

HB 1239

2004

1 A bill to be entitled
 2 An act relating to the protection of manatees; amending s.
 3 370.12, F.S.; creating an exception from penalties for
 4 activities that are otherwise prohibited if the activity
 5 is reasonably necessary in order to prevent the loss of
 6 life or property or render necessary assistance to persons
 7 or property; providing an effective date.

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

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 11 Section 1. Paragraph (s) of subsection (2) of section
 12 370.12, Florida Statutes, is amended to read:

13 370.12 Marine animals; regulation.--

14 (2) PROTECTION OF MANATEES OR SEA COWS.--

15 (s) Except as otherwise provided in this paragraph, any
 16 person violating the provisions of this subsection or any rule
 17 or ordinance adopted pursuant to this subsection shall be guilty
 18 of a misdemeanor, punishable as provided in s. 370.021(1)(a) or
 19 (b).

20 1. Any person operating a vessel in excess of a posted
 21 speed limit shall be guilty of a civil infraction, punishable as
 22 provided in s. 327.73, except as provided in subparagraph 2.

23 2. This paragraph does not apply to persons violating
 24 restrictions governing "No Entry" zones or "Motorboat
 25 Prohibited" zones, who, if convicted, shall be guilty of a
 26 misdemeanor, punishable as provided in s. 370.021(1)(a) or (b),
 27 or, if such violation demonstrates blatant or willful action,
 28 may be found guilty of harassment as described in paragraph (d).

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30 A person may engage in any activity otherwise prohibited by this
31 subsection if the activity is reasonably necessary in order to
32 prevent the loss of life or property due to weather conditions
33 or other reasonably unforeseen circumstances, or in order to
34 render necessary assistance to persons or property.

35 Section 2. This act shall take effect upon becoming a law.