

Bill No. SB 174

Amendment No. 1 Barcode 570148

CHAMBER ACTION

Senate

House

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The Committee on Natural Resources recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (1) of section 370.12, Florida Statutes, is amended to read:

370.12 Marine animals; regulation.--

(1) PROTECTION OF MARINE TURTLES.--

(a) This subsection may be cited as the "Marine Turtle Protection Act."

(b) The Legislature intends, pursuant to the provisions of this subsection, to ensure that the Fish and Wildlife Conservation Commission has the appropriate authority and resources to implement its responsibilities under the recovery plans of the United States Fish and Wildlife Service for the following species of marine turtle:

1. Atlantic loggerhead turtle (*Caretta caretta*

~~*caretta*~~).

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1 2. Atlantic green turtle(Chelonia mydas)(~~Chelonis~~
2 ~~mydas mydas~~).

3 3. Leatherback turtle (Dermochelys coriacea).

4 4. Atlantic hawksbill turtle (Eretmochelys imbricata
5 ~~imbricata~~).

6 5. Atlantic ridley turtle (Lepidochelys kempfi).

7 (c) As used in this subsection, the following phrases
8 have the following meanings:

9 1. A "properly accredited person" is:

10 a. Students of colleges or universities whose studies
11 with saltwater animals are under the direction of their
12 teacher or professor; or

13 b. Scientific or technical faculty of public or
14 private colleges or universities; or

15 c. Scientific or technical employees of private
16 research institutions and consulting firms; or

17 d. Scientific or technical employees of city, county,
18 state, or federal research or regulatory agencies; or

19 e. Members in good standing or recognized and properly
20 chartered conservation organizations, the Audubon Society, or
21 the Sierra Club; or

22 f. Persons affiliated with aquarium facilities or
23 museums, or contracted as an agent therefor, which are open to
24 the public with or without an admission fee; or

25 g. Persons without specific affiliations listed above,
26 but who are recognized by the commission for their
27 contributions to marine conservation such as scientific or
28 technical publications, or through a history of cooperation
29 with the commission in conservation programs such as turtle
30 nesting surveys, or through advanced educational programs such
31 as high school marine science centers.

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1 2. "Take" means an act that actually kills or injures
2 marine turtles, and includes significant habitat modification
3 or degradation that kills or injures marine turtles by
4 significantly impairing essential behavioral patterns, such as
5 breeding, feeding, or sheltering.

6 (d) Except as authorized in this paragraph, or unless
7 otherwise provided by the Federal Endangered Species Act or
8 its implementing regulations, a person, firm, or corporation
9 may not:

10 1. Possess the eggs of any marine turtle species
11 described in this subsection.

12 2. Take, disturb, mutilate, destroy, cause to be
13 destroyed, transfer, sell, offer to sell, molest, or harass
14 any marine turtles or the eggs or nest of any marine turtles
15 described in this subsection.

16 3. The commission may issue a special permit or loan
17 agreement to any person, firm, or corporation, to enable the
18 holder to possess a marine turtle or parts thereof, including
19 nests, eggs, or hatchlings, for scientific, education, or
20 exhibition purposes, or for conservation activities such as
21 the relocation of nests, eggs, or marine turtles away from
22 construction sites. Notwithstanding other provisions of law,
23 the commission may issue such special permit or loan agreement
24 to any properly accredited person as defined in paragraph (c)
25 for the purposes of marine turtle conservation.

26 4. The commission shall have the authority to adopt
27 rules pursuant to chapter 120 to prescribe terms, conditions,
28 and restrictions for marine turtle conservation, and to permit
29 the possession of marine turtles or parts thereof.

30 (e)1. Any person, firm, or corporation that commits
31 any act prohibited in paragraph (d) involving any egg of any

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1 marine turtle species described in this subsection shall pay a
2 penalty of \$100 per egg in addition to other penalties
3 provided in this paragraph.

4 2. Any person, firm, or corporation that illegally
5 possesses 11 or fewer of any eggs of any marine turtle species
6 described in this subsection commits a first degree
7 misdeemeanor, punishable as provided in s. 775.082 and s.
8 775.083.

9 3. For a second or subsequent violation of
10 sub-paragraph 2, any person, firm, or corporation that
11 illegally possesses 11 or fewer of any eggs of any marine
12 turtle species described in this subsection commits a third
13 degree felony, punishable as provided in s. 775.082, s.
14 775.083, or s. 775.084.

15 4. Any person, firm, or corporation that illegally
16 possesses more than 11 of any eggs of any marine turtle
17 species described in this subsection commits a third degree
18 felony, punishable as provided in s. 775.082, s. 775.083, or
19 s. 775.084.

20 5. Any person, firm, or corporation who illegally
21 takes, disturbs, mutilates, destroys, causes to be destroyed,
22 transfers, sells, offers to sell, molests, or harasses any
23 marine turtle species, or the eggs or nest of any marine
24 turtle species as described in this subsection, commits a
25 third degree felony, punishable as provided in s. 775.082, s.
26 775.083, or s. 775.084.

27 6. Notwithstanding s. 777.04, any person, firm, or
28 corporation who solicits or conspires with another person,
29 firm, or corporation, to commit an act prohibited by this
30 subsection commits a felony of the third degree, punishable as
31 provided in s. 775.082, s. 775.083, or s. 775.084.

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1 7. The proceeds from the penalties assessed pursuant
2 to this paragraph shall be deposited into the Marine Resources
3 Conservation Trust Fund.

4 ~~(c)1. Unless otherwise provided by the federal~~
5 ~~Endangered Species Act or its implementing regulations, no~~
6 ~~person may take, possess, disturb, mutilate, destroy, cause to~~
7 ~~be destroyed, sell, offer for sale, transfer, molest, or~~
8 ~~harass any marine turtle or its nest or eggs at any time. For~~
9 ~~purposes of this subsection, "take" means an act which~~
10 ~~actually kills or injures marine turtles, and includes~~
11 ~~significant habitat modification or degradation that kills or~~
12 ~~injures marine turtles by significantly impairing essential~~
13 ~~behavioral patterns, such as breeding, feeding, or sheltering.~~

14 ~~2. Unless otherwise provided by the federal Endangered~~
15 ~~Species Act or its implementing regulations, no person, firm,~~
16 ~~or corporation may take, kill, disturb, mutilate, molest,~~
17 ~~harass, or destroy any marine turtle.~~

18 ~~3. No person, firm, or corporation may possess any~~
19 ~~marine turtle, their nests, eggs, hatchlings, or parts thereof~~
20 ~~unless it is in possession of a special permit or loan~~
21 ~~agreement from the commission enabling the holder to possess a~~
22 ~~marine turtle or parts thereof for scientific, educational, or~~
23 ~~exhibitional purposes, or for conservation activities such as~~
24 ~~relocating nests, eggs, or animals away from construction~~
25 ~~sites. Notwithstanding any other provisions of general or~~
26 ~~special law to the contrary, the commission may issue such~~
27 ~~authorization to any properly accredited person for the~~
28 ~~purpose of marine turtle conservation upon such terms,~~
29 ~~conditions, and restrictions as it may prescribe by rule~~
30 ~~adopted pursuant to chapter 120. The commission shall have the~~
31 ~~authority to adopt rules pursuant to chapter 120 to permit the~~

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1 ~~possession of marine turtles pursuant to this paragraph. For~~
2 ~~the purposes of this subsection, a "properly accredited~~
3 ~~person" is defined as:~~
4 ~~a. Students of colleges or universities whose studies~~
5 ~~with saltwater animals are under the direction of their~~
6 ~~teacher or professor;~~
7 ~~b. Scientific or technical faculty of public or~~
8 ~~private colleges or universities;~~
9 ~~c. Scientific or technical employees of private~~
10 ~~research institutions and consulting firms;~~
11 ~~d. Scientific or technical employees of city, county,~~
12 ~~state, or federal research or regulatory agencies;~~
13 ~~e. Members in good standing or recognized and properly~~
14 ~~chartered conservation organizations, the Audubon Society, or~~
15 ~~the Sierra Club;~~
16 ~~f. Persons affiliated with aquarium facilities or~~
17 ~~museums, or contracted as an agent therefor, which are open to~~
18 ~~the public with or without an admission fee; or~~
19 ~~g. Persons without specific affiliations listed above,~~
20 ~~but who are recognized by the commission for their~~
21 ~~contributions to marine conservation such as scientific or~~
22 ~~technical publications, or through a history of cooperation~~
23 ~~with the commission in conservation programs such as turtle~~
24 ~~nesting surveys, or through advanced educational programs such~~
25 ~~as high school marine science centers.~~
26 ~~(f)(d)~~ Any application for a Department of
27 Environmental Protection permit or other type of approval for
28 an activity that affects marine turtles or their nests or
29 habitat shall be subject to conditions and requirements for
30 marine turtle protection as part of the permitting or approval
31 process.

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1 ~~(g)(e)~~ The Department of Environmental Protection may
2 condition the nature, timing, and sequence of construction of
3 permitted activities to provide protection to nesting marine
4 turtles and hatchlings and their habitat pursuant to the
5 provisions of s. 161.053(5). When the department is
6 considering a permit for a beach restoration, beach
7 renourishment, or inlet sand transfer project and the
8 applicant has had an active marine turtle nest relocation
9 program or the applicant has agreed to and has the ability to
10 administer a program, the department must not restrict the
11 timing of the project. Where appropriate, the department, in
12 accordance with the applicable rules of the Fish and Wildlife
13 Conservation Commission, shall require as a condition of the
14 permit that the applicant relocate and monitor all turtle
15 nests that would be affected by the beach restoration, beach
16 renourishment, or sand transfer activities. Such relocation
17 and monitoring activities shall be conducted in a manner that
18 ensures successful hatching. This limitation on the
19 department's authority applies only on the Atlantic coast of
20 Florida.

21 ~~(h)(f)~~ The department shall recommend denial of a
22 permit application if the activity would result in a "take" as
23 defined in this subsection, unless, as provided for in the
24 federal Endangered Species Act and its implementing
25 regulations, such taking is incidental to, and not the purpose
26 of, the carrying out of an otherwise lawful activity.

27 ~~(i)(g)~~ The department shall give special consideration
28 to beach preservation and beach nourishment projects that
29 restore habitat of endangered marine turtle species. Nest
30 relocation shall be considered for all such projects in
31 urbanized areas. When an applicant for a beach restoration,

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1 beach renourishment, or inlet sand transfer project has had an
2 active marine turtle nest relocation program or the applicant
3 has agreed to have and has the ability to administer a
4 program, the department in issuing a permit for a project must
5 not restrict the timing of the project. Where appropriate,
6 the department, in accordance with the applicable rules of the
7 Fish and Wildlife Conservation Commission, shall require as a
8 condition of the permit that the applicant relocate and
9 monitor all turtle nests that would be affected by the beach
10 restoration, beach renourishment, or sand transfer activities.
11 Such relocation and monitoring activities shall be conducted
12 in a manner that ensures successful hatching. This limitation
13 on the department's authority applies only on the Atlantic
14 coast of Florida.

15 ~~(j)(h)~~ The Fish and Wildlife Conservation Commission
16 shall provide grants to coastal local governments, educational
17 institutions, and Florida-based nonprofit organizations to
18 conduct marine turtle research, conservation, and education
19 activities within the state. The commission shall adopt by
20 rule pursuant to chapter 120 procedures for submitting grant
21 applications and criteria for allocating available funds. The
22 criteria must include the scope of the proposed activity, the
23 relevance of the proposed activity to the recovery plans for
24 marine turtles, the demand and public support for the proposed
25 activity, the duration of the proposed activity, the
26 availability of alternative funding, and the estimated cost of
27 the activity. The executive director of the commission shall
28 appoint a committee of at least five members, including at
29 least two nongovernmental representatives, to consider and
30 choose grant recipients from proposals submitted by eligible
31 entities. Committee members shall not receive any compensation

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1 from the commission.

2 Section 2. Paragraphs (a), (d), and (e) of subsection
3 (4) of section 777.04, Florida Statutes, are amended to read:

4 777.04 Attempts, solicitation, and conspiracy.--

5 (4)(a) Except as otherwise provided in ss. 104.091(2),
6 370.12(1), 828.125(2), 849.25(4), 893.135(5), and 921.0022,
7 the offense of criminal attempt, criminal solicitation, or
8 criminal conspiracy is ranked for purposes of sentencing under
9 chapter 921 and determining incentive gain-time eligibility
10 under chapter 944 one level below the ranking under s.
11 921.0022 or s. 921.0023 of the offense attempted, solicited,
12 or conspired to. If the criminal attempt, criminal
13 solicitation, or criminal conspiracy is of an offense ranked
14 in level 1 or level 2 under s. 921.0022 or s. 921.0023, such
15 offense is a misdemeanor of the first degree, punishable as
16 provided in s. 775.082 or s. 775.083.

17 (d) Except as otherwise provided in s. 104.091(2), s.
18 370.12(1), s. 828.125(2), or s. 849.25(4), if the offense
19 attempted, solicited, or conspired to is a:

- 20 1. Felony of the second degree;
21 2. Burglary that is a felony of the third degree; or
22 3. Felony of the third degree ranked in level 3, 4, 5,
23 6, 7, 8, 9, or 10 under s. 921.0022 or s. 921.0023,

24
25 the offense of criminal attempt, criminal solicitation, or
26 criminal conspiracy is a felony of the third degree,
27 punishable as provided in s. 775.082, s. 775.083, or s.
28 775.084.

29 (e) Except as otherwise provided in s. 104.091(2), s.
30 370.12(1), s. 849.25(4), or paragraph (d), if the offense
31 attempted, solicited, or conspired to is a felony of the third

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1 degree, the offense of criminal attempt, criminal
2 solicitation, or criminal conspiracy is a misdemeanor of the
3 first degree, punishable as provided in s. 775.082 or s.
4 775.083.

5 Section 3. Paragraphs (b) and (c) of subsection (3) of
6 section 921.0022, Florida Statutes, are amended to read:

7 921.0022 Criminal Punishment Code; offense severity
8 ranking chart.--

9 (3) OFFENSE SEVERITY RANKING CHART

10

11 Florida	Felony	
12 Statute	Degree	Description

13

14

15 (b) LEVEL 2

16 <u>370.12(1)(e)3.</u>	<u>3rd</u>	<u>Possession of 11 or fewer marine</u>
17		<u>turtle eggs in violation of the</u>
18		<u>Marine Turtle Protection Act.</u>

19 <u>370.12(1)(e)4.</u>	<u>3rd</u>	<u>Possession of more than 11 marine</u>
20		<u>turtle eggs in violation of the</u>
21		<u>Marine Turtle Protection Act.</u>

22 403.413(5)(c)	3rd	Dumps waste litter exceeding 500
23		lbs. in weight or 100 cubic feet
24		in volume or any quantity for
25		commercial purposes, or hazardous
26		waste.

27 517.07	3rd	Registration of securities and
28		furnishing of prospectus
29		required.

30 590.28(1)	3rd	Willful, malicious, or
31		intentional burning.

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1	784.05(3)	3rd	Storing or leaving a loaded
2			firearm within reach of minor who
3			uses it to inflict injury or
4			death.
5	787.04(1)	3rd	In violation of court order,
6			take, entice, etc., minor beyond
7			state limits.
8	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000
9			or more to public communication
10			or any other public service.
11	810.09(2)(e)	3rd	Trespassing on posted commercial
12			horticulture property.
13	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or
14			more but less than \$5,000.
15	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or
16			more but less than \$300, taken
17			from unenclosed curtilage of
18			dwelling.
19	812.015(7)	3rd	Possession, use, or attempted use
20			of an antishoplifting or
21			inventory control device
22			countermeasure.
23	817.234(1)(a)2.	3rd	False statement in support of
24			insurance claim.
25	817.481(3)(a)	3rd	Obtain credit or purchase with
26			false, expired, counterfeit,
27			etc., credit card, value over
28			\$300.
29	817.52(3)	3rd	Failure to redeliver hired
30			vehicle.
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1	817.54	3rd	With intent to defraud, obtain
2			mortgage note, etc., by false
3			representation.
4	817.60(5)	3rd	Dealing in credit cards of
5			another.
6	817.60(6)(a)	3rd	Forgery; purchase goods, services
7			with false card.
8	817.61	3rd	Fraudulent use of credit cards
9			over \$100 or more within 6
10			months.
11	826.04	3rd	Knowingly marries or has sexual
12			intercourse with person to whom
13			related.
14	831.01	3rd	Forgery.
15	831.02	3rd	Uttering forged instrument;
16			utters or publishes alteration
17			with intent to defraud.
18	831.07	3rd	Forging bank bills, checks,
19			drafts, or promissory notes.
20	831.08	3rd	Possessing 10 or more forged
21			notes, bills, checks, or drafts.
22	831.09	3rd	Uttering forged notes, bills,
23			checks, drafts, or promissory
24			notes.
25	831.11	3rd	Bringing into the state forged
26			bank bills, checks, drafts, or
27			notes.
28	832.05(3)(a)	3rd	Cashing or depositing item with
29			intent to defraud.
30	843.08	3rd	Falsely impersonating an officer.
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1	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c),
2			(2)(c)1., (2)(c)2., (2)(c)3.,
3			(2)(c)5., (2)(c)6., (2)(c)7.,
4			(2)(c)8., (2)(c)9., (3), or (4)
5			drugs other than cannabis.
6	893.147(2)	3rd	Manufacture or delivery of drug
7			paraphernalia.
8			(c) LEVEL 3
9	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
10	316.1935(2)	3rd	Fleeing or attempting to elude
11			law enforcement officer in marked
12			patrol vehicle with siren and
13			lights activated.
14	319.30(4)	3rd	Possession by junkyard of motor
15			vehicle with identification
16			number plate removed.
17	319.33(1)(a)	3rd	Alter or forge any certificate of
18			title to a motor vehicle or
19			mobile home.
20	319.33(1)(c)	3rd	Procure or pass title on stolen
21			vehicle.
22	319.33(4)	3rd	With intent to defraud, possess,
23			sell, etc., a blank, forged, or
24			unlawfully obtained title or
25			registration.
26	327.35(2)(b)	3rd	Felony BUI.
27	328.05(2)	3rd	Possess, sell, or counterfeit
28			fictitious, stolen, or fraudulent
29			titles or bills of sale of
30			vessels.
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1	328.07(4)	3rd	Manufacture, exchange, or possess
2			vessel with counterfeit or wrong
3			ID number.
4	<u>370.12(1)(e)5.</u>	<u>3rd</u>	<u>Taking, disturbing, mutilating,</u>
5			<u>destroying, causing to be</u>
6			<u>destroyed, transferring, selling,</u>
7			<u>offering to sell, molesting, or</u>
8			<u>harassing marine turtles, marine</u>
9			<u>turtle eggs, or marine turtle</u>
10			<u>nests in violation of the Marine</u>
11			<u>Turtle Protection Act.</u>
12	<u>370.12(1)(e)6.</u>	<u>3rd</u>	<u>Soliciting to commit or</u>
13			<u>conspiring to commit a violation</u>
14			<u>of the Marine Turtle Protection</u>
15			<u>Act.</u>
16	376.302(5)	3rd	Fraud related to reimbursement
17			for cleanup expenses under the
18			Inland Protection Trust Fund.
19	501.001(2)(b)	2nd	Tampers with a consumer product
20			or the container using materially
21			false/misleading information.
22	697.08	3rd	Equity skimming.
23	790.15(3)	3rd	Person directs another to
24			discharge firearm from a vehicle.
25	796.05(1)	3rd	Live on earnings of a prostitute.
26	806.10(1)	3rd	Maliciously injure, destroy, or
27			interfere with vehicles or
28			equipment used in firefighting.
29	806.10(2)	3rd	Interferes with or assaults
30			firefighter in performance of
31			duty.

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1	810.09(2)(c)	3rd	Trespass on property other than
2			structure or conveyance armed
3			with firearm or dangerous weapon.
4	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but
5			less than \$10,000.
6	812.0145(2)(c)	3rd	Theft from person 65 years of age
7			or older; \$300 or more but less
8			than \$10,000.
9	815.04(4)(b)	2nd	Computer offense devised to
10			defraud or obtain property.
11	817.034(4)(a)3.	3rd	Engages in scheme to defraud
12			(Florida Communications Fraud
13			Act), property valued at less
14			than \$20,000.
15	817.233	3rd	Burning to defraud insurer.
16	817.234(8)&(9)	3rd	Unlawful solicitation of persons
17			involved in motor vehicle
18			accidents.
19	817.234(11)(a)	3rd	Insurance fraud; property value
20			less than \$20,000.
21	817.505(4)	3rd	Patient brokering.
22	828.12(2)	3rd	Tortures any animal with intent
23			to inflict intense pain, serious
24			physical injury, or death.
25	831.28(2)(a)	3rd	Counterfeiting a payment
26			instrument with intent to defraud
27			or possessing a counterfeit
28			payment instrument.
29	831.29	2nd	Possession of instruments for
30			counterfeiting drivers' licenses
31			or identification cards.

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1	838.021(3)(b)	3rd	Threatens unlawful harm to public
2			servant.
3	843.19	3rd	Injure, disable, or kill police
4			dog or horse.
5	870.01(2)	3rd	Riot; inciting or encouraging.
6	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver
7			cannabis (or other s.
8			893.03(1)(c), (2)(c)1., (2)(c)2.,
9			(2)(c)3., (2)(c)5., (2)(c)6.,
10			(2)(c)7., (2)(c)8., (2)(c)9.,
11			(3), or (4) drugs).
12	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s.
13			893.03(1)(c), (2)(c)1., (2)(c)2.,
14			(2)(c)3., (2)(c)5., (2)(c)6.,
15			(2)(c)7., (2)(c)8., (2)(c)9.,
16			(3), or (4) drugs within 200 feet
17			of university or public park.
18	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s.
19			893.03(1)(c), (2)(c)1., (2)(c)2.,
20			(2)(c)3., (2)(c)5., (2)(c)6.,
21			(2)(c)7., (2)(c)8., (2)(c)9.,
22			(3), or (4) drugs within 200 feet
23			of public housing facility.
24	893.13(6)(a)	3rd	Possession of any controlled
25			substance other than felony
26			possession of cannabis.
27	893.13(7)(a)8.	3rd	Withhold information from
28			practitioner regarding previous
29			receipt of or prescription for a
30			controlled substance.
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1	893.13(7)(a)9.	3rd	Obtain or attempt to obtain
2			controlled substance by fraud,
3			forgery, misrepresentation, etc.
4	893.13(7)(a)10.	3rd	Affix false or forged label to
5			package of controlled substance.
6	893.13(7)(a)11.	3rd	Furnish false or fraudulent
7			material information on any
8			document or record required by
9			chapter 893.
10	893.13(8)(a)1.	3rd	Knowingly assist a patient, other
11			person, or owner of an animal in
12			obtaining a controlled substance
13			through deceptive, untrue, or
14			fraudulent representations in or
15			related to the practitioner's
16			practice.
17	893.13(8)(a)2.	3rd	Employ a trick or scheme in the
18			practitioner's practice to assist
19			a patient, other person, or owner
20			of an animal in obtaining a
21			controlled substance.
22	893.13(8)(a)3.	3rd	Knowingly write a prescription
23			for a controlled substance for a
24			fictitious person.
25	893.13(8)(a)4.	3rd	Write a prescription for a
26			controlled substance for a
27			patient, other person, or an
28			animal if the sole purpose of
29			writing the prescription is a
30			monetary benefit for the
31			practitioner.

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- 1 918.13(1)(a) 3rd Alter, destroy, or conceal
- 2 investigation evidence.
- 3 944.47
- 4 (1)(a)1.-2. 3rd Introduce contraband to
- 5 correctional facility.
- 6 944.47(1)(c) 2nd Possess contraband while upon the
- 7 grounds of a correctional
- 8 institution.
- 9 985.3141 3rd Escapes from a juvenile facility
- 10 (secure detention or residential
- 11 commitment facility).

Section 4. This act shall take effect July 1, 2003.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 1, lines 2 - 30, delete those lines

and insert:

An act relating to the protection of marine turtles; amending s. 370.12, F.S.; providing penalties for violating the Marine Turtle Protection Act; providing first-degree misdemeanor and third-degree felony penalties for possessing a specified number or more of marine turtle eggs; providing an additional penalty for each egg involved in such a violation; providing that it is a third-degree felony to take, disturb, mutilate, destroy, cause to be destroyed, transfer, sell, offer to sell, molest, or harass a marine turtle or its

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1 nest, hatchings, eggs, or parts thereof;
2 providing that it is a third-degree felony to
3 solicit or conspire to violate the Marine
4 Turtle Protection Act; amending s. 777.04,
5 F.S.; relating to the offense of criminal
6 attempt, criminal solicitation, or criminal
7 conspiracy; providing that a violation of the
8 Marine Turtle Protection Act is exempt from
9 certain sentencing requirements for an offense
10 of solicitation or conspiracy; amending s.
11 921.0022, F.S.; relating to the offense
12 severity ranking chart of the Criminal
13 Punishment Code; conforming provisions of the
14 Act to the Code; providing an effective date.

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