 specified in paragraph (a) within 30 days or who fails to
16 appear before the court commits a misdemeanor of the second
17 degree, punishable as provided in s. 775.082 or s. 775.083.

18 (8)(3) All social security numbers that ~~which~~ are
19 provided pursuant to ss. 372.561 and 372.57 and are contained
20 in records of any subagent appointed under ~~pursuant to~~ this
21 section are confidential as provided in those sections.

22 Section 4. Section 372.66, Florida Statutes, is
23 amended to read:

24 372.66 License required for fur and hide dealers.--

25 (1) It is unlawful for any person to engage in the
26 business of a dealer or buyer in alligator skins or green or
27 dried furs in the state or purchase such skins within the
28 state until such person has been licensed as herein provided.

29 (2) Any resident dealer or buyer who solicits business
30 through the mails, or by advertising, or who travels to buy or
31 employs or has other agents or buyers, shall be deemed a

1 resident state dealer and must ~~shall be required to~~ pay a
2 license fee of \$100 per annum and ~~shall pay an agent's license~~
3 ~~fee of \$5 per annum for each agent or traveling buyer employed~~
4 ~~by or buying for such licensed state dealer.~~

5 ~~(3) Any resident dealer or buyer who does not solicit~~
6 ~~by mail, advertise, travel to buy or employ or have agents or~~
7 ~~traveling buyers shall be deemed a resident local dealer and~~
8 ~~shall be required to pay a license fee of \$10 per annum.~~

9 ~~(3)(4) A nonresident dealer or buyer must ~~shall be~~~~
10 ~~required to pay a license fee of \$500 per annum and shall pay~~
11 ~~a license fee of \$100 per annum for each agent, resident buyer~~
12 ~~or traveling buyer employed by or buying for or acting as~~
13 ~~agent for such nonresident buyer.~~

14 ~~(5) All agents' licenses shall be applied for by, and~~
15 ~~issued to, a resident state dealer or nonresident dealer and~~
16 ~~shall show name and residence of such agent and shall be in~~
17 ~~possession of such agent at all times when engaged in buying~~
18 ~~furs or hides. Application for such licenses shall be made to~~
19 ~~the Fish and Wildlife Conservation Commission on blanks~~
20 ~~furnished by it.~~

21 ~~(4)(6) All dealers and buyers shall forward to the~~
22 ~~Fish and Wildlife Conservation Commission each 2 weeks during~~
23 ~~open season a report showing number and kind of hides bought~~
24 ~~and name of trapper from whom bought and the trapper's license~~
25 ~~number, or if trapper is exempt from license under any of the~~
26 ~~provisions of this chapter, such report shall show the nature~~
27 ~~of such exemption. No common carrier shall knowingly ship or~~
28 ~~transport or receive for transportation any hides or furs~~
29 ~~unless such shipments have marked thereon name of shipper and~~
30 ~~the number of her or his fur-animal license or fur dealer's~~
31 ~~license.~~

1 Section 5. Section 372.571, Florida Statutes, is
2 amended to read:

3 372.571 Expiration of licenses and permits.--Each
4 license or permit issued under this chapter must be dated when
5 issued. Each license or permit issued under this chapter
6 remains valid for 12 months after the date of issuance, except
7 for a lifetime license issued pursuant to s. 372.57 which is
8 valid from the date of issuance until the death of the
9 individual to whom the license is issued unless otherwise
10 revoked in accordance with s. 372.99, or a 5-year license
11 issued pursuant to s. 372.57 which is valid for 5 consecutive
12 years from the date of purchase unless otherwise revoked in
13 accordance with s. 372.99 or a license issued pursuant to s.
14 372.57(2)(b) or (j)~~(g)~~, which is valid for the period
15 specified on the license. A resident lifetime license or a
16 resident 5-year license that has been purchased by a resident
17 of this state and who subsequently resides in another state
18 shall be honored for activities authorized by that license.

19 Section 6. Subsection (1) of section 372.5712, Florida
20 Statutes, is amended to read:

21 372.5712 Florida waterfowl permit revenues.--

22 (1) The commission shall expend the revenues generated
23 from the sale of the Florida waterfowl permit as provided in
24 s. 372.57(5)(a)~~s. 372.57(4)(a)~~ or that pro rata portion of
25 any license that includes waterfowl hunting privileges, as
26 provided in s. 372.57(2)(1)~~s. 372.57(2)(i)~~ and (15)(b)
27 ~~(14)(b)~~ as follows: A maximum of 5 percent of the gross
28 revenues shall be expended for administrative costs; a maximum
29 of 25 percent of the gross revenues shall be expended for
30 waterfowl research approved by the commission; and a maximum
31 of 70 percent of the gross revenues shall be expended for

1 projects approved by the commission, in consultation with the
2 Waterfowl Advisory Council, for the purpose of protecting and
3 propagating migratory waterfowl and for the development,
4 restoration, maintenance, and preservation of wetlands within
5 the state.

6 Section 7. Subsection (1) of section 372.5715, Florida
7 Statutes, is amended to read:

8 372.5715 Florida wild turkey permit revenues.--

9 (1) The commission shall expend the revenues generated
10 from the sale of the turkey permit as provided for in s.
11 372.57(5)(e)~~s. 372.57(4)(e)~~ or that pro rata portion of any
12 license that includes turkey hunting privileges as provided
13 for in s. 372.57(2)(1)~~s. 372.57(2)(i) and (15)(b)(14)(b)~~ for
14 research and management of wild turkeys.

15 Section 8. Section 372.573, Florida Statutes, is
16 amended to read:

17 372.573 Management area permit revenues.--The
18 commission shall expend the revenue generated from the sale of
19 the management area permit as provided for in s. 372.57(5)(b)
20 ~~s. 372.57(4)(b)~~ or that pro rata portion of any license that
21 includes management area privileges as provided for in s.
22 372.57(2)(1)~~s. 372.57(2)(i) and (15)(b)(14)(b)~~ for the
23 lease, management, and protection of lands for public hunting,
24 fishing, and other outdoor recreation.

25 Section 9. Section 372.661, Florida Statutes, is
26 amended to read:

27 372.661 Private hunting preserve, license;
28 exception.--

29 (1) Any person who operates a private hunting preserve
30 commercially or otherwise shall ~~be required to~~ pay a license
31 fee of \$25 for each such preserve; ~~provided, however, that~~

1 during the open season established for wild game of any
2 species, a private individual may take artificially propagated
3 game of such species up to the bag limit prescribed for the
4 particular species without being required to pay the license
5 fee required by this section, ~~but; provided further that~~ if
6 any such individual charges ~~shall charge~~ a fee for taking such
7 game, she or he must ~~shall be required to~~ pay the license fee
8 required by this section and must ~~to~~ comply with the rules and
9 regulations of the Fish and Wildlife Conservation Commission
10 relative to the operation of private hunting preserves.

11 (2) A commercial hunting preserve license, which
12 exempts ~~shall exempt~~ patrons of licensed preserves from the
13 licensure requirements of s. 372.57(2)(h), (i), (j), and (l),
14 (5)(a), (c), (d), and (e), (8), (10), and (15)(b)s-
15 372.57(2)(e), (f), (g), and (i), (4)(a), (c), (d), and (e),
16 (7), (9), and (14)(b) while hunting on the licensed preserve
17 property, shall be \$500. Such a commercial hunting preserve
18 license is ~~shall be~~ available only to those private hunting
19 preserves licensed under ~~pursuant to~~ this section which are
20 operated exclusively for commercial purposes, which are open
21 to the public, and for which a uniform fee is charged to
22 patrons for hunting privileges.

23 Section 10. Section 370.0605, Florida Statutes, is
24 repealed.

25 Section 11. This act shall take effect July 1, 2000.

26
27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SENATE SUMMARY

Relates to licenses issued by the Fish and Wildlife Conservation Commission. Provides for noncommercial saltwater fishing licenses and for exceptions to such licensure requirements. Provides for a combination license to hunt and take freshwater and saltwater fish. Provides for a combination freshwater and saltwater fishing license. Authorizes the commission to issue temporary saltwater fishing licenses for special events in management areas for certain persons. Provides that a fee is not to be charged for such temporary licenses. Requires the commission to issue licenses and permits for taking wild animal life or freshwater or saltwater aquatic life upon proof that the applicant for such a license or permit is entitled to the license or permit. Provides that licenses and permits for hunting, saltwater fishing, and freshwater fishing must be issued without fee to certain disabled persons. Provides for the replacement of a lost or destroyed license or permit. Provides a fee. Provides that the license or permit is nontransferable. Specifies unlawful acts and provides penalties therefor. Deletes the nonresident fur dealer agent license, the resident fur dealer agent license, and the resident local fur dealer license. Repeals s. 370.0605, F.S., relating to saltwater fishing licenses.