

By the Committee on Environmental Preservation; and Senator Baker

592-2030-06

1 A bill to be entitled
2 An act relating to fish and wildlife; amending
3 s. 370.01, F.S.; defining the term "commercial
4 harvester"; amending s. 370.021, F.S.;
5 providing for base penalties; conforming
6 penalty provisions for commercial harvesters;
7 providing penalties for persons other than
8 commercial harvesters; amending s. 370.028,
9 F.S.; conforming penalty provisions; amending
10 s. 370.061, F.S.; correcting a cross-reference;
11 amending ss. 370.063, 370.08, 370.081,
12 370.1105, 370.1121, 370.13, 370.135, 370.14,
13 and 370.142, F.S.; conforming penalty
14 provisions for commercial harvesters; providing
15 penalties for persons other than commercial
16 harvesters; amending s. 372.57, F.S.;
17 specifying seasonal recreational activities for
18 which a license or permit is required;
19 increasing fees for certain licenses to
20 conform; providing a fee for a crossbow season
21 permit; providing for crossbow season permits;
22 providing penalties for the production,
23 possession, and use of fraudulent fishing and
24 hunting licenses; providing penalties for the
25 taking of game and fish with a suspended or
26 revoked license; amending s. 372.5704, F.S.;
27 conforming penalty provisions; amending ss.
28 372.571 and 372.573, F.S.; correcting
29 cross-references; amending s. 372.5717, F.S.;
30 authorizing the Fish and Wildlife Conservation
31 Commission to defer the hunter safety education

1 course requirement for a specified time period
2 and for a specified number of times; providing
3 for a special authorization and conditions to
4 hunt using a hunter safety education deferral;
5 deleting the mandatory minimum number of
6 instructional hours for persons required to
7 take the hunter safety education course;
8 providing an exemption for the display of
9 hunter safety education certificates; providing
10 penalties; amending s. 372.83, F.S.; revising
11 the penalties for violations of rules, orders,
12 and regulations of the Fish and Wildlife
13 Conservation Commission; creating penalties for
14 recreational violations of certain saltwater
15 fishing regulations established in ch. 370,
16 F.S.; providing for court appearances in
17 certain circumstances; providing for Level One,
18 Level Two, Level Three, and Level Four
19 offenses; providing for enhanced penalties for
20 multiple violations; providing for suspension
21 and revocation of licenses and permits,
22 including exemptions from licensing and permit
23 requirements; defining the term "conviction"
24 for purposes of penalty provisions; creating s.
25 372.935, F.S.; providing penalties for
26 violations involving captive wildlife and
27 poisonous or venomous reptiles; specifying
28 violations that constitute noncriminal
29 infractions or second-degree misdemeanors;
30 amending ss. 372.26, 372.265, 372.661, 372.662,
31 372.667, 372.705, 372.988, 372.99022, 372.99,

1 and 372.9903, F.S.; conforming penalty
2 provisions; creating s. 372.831, F.S.; creating
3 the Wildlife Violators Compact; providing
4 findings and purposes; providing definitions;
5 providing procedures for states issuing
6 citations for wildlife violations; providing
7 requirements for the home state of a violator;
8 providing for reciprocal recognition of a
9 license suspension; providing procedures for
10 administering the compact; providing for entry
11 into and withdrawal from the compact; providing
12 for construction of the compact and for
13 severability; providing for enforcement of the
14 compact by the Fish and Wildlife Conservation
15 Commission; providing that a suspension under
16 the compact is subject to limited review under
17 ch. 120, F.S.; repealing s. 372.711, F.S.,
18 relating to noncriminal infractions; providing
19 an effective date.
20

21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. Present subsections (5) through (28) of
24 section 370.01, Florida Statutes, are redesignated as
25 subsections (6) through (29), respectively, and a new
26 subsection (5) is added to that section, to read:

27 370.01 Definitions.--In construing these statutes,
28 where the context does not clearly indicate otherwise, the
29 word, phrase, or term:

30 (5) "Commercial harvester" means any person, firm, or
31 corporation that takes, harvests, or attempts to take or

1 harvest saltwater products with intent to sell; that is
2 operating under or is required to operate under a license or
3 permit or authorization issued pursuant to this chapter; that
4 is using gear that is prohibited for use in the harvest of
5 recreational amounts of any saltwater product being taken or
6 harvested; or that is harvesting any saltwater product in an
7 amount that is at least two times the recreational bag limit
8 for the saltwater product being taken or harvested.

9 Section 2. Subsections (1), (2), (4), (5), (6), and
10 (12) of section 370.021, Florida Statutes, are amended to
11 read:

12 370.021 Administration; rules, publications, records;
13 penalties; injunctions.--

14 (1) BASE PENALTIES.--Unless otherwise provided by law,
15 any person, firm, or corporation who violates ~~is convicted for~~
16 ~~violating~~ any provision of this chapter, or any rule of the
17 Fish and Wildlife Conservation Commission relating to the
18 conservation of marine resources, shall be punished:

19 (a) Upon a first conviction, by imprisonment for a
20 period of not more than 60 days or by a fine of not less than
21 \$100 nor more than \$500, or by both such fine and
22 imprisonment.

23 (b) On a second or subsequent conviction within 12
24 months, by imprisonment for not more than 6 months or by a
25 fine of not less than \$250 nor more than \$1,000, or by both
26 such fine and imprisonment.

27
28 Upon final disposition of any alleged offense for which a
29 citation for any violation of this chapter or the rules of the
30 commission has been issued, the court shall, within 10 days,
31 certify the disposition to the commission.

1 (2) MAJOR VIOLATIONS.--In addition to the penalties
2 provided in paragraphs (1)(a) and (b), the court shall assess
3 additional penalties against any commercial harvester ~~person,~~
4 ~~firm, or corporation~~ convicted of major violations as follows:

5 (a) For a violation involving more than 100 illegal
6 blue crabs, crawfish, or stone crabs, an additional penalty of
7 \$10 for each illegal blue crab, crawfish, stone crab, or part
8 thereof.

9 (b) For a violation involving the taking or harvesting
10 of shrimp from a nursery or other prohibited area, or any two
11 violations within a 12-month period involving shrimping gear,
12 minimum size (count), or season, an additional penalty of \$10
13 for each pound of illegal shrimp or part thereof.

14 (c) For a violation involving the taking or harvesting
15 of oysters from nonapproved areas or the taking or possession
16 of unculled oysters, an additional penalty of \$10 for each
17 bushel of illegal oysters.

18 (d) For a violation involving the taking or harvesting
19 of clams from nonapproved areas, an additional penalty of \$100
20 for each 500 count bag of illegal clams.

21 (e) For a violation involving the taking, harvesting,
22 or possession of any of the following species, which are
23 endangered, threatened, or of special concern:

- 24 1. Shortnose sturgeon (*Acipenser brevirostrum*);
- 25 2. Atlantic sturgeon (*Acipenser oxyrhynchus*);
- 26 3. Common snook (*Centropomus undecimalis*);
- 27 4. Atlantic loggerhead turtle (*Caretta caretta*
28 *caretta*);
- 29 5. Atlantic green turtle (*Chelonia mydas mydas*);
- 30 6. Leatherback turtle (*Dermochelys coriacea*);

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1 7. Atlantic hawksbill turtle (*Eretmochelys imbricata*
2 *imbricata*);

3 8. Atlantic ridley turtle (*Lepidochelys kempi*); or

4 9. West Indian manatee (*Trichechus manatus*
5 *latirostris*),

6
7 an additional penalty of \$100 for each unit of marine life or
8 part thereof.

9 (f) For a second or subsequent conviction within 24
10 months for any violation of the same law or rule involving the
11 taking or harvesting of more than 100 pounds of any finfish,
12 an additional penalty of \$5 for each pound of illegal finfish.

13 (g) For any violation involving the taking,
14 harvesting, or possession of more than 1,000 pounds of any
15 illegal finfish, an additional penalty equivalent to the
16 wholesale value of the illegal finfish.

17 (h) Permits issued to any commercial harvester ~~person,~~
18 ~~firm, or corporation~~ by the commission to take or harvest
19 saltwater products, or any license issued pursuant to s.
20 370.06 or s. 370.07 may be suspended or revoked by the
21 commission, pursuant to the provisions and procedures of s.
22 120.60, for any major violation prescribed in this subsection:

23 1. Upon a first conviction, for up to 30 calendar
24 days.

25 2. Upon a second conviction which occurs within 12
26 months after a prior violation, for up to 90 calendar days.

27 3. Upon a third conviction which occurs within 24
28 months after a prior conviction, for up to 180 calendar days.

29 4. Upon a fourth conviction which occurs within 36
30 months after a prior conviction, for a period of 6 months to 3
31 years.

1 (i) Upon the arrest and conviction for a major
2 violation involving stone crabs, the licenseholder must show
3 just cause why his or her license should not be suspended or
4 revoked. For the purposes of this paragraph, a "major
5 violation" means a major violation as prescribed for illegal
6 stone crabs; any single violation involving possession of more
7 than 25 stone crabs during the closed season or possession of
8 25 or more whole-bodied or egg-bearing stone crabs; any
9 violation for trap molestation, trap robbing, or pulling traps
10 at night; or any combination of violations in any
11 3-consecutive-year period wherein more than 75 illegal stone
12 crabs in the aggregate are involved.

13 (j) Upon the arrest and conviction for a major
14 violation involving crawfish, the licenseholder must show just
15 cause why his or her license should not be suspended or
16 revoked. For the purposes of this paragraph, a "major
17 violation" means a major violation as prescribed for illegal
18 crawfish; any single violation involving possession of more
19 than 25 crawfish during the closed season or possession of
20 more than 25 wrung crawfish tails or more than 25 egg-bearing
21 or stripped crawfish; any violation for trap molestation, trap
22 robbing, or pulling traps at night; or any combination of
23 violations in any 3-consecutive-year period wherein more than
24 75 illegal crawfish in the aggregate are involved.

25 (k) Upon the arrest and conviction for a major
26 violation involving blue crabs, the licenseholder shall show
27 just cause why his or her saltwater products license should
28 not be suspended or revoked. This paragraph shall not apply to
29 an individual fishing with no more than five traps. For the
30 purposes of this paragraph, a "major violation" means a major
31 violation as prescribed for illegal blue crabs, any single

1 violation wherein 50 or more illegal blue crabs are involved;
2 any violation for trap molestation, trap robbing, or pulling
3 traps at night; or any combination of violations in any
4 3-consecutive-year period wherein more than 100 illegal blue
5 crabs in the aggregate are involved.

6 (l) Upon the conviction for a major violation
7 involving finfish, the licenseholder must show just cause why
8 his or her saltwater products license should not be suspended
9 or revoked. For the purposes of this paragraph, a major
10 violation is prescribed for the taking and harvesting of
11 illegal finfish, any single violation involving the possession
12 of more than 100 pounds of illegal finfish, or any combination
13 of violations in any 3-consecutive-year period wherein more
14 than 200 pounds of illegal finfish in the aggregate are
15 involved.

16 (m) For a violation involving the taking or harvesting
17 of any marine life species, as those species are defined by
18 rule of the commission, the harvest of which is prohibited, or
19 the taking or harvesting of such a species out of season, or
20 with an illegal gear or chemical, or any violation involving
21 the possession of 25 or more individual specimens of marine
22 life species, or any combination of violations in any 3-year
23 period involving more than 70 such specimens in the aggregate,
24 the suspension or revocation of the licenseholder's marine
25 life endorsement as provided in paragraph (h).

26
27 The penalty provisions of this subsection apply to commercial
28 harvesters and wholesale and retail saltwater products
29 dealers. Any other person who commits a major violation under
30 this subsection commits a Level Three violation under s.
31 372.83. Notwithstanding the provisions of s. 948.01, no court

1 may suspend, defer, or withhold adjudication of guilt or
2 imposition of sentence for any major violation prescribed in
3 this subsection. The proceeds from the penalties assessed
4 pursuant to this subsection shall be deposited into the Marine
5 Resources Conservation Trust Fund to be used for marine
6 fisheries research or into the commission's Federal Law
7 Enforcement Trust Fund as provided in s. 372.107, as
8 applicable.

9 (4) ADDITIONAL PENALTIES FOR MAJOR VIOLATIONS
10 INVOLVING CERTAIN FINFISH.--

11 (a) It is a major violation pursuant to this section,
12 punishable as provided in paragraph (3)(b), for any person to
13 be in possession of any species of trout, snook, or redfish
14 which is three fish in excess of the recreational or
15 commercial daily bag limit.

16 (b) A commercial harvester who violates this
17 subsection shall be punished as provided under paragraph
18 (3)(b). Any other person who violates this subsection commits
19 a Level Three violation under s. 372.83.

20 (5) SALTWATER PRODUCTS; UNLICENSED SELLERS; ILLEGALLY
21 HARVESTED PRODUCTS.--In addition to other penalties authorized
22 in this chapter, any violation of s. 370.06 or s. 370.07, or
23 rules of the commission implementing s. 370.06 or s. 370.07,
24 involving the purchase of saltwater products by a commercial
25 wholesale dealer, retail dealer, or restaurant facility for
26 public consumption from an unlicensed person, firm, or
27 corporation, ~~or the sale of saltwater products by an~~
28 ~~unlicensed person, firm, or corporation~~ or the purchase or
29 sale of any saltwater product known to be taken in violation
30 of s. 16, Art. X of the State Constitution, or rule or statute
31 implementing the provisions thereof, by a commercial wholesale

1 dealer, retail dealer, or restaurant facility, for public
2 consumption, is a major violation, and the commission may
3 assess the following penalties:

4 (a) For a first violation, the commission may assess a
5 civil penalty of up to \$2,500 and may suspend the wholesale or
6 retail dealer's license privileges for up to 90 calendar days.

7 (b) For a second violation occurring within 12 months
8 of a prior violation, the commission may assess a civil
9 penalty of up to \$5,000 and may suspend the wholesale or
10 retail dealer's license privileges for up to 180 calendar
11 days.

12 (c) For a third or subsequent violation occurring
13 within a 24-month period, the commission shall assess a civil
14 penalty of \$5,000 and shall suspend the wholesale or retail
15 dealer's license privileges for up to 24 months.

16
17 Any proceeds from the civil penalties assessed pursuant to
18 this subsection shall be deposited into the Marine Resources
19 Conservation Trust Fund and shall be used as follows: 40
20 percent for administration and processing purposes and 60
21 percent for law enforcement purposes.

22 (6) PENALTIES FOR UNLICENSED SALE, PURCHASE, OR
23 HARVEST.--It is a major violation and punishable as provided
24 in this subsection for any ~~an~~ unlicensed person, firm, or
25 corporation who is required to be licensed as a commercial
26 harvester or a wholesale or retail saltwater products dealer
27 under this chapter to sell or purchase any saltwater product
28 or to harvest or attempt to harvest any saltwater product with
29 intent to sell the saltwater product.

30 (a) Any person, firm, or corporation who sells or
31 purchases any saltwater product without having purchased the

1 licenses required by this chapter for such sale is subject to
2 ~~additional~~ penalties as follows:

3 1. A first violation is a misdemeanor of the second
4 degree, punishable as provided in s. 775.082 or s. 775.083.

5 2. A second violation is a misdemeanor of the first
6 degree, punishable as provided in s. 775.082 or s. 775.083,
7 and such person may also be assessed a civil penalty of up to
8 \$2,500 and is subject to a suspension of all license
9 privileges under this chapter and chapter 372 for a period not
10 exceeding 90 days.

11 3. A third violation is a misdemeanor of the first
12 degree, punishable as provided in s. 775.082 or s. 775.083,
13 with a mandatory minimum term of imprisonment of 6 months, and
14 such person may also be assessed a civil penalty of up to
15 \$5,000 and is subject to a suspension of all license
16 privileges under this chapter and chapter 372 for a period not
17 exceeding 6 months.

18 4. A third violation within 1 year after a second
19 violation is a felony of the third degree, punishable as
20 provided in s. 775.082 or s. 775.083, with a mandatory minimum
21 term of imprisonment of 1 year, and such person shall be
22 assessed a civil penalty of \$5,000 and all license privileges
23 under this chapter and chapter 372 shall be permanently
24 revoked.

25 5. A fourth or subsequent violation is a felony of the
26 third degree, punishable as provided in s. 775.082 or s.
27 775.083, with a mandatory minimum term of imprisonment of 1
28 year, and such person shall be assessed a civil penalty of
29 \$5,000 and all license privileges under this chapter and
30 chapter 372 shall be permanently revoked.

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1 (b) Any person whose license privileges under this
2 chapter have been permanently revoked and who thereafter sells
3 or purchases or who attempts to sell or purchase any saltwater
4 product commits a felony of the third degree, punishable as
5 provided in s. 775.082 or s. 775.083, with a mandatory minimum
6 term of imprisonment of 1 year, and such person shall also be
7 assessed a civil penalty of \$5,000. All property involved in
8 such offense shall be forfeited pursuant to s. 370.061.

9 (c) Any commercial harvester or wholesale or retail
10 saltwater products dealer ~~person~~ whose license privileges
11 under this chapter are under suspension and who during such
12 period of suspension sells or purchases or attempts to sell or
13 purchase any saltwater product shall be assessed the following
14 penalties:

15 1. A first violation, or a second violation occurring
16 more than 12 months after a first violation, is a first degree
17 misdemeanor, punishable as provided in ss. 775.082 and
18 775.083, and such commercial harvester or wholesale or retail
19 saltwater products dealer ~~person~~ may be assessed a civil
20 penalty of up to \$2,500 and an additional suspension of all
21 license privileges under this chapter and chapter 372 for a
22 period not exceeding 90 days.

23 2. A second violation occurring within 12 months of a
24 first violation is a third degree felony, punishable as
25 provided in ss. 775.082 and 775.083, with a mandatory minimum
26 term of imprisonment of 1 year, and such commercial harvester
27 or wholesale or retail saltwater products dealer ~~person~~ may be
28 assessed a civil penalty of up to \$5,000 and an additional
29 suspension of all license privileges under this chapter and
30 chapter 372 for a period not exceeding 180 days. All property
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1 involved in such offense shall be forfeited pursuant to s.
2 370.061.

3 3. A third violation within 24 months of the second
4 violation or subsequent violation is a third degree felony,
5 punishable as provided in ss. 775.082 and 775.083, with a
6 mandatory minimum term of imprisonment of 1 year, and such
7 commercial harvester or wholesale or retail saltwater products
8 dealer ~~person~~ shall be assessed a mandatory civil penalty of
9 up to \$5,000 and an additional suspension of all license
10 privileges under this chapter and chapter 372 for a period not
11 exceeding 24 months. All property involved in such offense
12 shall be forfeited pursuant to s. 370.061.

13 (d) Any commercial harvester ~~person~~ who harvests or
14 attempts to harvest any saltwater product with intent to sell
15 the saltwater product without having purchased a saltwater
16 products license with the requisite endorsements is subject to
17 penalties as follows:

18 1. A first violation is a misdemeanor of the second
19 degree, punishable as provided in s. 775.082 or s. 775.083.

20 2. A second violation is a misdemeanor of the first
21 degree, punishable as provided in s. 775.082 or s. 775.083,
22 and such commercial harvester ~~person~~ may also be assessed a
23 civil penalty of up to \$2,500 and is subject to a suspension
24 of all license privileges under this chapter and chapter 372
25 for a period not exceeding 90 days.

26 3. A third violation is a misdemeanor of the first
27 degree, punishable as provided in s. 775.082 or s. 775.083,
28 with a mandatory minimum term of imprisonment of 6 months, and
29 such commercial harvester ~~person~~ may also be assessed a civil
30 penalty of up to \$5,000 and is subject to a suspension of all
31

1 license privileges under this chapter and chapter 372 for a
2 period not exceeding 6 months.

3 4. A third violation within 1 year after a second
4 violation is a felony of the third degree, punishable as
5 provided in s. 775.082 or s. 775.083, with a mandatory minimum
6 term of imprisonment of 1 year, and such commercial harvester
7 ~~person~~ shall also be assessed a civil penalty of \$5,000 and
8 all license privileges under this chapter and chapter 372
9 shall be permanently revoked.

10 5. A fourth or subsequent violation is a felony of the
11 third degree, punishable as provided in s. 775.082 or s.
12 775.083, with a mandatory minimum term of imprisonment of 1
13 year, and such commercial harvester ~~person~~ shall also be
14 assessed a mandatory civil penalty of \$5,000 and all license
15 privileges under this chapter and chapter 372 shall be
16 permanently revoked.

17
18 For purposes of this subsection, a violation means any
19 judicial disposition other than acquittal or dismissal.

20 (12) LICENSES AND ENTITIES SUBJECT TO PENALTIES.--For
21 purposes of imposing license or permit suspensions or
22 revocations authorized by this chapter, the license or permit
23 under which the violation was committed is subject to
24 suspension or revocation by the commission. For purposes of
25 assessing monetary civil or administrative penalties
26 authorized by this chapter, the commercial harvester ~~person,~~
27 ~~firm, or corporation~~ cited and subsequently receiving a
28 judicial disposition of other than dismissal or acquittal in a
29 court of law is subject to the monetary penalty assessment by
30 the commission. However, if the license or permitholder of
31 record is not the commercial harvester ~~person, firm, or~~

1 ~~corporation~~ receiving the citation and judicial disposition,
2 the license or permit may be suspended or revoked only after
3 the license or permit holder has been notified by the
4 commission that the license or permit has been cited in a
5 major violation and is now subject to suspension or revocation
6 should the license or permit be cited for subsequent major
7 violations.

8 Section 3. Section 370.028, Florida Statutes, is
9 amended to read:

10 370.028 Enforcement of commission rules; penalties for
11 violation of rule.--Rules of the Fish and Wildlife
12 Conservation Commission shall be enforced by any law
13 enforcement officer certified pursuant to s. 943.13. Except
14 as provided under s. 372.83, any person who violates or
15 otherwise fails to comply with any rule adopted by the
16 commission shall be punished pursuant to s. 370.021(1).

17 Section 4. Paragraph (d) of subsection (5) of section
18 370.061, Florida Statutes, is amended to read:

19 370.061 Confiscation, seizure, and forfeiture of
20 property and products.--

21 (5) CONFISCATION AND SALE OF PERISHABLE SALTWATER
22 PRODUCTS; PROCEDURE.--

23 (d) For purposes of confiscation under this
24 subsection, the term "saltwater products" has the meaning set
25 out in s. 370.01(27) ~~s. 370.01(26)~~, except that the term does
26 not include saltwater products harvested under the authority
27 of a recreational license unless the amount of such harvested
28 products exceeds three times the applicable recreational bag
29 limit for trout, snook, or redfish.

30 Section 5. Subsection (8) is added to section 370.063,
31 Florida Statutes, to read:

1 370.063 Special recreational crawfish license.--There
2 is created a special recreational crawfish license, to be
3 issued to qualified persons as provided by this section for
4 the recreational harvest of crawfish (spiny lobster) beginning
5 August 5, 1994.

6 (8) Any person who violates this section commits a
7 Level One violation under s. 372.83.

8 Section 6. Subsection (8) is added to section 370.08,
9 Florida Statutes, to read:

10 370.08 Fishers and equipment; regulation.--

11 (8) PENALTIES.--A commercial harvester who violates
12 this section shall be punished under s. 370.021. Any other
13 person who violates this section commits a Level Two violation
14 under s. 372.83.

15 Section 7. Subsection (6) is added to section 370.081,
16 Florida Statutes, to read:

17 370.081 Illegal importation or possession of
18 nonindigenous marine plants and animals; rules and
19 regulations.--

20 (6) Any person who violates this section commits a
21 Level Three violation under s. 372.83.

22 Section 8. Subsection (4) is added to section
23 370.1105, Florida Statutes, to read:

24 370.1105 Saltwater finfish; fishing traps regulated.--

25 (4) A commercial harvester who violates this section
26 shall be punished under s. 370.021. Any other person who
27 violates this section commits a Level Two violation under s.
28 372.83.

29 Section 9. Subsection (3) is added to section
30 370.1121, Florida Statutes, to read:

31 370.1121 Bonefish; regulation.--

1 (3) A commercial harvester or wholesale or retail
2 saltwater products dealer who violates this section shall be
3 punished under s. 370.021. Any other person who violates this
4 section commits a Level Two violation under s. 372.83.

5 Section 10. Paragraphs (a), (b), (c), and (d) of
6 subsection (2) of section 370.13, Florida Statutes, are
7 amended to read:

8 370.13 Stone crab; regulation.--

9 (2) PENALTIES.--For purposes of this subsection,
10 conviction is any disposition other than acquittal or
11 dismissal, regardless of whether the violation was adjudicated
12 under any state or federal law.

13 (a) It is unlawful to violate commission rules
14 regulating stone crab trap certificates and trap tags. No
15 person may use an expired tag or a stone crab trap tag not
16 issued by the commission or possess or use a stone crab trap
17 in or on state waters or adjacent federal waters without
18 having a trap tag required by the commission firmly attached
19 thereto.

20 1. In addition to any other penalties provided in s.
21 370.021, for any commercial harvester who violates this
22 paragraph, person, firm, or corporation who violates rule
23 68B 13.010(2), Florida Administrative Code, or rule
24 68B 13.011(5), (6), (7), (8), or (11), Florida Administrative
25 Code, the following administrative penalties apply.

26 a.1- For a first violation, the commission shall
27 assess an administrative penalty of up to \$1,000 and the stone
28 crab endorsement under which the violation was committed may
29 be suspended for the remainder of the current license year.

30 b.2- For a second violation that occurs within 24
31 months of any previous such violation, the commission shall

1 assess an administrative penalty of up to \$2,000 and the stone
2 crab endorsement under which the violation was committed may
3 be suspended for 12 calendar months.

4 ~~c.3.~~ For a third violation that occurs within 36
5 months of any previous two such violations, the commission
6 shall assess an administrative penalty of up to \$5,000 and the
7 stone crab endorsement under which the violation was committed
8 may be suspended for 24 calendar months.

9 ~~d.4.~~ A fourth violation that occurs within 48 months
10 of any three previous such violations, shall result in
11 permanent revocation of all of the violator's saltwater
12 fishing privileges, including having the commission proceed
13 against the endorsement holder's saltwater products license in
14 accordance with s. 370.021.

15 2. Any other person who violates the provisions of
16 this paragraph commits a Level Two violation under s. 372.83.

17
18 Any commercial harvester ~~person~~ assessed an administrative
19 penalty under this paragraph shall, within 30 calendar days
20 after notification, pay the administrative penalty to the
21 commission, or request an administrative hearing under ss.
22 120.569 and 120.57. The proceeds of all administrative
23 penalties collected under this paragraph shall be deposited in
24 the Marine Resources Conservation Trust Fund.

25 (b) It is unlawful for any commercial harvester ~~person~~
26 to remove the contents of another harvester's trap or take
27 possession of such without the express written consent of the
28 trap owner available for immediate inspection. Unauthorized
29 possession of another's trap gear or removal of trap contents
30 constitutes theft.

31

1 1. Any commercial harvester ~~person~~ convicted of theft
2 of or from a trap pursuant to this subsection or s. 370.1107
3 shall, in addition to the penalties specified in s. 370.021
4 and the provisions of this section, permanently lose all ~~his~~
5 ~~or her~~ saltwater fishing privileges, including saltwater
6 products licenses, stone crab or incidental take endorsements,
7 and all trap certificates allotted to such commercial
8 harvester ~~him or her~~ by the commission. In such cases, trap
9 certificates and endorsements are nontransferable.

10 2. In addition, any commercial harvester ~~person, firm,~~
11 ~~or corporation~~ convicted of violating the prohibitions
12 referenced in this paragraph shall also be assessed an
13 administrative penalty of up to \$5,000. Immediately upon
14 receiving a citation for a violation involving theft of or
15 from a trap and until adjudicated for such a violation, or,
16 upon receipt of a judicial disposition other than dismissal or
17 acquittal on such a violation, the violator is prohibited from
18 transferring any stone crab or lobster certificates.

19 3. Any other person who violates the provisions of
20 this paragraph commits a Level Two violation under s. 372.83.

21 ~~(c)1. It is unlawful to violate Any person, firm, or~~
22 ~~corporation convicted of violating~~ commission rules that
23 prohibit any of the following: ~~, commits a felony of the third~~
24 ~~degree, punishable as provided in s. 775.082, s. 775.083, or~~
25 ~~s. 775.084.~~

26 ~~a.1-~~ The willful molestation of any stone crab trap,
27 line, or buoy that is the property of any licenseholder,
28 without the permission of that licenseholder.

29 ~~b.2-~~ The bartering, trading, or sale, or conspiring or
30 aiding in such barter, trade, or sale, or supplying, agreeing
31 to supply, aiding in supplying, or giving away stone crab trap

1 tags or certificates unless the action is duly authorized by
2 the commission as provided by commission rules.

3 ~~c.3.~~ The making, altering, forging, counterfeiting, or
4 reproducing of stone crab trap tags.

5 ~~d.4.~~ Possession of forged, counterfeit, or imitation
6 stone crab trap tags.

7 ~~e.5.~~ Engaging in the commercial harvest of stone crabs
8 during the time either of the endorsements is under suspension
9 or revocation.

10 2. Any commercial harvester who violates this
11 paragraph commits a felony of the third degree, punishable as
12 provided in s. 775.082, s. 775.083, or s. 775.084.

13 3. Any other person who violates this paragraph
14 commits a Level Four violation under s. 372.83.

15
16 In addition, any commercial harvester ~~person, firm, or~~
17 ~~corporation~~ convicted of violating this paragraph shall also
18 be assessed an administrative penalty of up to \$5,000, and the
19 incidental take endorsement and/or the stone crab endorsement
20 under which the violation was committed may be suspended for
21 up to 24 calendar months. Immediately upon receiving a
22 citation involving a violation of this paragraph and until
23 adjudicated for such a violation, or if convicted of such a
24 violation, the person, firm, or corporation committing the
25 violation is prohibited from transferring any stone crab
26 certificates or endorsements.

27 (d) For any commercial harvester ~~person, firm, or~~
28 ~~corporation~~ convicted of fraudulently reporting the actual
29 value of transferred stone crab certificates, the commission
30 may automatically suspend or permanently revoke the seller's
31 or the purchaser's stone crab endorsements. If the endorsement

1 is permanently revoked, the commission shall also permanently
2 deactivate the endorsement holder's stone crab certificate
3 accounts. Whether an endorsement is suspended or revoked, the
4 commission may also levy a fine against the holder of the
5 endorsement of up to twice the appropriate surcharge to be
6 paid based on the fair market value of the transferred
7 certificates.

8 Section 11. Subsection (1) of section 370.135, Florida
9 Statutes, is amended to read:

10 370.135 Blue crab; regulation.--

11 (1)(a) No commercial harvester ~~person, firm, or~~
12 ~~corporation~~ shall transport on the water, fish with or cause
13 to be fished with, set, or place any trap designed for taking
14 blue crabs unless such commercial harvester ~~person, firm, or~~
15 ~~corporation~~ is the holder of a valid saltwater products
16 license issued pursuant to s. 370.06 and the trap has a
17 current state number permanently attached to the buoy. The
18 trap number shall be affixed in legible figures at least 1
19 inch high on each buoy used. The saltwater products license
20 must be on board the boat, and both the license and the crabs
21 shall be subject to inspection at all times. Only one trap
22 number may be issued for each boat by the commission upon
23 receipt of an application on forms prescribed by it. This
24 subsection shall not apply to an individual fishing with no
25 more than five traps.

26 (b) It is unlawful ~~a felony of the third degree,~~
27 ~~punishable as provided in s. 775.082, s. 775.083, or s.~~
28 ~~775.084,~~ for any person willfully to molest any traps, lines,
29 or buoys, as defined herein, belonging to another without the
30 express written consent of the trap owner.

31

1 1. A commercial harvester who violates this paragraph
2 commits a felony of the third degree, punishable as provided
3 in s. 775.082, s. 775.083, or s. 775.084.

4 2. Any other person who violates this paragraph
5 commits a Level Four violation under s. 372.83.

6
7 Any commercial harvester ~~person~~ receiving a judicial
8 disposition other than dismissal or acquittal on a charge of
9 willful molestation of a trap, in addition to the penalties
10 specified in s. 370.021, shall lose all saltwater fishing
11 privileges for a period of 24 calendar months.

12 (c)1. It is unlawful for any person to remove the
13 contents of or take possession of another harvester's trap
14 without the express written consent of the trap owner
15 available for immediate inspection. Unauthorized possession of
16 another's trap gear or removal of trap contents constitutes
17 theft.

18 a. Any commercial harvester ~~person~~ receiving a
19 judicial disposition other than dismissal or acquittal on a
20 charge of theft of or from a trap pursuant to this section or
21 s. 370.1107 shall, in addition to the penalties specified in
22 s. 370.021 and the provisions of this section, permanently
23 lose all ~~his or her~~ saltwater fishing privileges, including
24 any ~~his or her~~ saltwater products license and blue crab
25 endorsement. In such cases endorsements, landings history, and
26 trap certificates are nontransferable.

27 b. In addition, any commercial harvester ~~person, firm,~~
28 ~~or corporation~~ receiving a judicial disposition other than
29 dismissal or acquittal for violating this subsection or s.
30 370.1107 shall also be assessed an administrative penalty of
31 up to \$5,000. Immediately upon receiving a citation for a

1 violation involving theft of or from a trap and until
2 adjudicated for such a violation, or receiving a judicial
3 disposition other than dismissal or acquittal for such a
4 violation, the commercial harvester ~~person, firm, or~~
5 ~~corporation~~ committing the violation is prohibited from
6 transferring any blue crab endorsements, landings history, or
7 trap certificates.

8 2. A commercial harvester who violates this paragraph
9 shall be punished under s. 370.021. Any other person who
10 violates this paragraph commits a Level Two violation under s.
11 372.83.

12 Section 12. Paragraph (a) of subsection (2) and
13 subsection (4) of section 370.14, Florida Statutes, are
14 amended to read:

15 370.14 Crawfish; regulation.--

16 (2)(a)1. Each commercial harvester ~~person~~ taking or
17 attempting to take crawfish with a trap in commercial
18 quantities or for commercial purposes shall obtain and exhibit
19 a crawfish trap number, as required by the Fish and Wildlife
20 Conservation Commission. The annual fee for a crawfish trap
21 number is \$125. This trap number may be issued by the
22 commission upon the receipt of application by the commercial
23 harvester ~~person~~ when accompanied by the payment of the fee.
24 The design of the applications and of the trap number shall be
25 determined by the commission. Any trap or device used in
26 taking or attempting to take crawfish, other than a trap with
27 the trap number, shall be seized and destroyed by the
28 commission. The proceeds of the fees imposed by this paragraph
29 shall be deposited and used as provided in paragraph (b). The
30 commission may adopt rules to carry out the intent of this
31 section.

1 2. Each commercial harvester ~~person~~ taking or
2 attempting to take crawfish in commercial quantities or for
3 commercial purposes by any method, other than with a trap
4 having a crawfish trap number issued by the commission, must
5 pay an annual fee of \$100.

6 (4)(a) It is unlawful ~~a felony of the third degree,~~
7 ~~punishable as provided in s. 775.082 or s. 775.083,~~ for any
8 person willfully to molest any crawfish traps, lines, or buoys
9 belonging to another without permission of the licenseholder.

10 (b) A commercial harvester who violates this
11 subsection commits a felony of the third degree, punishable as
12 provided in s. 775.082 or s. 775.083. Any other person who
13 violates this subsection commits a Level Four violation under
14 s. 372.83.

15 Section 13. Paragraph (c) of subsection (2) of section
16 370.142, Florida Statutes, is amended to read:

17 370.142 Spiny lobster trap certificate program.--

18 (2) TRANSFERABLE TRAP CERTIFICATES; TRAP TAGS; FEES;
19 PENALTIES.--The Fish and Wildlife Conservation Commission
20 shall establish a trap certificate program for the spiny
21 lobster fishery of this state and shall be responsible for its
22 administration and enforcement as follows:

23 (c) Prohibitions; penalties.--

24 1. It is unlawful for a person to possess or use a
25 spiny lobster trap in or on state waters or adjacent federal
26 waters without having affixed thereto the trap tag required by
27 this section. It is unlawful for a person to possess or use
28 any other gear or device designed to attract and enclose or
29 otherwise aid in the taking of spiny lobster by trapping that
30 is not a trap as defined by rule of the commission ~~in rule~~
31 ~~68B 24.006(2), Florida Administrative Code.~~

1 2. It is unlawful for a person to possess or use spiny
2 lobster trap tags without having the necessary number of
3 certificates on record as required by this section.

4 3. It is unlawful for any person to willfully molest,
5 take possession of, or remove the contents of another
6 harvester's trap without the express written consent of the
7 trap owner available for immediate inspection. Unauthorized
8 possession of another's trap gear or removal of trap contents
9 constitutes theft.

10 a. A commercial harvester who violates this
11 subparagraph shall be punished under ss. 370.021 and 370.14.
12 Any commercial harvester ~~person~~ receiving a judicial
13 disposition other than dismissal or acquittal on a charge of
14 theft of or from a trap pursuant to this subparagraph or s.
15 370.1107 shall, in addition to the penalties specified in ss.
16 370.021 and 370.14 and the provisions of this section,
17 permanently lose all his or her saltwater fishing privileges,
18 including his or her saltwater products license, crawfish
19 endorsement, and all trap certificates allotted to him or her
20 through this program. In such cases, trap certificates and
21 endorsements are nontransferable.

22 b. Any commercial harvester ~~person~~ receiving a
23 judicial disposition other than dismissal or acquittal on a
24 charge of willful molestation of a trap, in addition to the
25 penalties specified in ss. 370.021 and 370.14, shall lose all
26 saltwater fishing privileges for a period of 24 calendar
27 months.

28 c. In addition, any commercial harvester ~~person, firm,~~
29 ~~or corporation~~ charged with violating this paragraph and
30 receiving a judicial disposition other than dismissal or
31

1 acquittal for violating this subparagraph or s. 370.1107 shall
2 also be assessed an administrative penalty of up to \$5,000.

3
4 Immediately upon receiving a citation for a violation
5 involving theft of or from a trap, or molestation of a trap,
6 and until adjudicated for such a violation or, upon receipt of
7 a judicial disposition other than dismissal or acquittal of
8 such a violation, the person, firm, or corporation committing
9 the violation is prohibited from transferring any crawfish
10 trap certificates and endorsements.

11 4. In addition to any other penalties provided in s.
12 370.021, a commercial harvester, ~~as defined by rule~~
13 ~~68B-24.002(1), Florida Administrative Code,~~ who violates the
14 provisions of this section, or commission rules the provisions
15 ~~relating to traps of chapter 68B-24, Florida Administrative~~
16 ~~Code,~~ shall be punished as follows:

17 a. If the first violation is for violation of
18 subparagraph 1. or subparagraph 2., the commission shall
19 assess an additional administrative ~~civil~~ penalty of up to
20 \$1,000 and the crawfish trap number issued pursuant to s.
21 370.14(2) or (6) may be suspended for the remainder of the
22 current license year. For all other first violations, the
23 commission shall assess an additional administrative ~~civil~~
24 penalty of up to \$500.

25 b. For a second violation of subparagraph 1. or
26 subparagraph 2. which occurs within 24 months of any previous
27 such violation, the commission shall assess an additional
28 administrative ~~civil~~ penalty of up to \$2,000 and the crawfish
29 trap number issued pursuant to s. 370.14(2) or (6) may be
30 suspended for the remainder of the current license year.

31

1 c. For a third or subsequent violation of subparagraph
2 1., subparagraph 2., or subparagraph 3. which occurs within 36
3 months of any previous two such violations, the commission
4 shall assess an additional administrative ~~civil~~ penalty of up
5 to \$5,000 and may suspend the crawfish trap number issued
6 pursuant to s. 370.14(2) or (6) for a period of up to 24
7 months or may revoke the crawfish trap number and, if revoking
8 the crawfish trap number, may also proceed against the
9 licenseholder's saltwater products license in accordance with
10 the provisions of s. 370.021(2)(h).

11 d. Any person assessed an additional administrative
12 ~~civil~~ penalty pursuant to this section shall within 30
13 calendar days after notification:

14 (I) Pay the administrative ~~civil~~ penalty to the
15 commission; or

16 (II) Request an administrative hearing pursuant to the
17 provisions of s. 120.60.

18 e. The commission shall suspend the crawfish trap
19 number issued pursuant to s. 370.14(2) or (6) for any person
20 failing to comply with the provisions of sub-subparagraph d.

21 5.a. It is unlawful for any person to make, alter,
22 forge, counterfeit, or reproduce a spiny lobster trap tag or
23 certificate.

24 b. It is unlawful for any person to knowingly have in
25 his or her possession a forged, counterfeit, or imitation
26 spiny lobster trap tag or certificate.

27 c. It is unlawful for any person to barter, trade,
28 sell, supply, agree to supply, aid in supplying, or give away
29 a spiny lobster trap tag or certificate or to conspire to
30 barter, trade, sell, supply, aid in supplying, or give away a
31 spiny lobster trap tag or certificate unless such action is

1 | duly authorized by the commission as provided in this chapter
2 | or in the rules of the commission.

3 | 6.a. Any commercial harvester ~~person~~ who violates the
4 | provisions of subparagraph 5., or any commercial harvester
5 | ~~person~~ who engages in the commercial harvest, trapping, or
6 | possession of spiny lobster without a crawfish trap number as
7 | required by s. 370.14(2) or (6) or during any period while
8 | such crawfish trap number is under suspension or revocation,
9 | commits a felony of the third degree, punishable as provided
10 | in s. 775.082, s. 775.083, or s. 775.084.

11 | b. In addition to any penalty imposed pursuant to
12 | sub-subparagraph a., the commission shall levy a fine of up to
13 | twice the amount of the appropriate surcharge to be paid on
14 | the fair market value of the transferred certificates, as
15 | provided in subparagraph (a)1., on any commercial harvester
16 | ~~person~~ who violates the provisions of sub-subparagraph 5.c.

17 | c. Any other person who violates the provisions of
18 | subparagraph 5. commits a Level Four violation under s.
19 | 372.83.

20 | 7. Any certificates for which the annual certificate
21 | fee is not paid for a period of 3 years shall be considered
22 | abandoned and shall revert to the commission. During any
23 | period of trap reduction, any certificates reverting to the
24 | commission shall become permanently unavailable and be
25 | considered in that amount to be reduced during the next
26 | license-year period. Otherwise, any certificates that revert
27 | to the commission are to be reallocated in such manner as
28 | provided by the commission.

29 | 8. The proceeds of all civil penalties collected
30 | pursuant to subparagraph 4. and all fines collected pursuant
31 |

1 to sub-subparagraph 6.b. shall be deposited into the Marine
2 Resources Conservation Trust Fund.

3 9. All traps shall be removed from the water during
4 any period of suspension or revocation.

5 10. Except as otherwise provided, any person who
6 violates this paragraph commits a Level Two violation under s.
7 372.83.

8 Section 14. Subsections (4), (8), (11), and (12) of
9 section 372.57, Florida Statutes, are amended, and subsections
10 (16) and (17) are added to that section, to read:

11 372.57 Recreational licenses, permits, and
12 authorization numbers; fees established.--

13 (4) RESIDENT HUNTING AND FISHING LICENSES.--The
14 licenses and fees for residents participating in hunting and
15 fishing activities in this state are as follows:

16 (a) Annual freshwater fishing license, \$12.

17 (b) Annual saltwater fishing license, \$12.

18 (c) Annual hunting license to take game, \$11.

19 (d) Annual combination hunting and freshwater fishing
20 license, \$22.

21 (e) Annual combination freshwater fishing and
22 saltwater fishing license, \$24.

23 (f) Annual combination hunting, freshwater fishing,
24 and saltwater fishing license, \$34.

25 (g) Annual license to take fur-bearing animals, \$25.

26 However, a resident with a valid hunting license or a no-cost
27 license who is taking fur-bearing animals for noncommercial
28 purposes using guns or dogs only, and not traps or other
29 devices, is not required to purchase this license. Also, a
30 resident 65 years of age or older is not required to purchase
31 this license.

1 (h) Annual sportsman's license, ~~\$71~~^{\$66} except that an
2 annual sportsman's license for a resident 64 years of age or
3 older is \$12. A sportsman's license authorizes the person to
4 whom it is issued to take game and freshwater fish, subject to
5 the state and federal laws, rules, and regulations, including
6 rules of the commission, in effect at the time of the taking.
7 Other authorized activities include activities authorized by a
8 management area permit, a muzzle-loading gun season permit, a
9 crossbow season permit, a turkey permit, a Florida waterfowl
10 permit, and an archery permit.

11 (i) Annual gold sportsman's license, ~~\$87~~^{\$82}. The gold
12 sportsman's license authorizes the person to whom it is issued
13 to take freshwater fish, saltwater fish, and game, subject to
14 the state and federal laws, rules, and regulations, including
15 rules of the commission, in effect at the time of taking.
16 Other authorized activities include activities authorized by a
17 management area permit, a muzzle-loading gun season permit, a
18 crossbow season permit, a turkey permit, a Florida waterfowl
19 permit, an archery permit, a snook permit, and a crawfish
20 permit.

21 (j) Annual military gold sportsman's license, \$18.50.
22 The gold sportsman's license authorizes the person to whom it
23 is issued to take freshwater fish, saltwater fish, and game,
24 subject to the state and federal laws, rules, and regulations,
25 including rules of the commission, in effect at the time of
26 taking. Other authorized activities include activities
27 authorized by a management area permit, a muzzle-loading gun
28 season permit, a crossbow season permit, a turkey permit, a
29 Florida waterfowl permit, an archery permit, a snook permit,
30 and a crawfish permit. Any resident who is an active or
31 retired member of the United States Armed Forces, the United

1 States Armed Forces Reserve, the National Guard, the United
2 States Coast Guard, or the United States Coast Guard Reserve
3 is eligible to purchase the military gold sportsman's license
4 upon submission of a current military identification card.

5 (8) SPECIFIED HUNTING, FISHING, AND RECREATIONAL
6 ACTIVITY PERMITS.--In addition to any license required under
7 this chapter, the following permits and fees for specified
8 hunting, fishing, and recreational uses and activities are
9 required:

10 (a) An annual Florida waterfowl permit for a resident
11 or nonresident to take wild ducks or geese within the state or
12 its coastal waters is \$3.

13 (b)1. An annual Florida turkey permit for a resident
14 to take wild turkeys within the state is \$5.

15 2. An annual Florida turkey permit for a nonresident
16 to take wild turkeys within the state is \$100.

17 (c) An annual snook permit for a resident or
18 nonresident to take or possess any snook from any waters of
19 the state is \$2. Revenue generated from the sale of snook
20 permits shall be used exclusively for programs to benefit the
21 snook population.

22 (d) An annual crawfish permit for a resident or
23 nonresident to take or possess any crawfish for recreational
24 purposes from any waters of the state is \$2. Revenue
25 generated from the sale of crawfish permits shall be used
26 exclusively for programs to benefit the crawfish population.

27 (e) A \$5 fee is imposed for each of the following
28 permits:

29 1. An annual archery season permit for a resident or
30 nonresident to hunt within the state during any archery season
31 authorized by the commission.

1 2. An annual crossbow season permit for a resident or
2 nonresident to hunt within the state during any crossbow
3 season authorized by the commission.

4 3. An annual muzzle-loading gun season permit for a
5 resident or nonresident to hunt within the state during any
6 with a muzzle-loading gun season is \$5. ~~Hunting with a~~
7 muzzle loading gun is limited to game seasons in which hunting
8 with a modern firearm is not authorized by the commission.

9 ~~(f) An annual archery permit for a resident or~~
10 ~~nonresident to hunt within the state with a bow and arrow is~~
11 ~~\$5. Hunting with an archery permit is limited to those game~~
12 ~~seasons in which hunting with a firearm is not authorized by~~
13 ~~the commission.~~

14 ~~(f)(g)~~ A special use permit for a resident or
15 nonresident to participate in limited entry hunting or fishing
16 activities as authorized by commission rule shall not exceed
17 \$100 per day or \$250 per week. Notwithstanding any other
18 provision of this chapter, there are no exclusions,
19 exceptions, or exemptions from this permit fee. In addition
20 to the permit fee, the commission may charge each special use
21 permit applicant a nonrefundable application fee not to exceed
22 \$10.

23 ~~(g)(h)~~1. A management area permit for a resident or
24 nonresident to hunt on, fish on, or otherwise use for outdoor
25 recreational purposes land owned, leased, or managed by the
26 commission, or by the state for the use and benefit of the
27 commission, shall not exceed \$25 per year.

28 2. Permit fees for short-term use of land that is
29 owned, leased, or managed by the commission may be established
30 by rule of the commission for activities on such lands. Such
31

1 | permits may be in lieu of, or in addition to, the annual
2 | management area permit authorized in subparagraph 1.

3 | 3. Other than for hunting or fishing, the provisions
4 | of this paragraph shall not apply on any lands not owned by
5 | the commission, unless the commission has obtained the written
6 | consent of the owner or primary custodian of such lands.

7 | (h)~~(i)~~1. A recreational user permit is required to
8 | hunt on, fish on, or otherwise use for outdoor recreational
9 | purposes land leased by the commission from private
10 | nongovernmental owners, except for those lands located
11 | directly north of the Apalachicola National Forest, east of
12 | the Ochlocknee River until the point the river meets the dam
13 | forming Lake Talquin, and south of the closest federal
14 | highway. The fee for a recreational user permit shall be based
15 | upon the economic compensation desired by the landowner, game
16 | population levels, desired hunter density, and administrative
17 | costs. The permit fee shall be set by commission rule on a
18 | per-acre basis. The recreational user permit fee, less
19 | administrative costs of up to \$25 per permit, shall be
20 | remitted to the landowner as provided in the lease agreement
21 | for each area.

22 | 2. One minor dependent, 16 years of age or younger,
23 | may hunt under the supervision of the permittee and is exempt
24 | from the recreational user permit requirements. The spouse
25 | and dependent children of a permittee are exempt from the
26 | recreational user permit requirements when engaged in outdoor
27 | recreational activities other than hunting and when
28 | accompanied by a permittee. Notwithstanding any other
29 | provision of this chapter, no other exclusions, exceptions, or
30 | exemptions from the recreational user permit fee are
31 | authorized.

1 (11) RESIDENT LIFETIME HUNTING LICENSES.--

2 (a) Lifetime hunting licenses are available to
3 residents only, as follows, for:

4 1. Persons 4 years of age or younger, for a fee of
5 \$200.

6 2. Persons 5 years of age or older, but under 13 years
7 of age, for a fee of \$350.

8 3. Persons 13 years of age or older, for a fee of
9 \$500.

10 (b) The following activities are authorized by the
11 purchase of a lifetime hunting license:

12 1. Taking, or attempting to take or possess, game
13 consistent with the state and federal laws and regulations and
14 rules of the commission in effect at the time of the taking.

15 2. All activities authorized by a muzzle-loading gun
16 season permit, a crossbow season permit, a turkey permit, an
17 archery season permit, a Florida waterfowl permit, and a
18 management area permit, excluding fishing.

19 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.--

20 (a) Lifetime sportsman's licenses are available to
21 residents only, as follows, for:

22 1. Persons 4 years of age or younger, for a fee of
23 \$400.

24 2. Persons 5 years of age or older, but under 13 years
25 of age, for a fee of \$700.

26 3. Persons 13 years of age or older, for a fee of
27 \$1,000.

28 (b) The following activities are authorized by the
29 purchase of a lifetime sportsman's license:

30 1. Taking, or attempting to take or possess,
31 freshwater and saltwater fish, and game, consistent with the

1 state and federal laws and regulations and rules of the
2 commission in effect at the time of taking.

3 2. All activities authorized by a management area
4 permit, a muzzle-loading gun season permit, a crossbow season
5 permit, a turkey permit, an archery season permit, a Florida
6 waterfowl permit, a snook permit, and a crawfish permit.

7 (16) PROHIBITED LICENSES OR PERMITS.--A person may not
8 make, forge, counterfeit, or reproduce a license or permit
9 required under this section, except for those persons
10 authorized by the commission to make or reproduce such a
11 license or permit. A person may not knowingly possess a
12 forgery, counterfeit, or unauthorized reproduction of such a
13 license or permit. A person who violates this subsection
14 commits a Level Four violation under s. 372.83.

15 (17) SUSPENDED OR REVOKED LICENSES.--A person may not
16 take game, freshwater fish, saltwater fish, or fur-bearing
17 animals within this state if a license issued to such person
18 as required under this section or a privilege granted to such
19 person under s. 372.562 is suspended or revoked. A person who
20 violates this subsection commits a Level Three violation under
21 s. 372.83.

22 Section 15. Subsection (5) of section 372.5704,
23 Florida Statutes, is amended to read:

24 372.5704 Fish and Wildlife Conservation Commission
25 license program for tarpon; fees; penalties.--

26 (5) Any individual including a taxidermist who
27 possesses a tarpon which does not have a tag securely attached
28 as required by this section commits a Level Two violation
29 under s. 372.83 ~~shall be subject to penalties as prescribed in~~
30 ~~s. 370.021~~. Provided, however, a taxidermist may remove the
31 tag during the process of mounting a tarpon. The removed tag

1 shall remain with the fish during any subsequent storage or
2 shipment.

3 Section 16. Section 372.571, Florida Statutes, is
4 amended to read:

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

22 Section 17. Section 372.5717, Florida Statutes, is
23 amended to read:

24 372.5717 Hunter safety course; requirements;
25 penalty.--

26 (1) This section may be cited as the Senator Joe
27 Carlucci Hunter Safety Act.

28 (2)(a) Except as provided in paragraph (b), a person
29 born on or after June 1, 1975, may not be issued a license to
30 take wild animal life with the use of a firearm, gun, bow, or
31 crossbow in this state without having first successfully

1 completed a hunter safety course as provided in this section,
2 and without having in his or her personal possession a hunter
3 safety certification card, as provided in this section.

4 (b) A person born on or after June 1, 1975, who has
5 not successfully completed a hunter safety course may apply to
6 the commission for a special authorization to hunt under
7 supervision. The special authorization for supervised hunting
8 shall be designated on any license or permit required under
9 this chapter for a person to take game or fur-bearing animals,
10 and shall be valid for not more than 1 year. A special
11 authorization for supervised hunting may not be issued more
12 than once to the person applying for such authorization. A
13 person issued a license with a special authorization to hunt
14 under supervision must hunt under the supervision of, and in
15 the presence of, a person 21 years or age or older who is
16 licensed to hunt pursuant to s. 372.57 or who is exempt from
17 licensing requirements or eligible for a free license pursuant
18 to s. 372.562.

19 (3) The Fish and Wildlife Conservation Commission
20 shall institute and coordinate a statewide hunter safety
21 course ~~that which~~ must be offered in every county and consist
22 of not ~~less than 12 hours nor~~ more than 16 hours of
23 instruction including, but not limited to, instruction in the
24 competent and safe handling of firearms, conservation, and
25 hunting ethics.

26 (4) The commission shall issue a permanent hunter
27 safety certification card to each person who successfully
28 completes the hunter safety course. The commission shall
29 maintain records of hunter safety certification cards issued
30 and shall establish procedures for replacing lost or destroyed
31 cards.

1 (5) A hunter safety certification card issued by a
2 wildlife agency of another state, or any Canadian province,
3 which shows that the holder of the card has successfully
4 completed a hunter safety course approved by the commission is
5 an acceptable substitute for the hunter safety certification
6 card issued by the commission.

7 (6) All persons subject to the requirements of
8 subsection (2) must have in their personal possession, proof
9 of compliance with this section, while taking or attempting to
10 take wildlife with the use of a firearm, gun, bow, or crossbow
11 and must, unless the requirement to complete a hunter safety
12 course is deferred pursuant to this section, display a valid
13 hunter safety certification card ~~to county tax collectors or~~
14 ~~their subagents~~ in order to purchase a Florida hunting
15 license. After the issuance of such a license, the license
16 itself shall serve as proof of compliance with this section. A
17 holder of a lifetime license whose license does not indicate
18 on the face of the license that a hunter safety course has
19 been completed must have in his or her personal possession a
20 hunter safety certification card, as provided by this section,
21 while attempting to take wild animal life with the use of a
22 firearm, gun, bow, or crossbow.

23 (7) The hunter safety requirements of this section do
24 not apply to persons for whom licenses are not required under
25 s. 372.562(2).

26 (8) A person who violates this section shall be cited
27 for a Level One violation as classified in s. 372.83 and shall
28 be punished ~~noncriminal infraction, punishable~~ as provided in
29 s. 372.83 ~~s. 372.711~~.

30 Section 18. Section 372.573, Florida Statutes, is
31 amended to read:

1 372.573 Management area permit revenues.--The
2 commission shall expend the revenue generated from the sale of
3 the management area permit as provided for in s. 372.57(8)(g)
4 ~~s. 372.57(8)(h)~~ or that pro rata portion of any license that
5 includes management area privileges as provided for in s.
6 372.57(4)(h), (i), and (j) for the lease, management, and
7 protection of lands for public hunting, fishing, and other
8 outdoor recreation.

9 Section 19. Section 372.83, Florida Statutes, is
10 amended to read:

11 (Substantial rewording of section. See
12 s. 372.83, F.S., for present text.)

13 372.83 Penalties and violations; civil penalties for
14 noncriminal infractions; criminal penalties; suspension and
15 forfeiture of licenses and permits.--

16 (1)(a) LEVEL ONE VIOLATIONS.--A person commits a Level
17 One violation if he or she violates any of the following
18 provisions:

19 1. Rules or orders of the commission relating to the
20 filing of reports or other documents required to be filed by
21 persons who hold recreational licenses and permits issued by
22 the commission.

23 2. Rules or orders of the commission relating to quota
24 hunt permits, daily use permits, hunting zone assignments,
25 camping, alcoholic beverages, vehicles, and check stations
26 within wildlife management areas or other areas managed by the
27 commission.

28 3. Rules or orders of the commission relating to daily
29 use permits, alcoholic beverages, swimming, possession of
30 firearms, operation of vehicles, and watercraft speed within
31 fish management areas managed by the commission.

1 4. Rules or orders of the commission relating to
2 vessel size or specifying motor restrictions on specified
3 water bodies.

4 5. Section 370.063, providing for special recreational
5 crawfish licenses.

6 6. Subsections (1) through (15) of s. 372.57,
7 providing for recreational licenses to hunt, fish, and trap.

8 7. Section 372.5717, providing hunter safety course
9 requirements.

10 8. Section 372.988, prohibiting deer hunting unless
11 required clothing is worn.

12 (b) A person who commits a Level One violation commits
13 a noncriminal infraction and shall be cited to appear before
14 the county court.

15 (c)1. The civil penalty for committing a Level One
16 violation involving the license and permit requirements of s.
17 372.57 is \$50, plus the cost of the license or permit if the
18 person cited has not previously committed a Level One
19 violation.

20 2. The civil penalty for committing a Level One
21 violation involving the license and permit requirements of s.
22 372.57 is \$250, plus the cost of the license or permit if the
23 person cited has previously committed a Level One violation.

24 (d)1. The civil penalty for any other Level One
25 violation is \$50 if the person cited has not previously
26 committed a Level One violation.

27 2. The civil penalty for any other Level One violation
28 is \$250 if the person cited has previously committed a Level
29 One violation.

30 (e) A person cited for a Level One violation shall
31 sign and accept a citation to appear before the county

1 court. The issuing officer may indicate on the citation the
2 time and location of the scheduled hearing and shall indicate
3 the applicable civil penalty.

4 (f) A person cited for a Level One violation may pay
5 the civil penalty by mail or in person within 30 days after
6 receipt of the citation. If the civil penalty is paid, the
7 person shall be deemed to have admitted committing the Level
8 One violation and to have waived his or her right to a hearing
9 before the county court. Such admission may not be used as
10 evidence in any other proceedings except to determine the
11 appropriate fine for any subsequent violations.

12 (g) A person who refuses to accept a citation, who
13 fails to pay the civil penalty for a Level One violation, or
14 who fails to appear before a county court as required commits
15 a misdemeanor of the second degree, punishable as provided in
16 s. 775.082 or s. 775.083.

17 (h) A person who elects to appear before the county
18 court or who is required to appear before the county court
19 shall be deemed to have waived the limitations on civil
20 penalties provided under paragraph (c). After a hearing, the
21 county court shall determine if a Level One violation has been
22 committed, and if so, may impose a civil penalty of not less
23 than \$50 for a first-time violation, and not more than \$500
24 for subsequent violations. A person found guilty of committing
25 a Level One violation may appeal that finding to the circuit
26 court. The commission of a violation must be proved beyond a
27 reasonable doubt.

28 (i) A person cited for violating the requirements of
29 s. 372.57 relating to personal possession of a license or
30 permit may not be convicted if, prior to or at the time of a
31 county court hearing, the person produces the required license

1 or permit for verification by the hearing officer or the court
2 clerk. The license or permit must have been valid at the time
3 the person was cited. The clerk or hearing officer may assess
4 a \$5 fee for costs under this paragraph.

5 (2)(a) LEVEL TWO VIOLATIONS.--A person commits a Level
6 Two violation if he or she violates any of the following
7 provisions:

8 1. Rules or orders of the commission relating to
9 season or time periods for the taking of wildlife, freshwater
10 fish, or saltwater fish.

11 2. Rules or orders of the commission establishing bag,
12 possession, or size limits or restricting methods of taking
13 wildlife, freshwater fish, or saltwater fish.

14 3. Rules or orders of the commission prohibiting
15 access or otherwise relating to access to wildlife management
16 areas or other areas managed by the commission.

17 4. Rules or orders of the commission relating to the
18 feeding of wildlife, freshwater fish, or saltwater fish.

19 5. Rules or orders of the commission relating to
20 landing requirements for freshwater fish or saltwater fish.

21 6. Rules or orders of the commission relating to
22 restricted hunting areas, critical wildlife areas, or bird
23 sanctuaries.

24 7. Rules or orders of the commission relating to
25 tagging requirements for game and fur-bearing animals.

26 8. Rules or orders of the commission relating to the
27 use of dogs for the taking of game.

28 9. Rules or orders of the commission which are not
29 otherwise classified.

30 10. All prohibitions in chapter 370 which are not
31 otherwise classified.

1 11. Section 370.028, prohibiting the violation of or
2 noncompliance with commission rules.

3 12. Subsection 370.021(6) prohibiting the sale,
4 purchase, harvest, or attempted harvest of any saltwater
5 product with intent to sell.

6 13. Section 370.08, prohibiting the obstruction of
7 waterways with net gear.

8 14. Section 370.1105, prohibiting the unlawful use of
9 finfish traps.

10 15. Section 370.1121, prohibiting the unlawful taking
11 of bonefish.

12 16. Paragraphs 370.13(2)(a) and (b), prohibiting the
13 possession or use of stone crab traps without trap tags and
14 theft of trap contents or gear.

15 17. Paragraph 370.135(2)(c), prohibiting the theft of
16 blue crab trap contents or trap gear.

17 18. Paragraph 370.142 (2)(c), prohibiting the
18 possession or use of spiny lobster traps without trap tags or
19 certificates and theft of trap contents or trap gear.

20 19. Section 372.5704, prohibiting the possession of
21 tarpon without purchasing a tarpon tag.

22 20. Section 372.667, prohibiting the feeding or
23 enticement of alligators or crocodiles.

24 21. Section 372.705, prohibiting the intentional
25 harassment of hunters, fishers, or trappers.

26 (b)1. A person who commits a Level Two violation but
27 who has not been convicted of a Level Two or higher violation
28 within the past 3 years commits a misdemeanor of the second
29 degree, punishable as provided in s. 775.082 or s. 775.083.

30 2. Unless the stricter penalties in subparagraphs 3.
31 and 4. apply, a person who commits a Level Two violation

1 within 3 years after a previous conviction for a Level Two or
2 higher violation commits a misdemeanor of the first degree,
3 punishable as provided in s. 775.082 or s. 775.083, with a
4 minimum mandatory fine of \$250.

5 3. Unless the stricter penalties in subparagraph 4.
6 apply, a person who commits a Level Two violation within 5
7 years after two previous convictions for a Level Two or higher
8 violation, commits a misdemeanor of the first degree,
9 punishable as provided in s. 775.082 or s. 775.083, with a
10 minimum mandatory fine of \$500 and a suspension of any
11 recreational license or permit issued under s. 372.57 for 1
12 year. Such suspension shall include the suspension of the
13 privilege to obtain such license or permit and the suspension
14 of the ability to exercise any privilege granted under any
15 exemption in s. 372.562.

16 4. A person who commits a Level Two violation within
17 10 years after three previous convictions for a Level Two or
18 higher violation commits a misdemeanor of the first degree,
19 punishable as provided in s. 775.082 or s. 775.083, with a
20 minimum mandatory fine of \$750 and a suspension of any
21 recreational license or permit issued under s. 372.57 for 3
22 years. Such suspension shall include the suspension of the
23 privilege to obtain such license or permit and the suspension
24 of the ability to exercise any privilege granted under any
25 exemption in s. 372.562.

26 (3)(a) LEVEL THREE VIOLATIONS.--A person commits a
27 Level Three violation if he or she violates any of the
28 following provisions:

29 1. Rules or orders of the commission prohibiting the
30 sale of saltwater fish.
31

1 2. Subsection 370.021(2), establishing major
2 violations.

3 3. Subsection 370.021(4), prohibiting the possession
4 of certain finfish in excess of recreational or commercial
5 daily bag limits.

6 4. Section 370.081, prohibiting the illegal
7 importation or possession of exotic marine plants or animals.

8 5. Section 372.26, prohibiting the importation of
9 freshwater fish.

10 6. Section 372.265, prohibiting the importation of
11 nonindigenous species of the animal kingdom without a permit
12 issued by the commission.

13 7. Subsection 372.57(17), prohibiting the taking of
14 game, freshwater fish, or saltwater fish while a required
15 license is suspended or revoked.

16 8. Section 372.662, prohibiting the illegal sale or
17 possession of alligators.

18 9. Section 372.99, prohibiting the illegal taking and
19 possession of deer and wild turkey.

20 10. Section 372.9903, prohibiting the possession and
21 transportation of commercial quantities of freshwater game
22 fish.

23 (b)1. A person who commits a Level Three violation but
24 who has not been convicted of a Level Three or higher
25 violation within the past 10 years, commits a misdemeanor of
26 the first degree, punishable as provided in s. 775.082 or s.
27 775.083.

28 2. A person who commits a Level Three violation within
29 10 years after a previous conviction for a Level Three or
30 higher violation, commits a misdemeanor of the first degree,
31 punishable as provided in s. 775.082 or s. 775.083, with a

1 minimum mandatory fine of \$750 and a suspension of any
2 recreational license or permit issued under s. 372.57 for the
3 remainder of the period for which the license or permit was
4 issued up to 3 years. If the recreational license or permit
5 being suspended was an annual license or permit, any
6 privileges under s. 372.57 may not be acquired for a 3-year
7 period following the date of the violation.

8 3. A person who commits a violation of s. 372.57(17)
9 shall receive a mandatory fine of \$1,000. Any privileges
10 under s. 372.57 may not be acquired for a 5-year period
11 following the date of the violation.

12 (4)(a) LEVEL FOUR VIOLATIONS.--A person commits a
13 Level Four violation if he or she violates any of the
14 following provisions:

15 1. Paragraph 370.13(2)(c), prohibiting the willful
16 molestation of stone crab gear; the illegal trade, sale, or
17 supply of stone crab trap tags or certificates; the unlawful
18 reproduction or possession of stone crab trap tags or
19 certificates; or the unlawful harvest of stone crabs.

20 2. Section 370.135, prohibiting the willful
21 molestation of blue crab gear.

22 3. Subsection 370.14(4), prohibiting the willful
23 molestation of crawfish gear.

24 4. Subparagraph 370.142(2)(c)5., prohibiting the
25 unlawful reproduction of spiny lobster trap tags or
26 certificates.

27 5. Subsection 372.57(16), prohibiting the making,
28 forging, counterfeiting, or reproduction of a recreational
29 license or possession of same without authorization from the
30 commission.

31

1 6. Subsection 372.99(5), prohibiting the sale of
2 illegally-taken deer or wild turkey.

3 7. Section 372.99022, prohibiting the molestation or
4 theft of freshwater gear.

5 (b) A person who commits a Level Four violation
6 commits a felony of the third degree, punishable as provided
7 in s. 775.082 or s. 775.083.

8 (5) VIOLATIONS OF CHAPTER.--Except as provided in this
9 chapter:

10 (a) A person who commits a violation of any provision
11 of this chapter commits, for the first offense, a misdemeanor
12 of the second degree, punishable as provided in s. 775.082 or
13 s. 775.083.

14 (b) A person who is convicted of a second or
15 subsequent violation of any provision of this chapter commits
16 a misdemeanor of the first degree, punishable as provided in
17 s. 775.082 or s. 775.083.

18 (6) SUSPENSION OR FORFEITURE OF LICENSE.--The court
19 may order the suspension or forfeiture of any license or
20 permit issued under this chapter to a person who is found
21 guilty of committing a violation of this chapter.

22 (7) CONVICTION DEFINED.--As used in this section, the
23 term "conviction" means any judicial disposition other than
24 acquittal or dismissal.

25 Section 20. Section 372.935, Florida Statutes, is
26 created to read:

27 372.935 Captive wildlife; penalties for violations.--

28 (1)(a) NONCRIMINAL INFRACTIONS.--A person commits a
29 noncriminal infraction if he or she violates any of the
30 following provisions:

31

1 1. Rules or orders of the commission requiring a
2 no-cost permit to possess captive wildlife for personal use.

3 2. Rules or orders of the commission requiring that
4 persons who are licensed to possess captive wildlife file
5 reports or other documents.

6 (b) A person cited for committing a noncriminal
7 infraction under this section shall be cited to appear before
8 the county court. The civil penalty for a person found guilty
9 of committing a noncriminal violation under this section is
10 \$50, and the provisions of s. 372.83(1)(e)-(i) apply under
11 this subsection.

12 (2) MISDEMEANORS.--A person commits a misdemeanor of
13 the second degree, punishable as provided in s. 775.082 or s.
14 775.083, for violating any of the following provisions:

15 (a) Rules or orders of the commission which require
16 the payment of a fee for a person to obtain a permit to
17 possess captive wildlife.

18 (b) Rules or orders of the commission which require
19 the maintenance of records relating to captive wildlife.

20 (c) Rules or orders of the commission relating to
21 captive wildlife which are not specified in subsection (1).

22 (d) Section 372.86, prohibiting the possession or
23 exhibition of poisonous or venomous reptiles without a license
24 or permit.

25 (e) Section 372.88, prohibiting the exhibition of
26 poisonous or venomous reptiles without posting a bond.

27 (f) Section 372.89, prohibiting the possession or
28 exhibition of poisonous or venomous reptiles in an unsafe
29 manner.

30 (g) Section 372.90, prohibiting the transportation of
31 poisonous or venomous reptiles in an unsafe manner.

1 (h) Section 372.901, prohibiting the penning or caging
2 of poisonous or venomous reptiles in an unsafe manner.

3 (i) Section 372.91, prohibiting certain persons from
4 opening containers housing poisonous or venomous reptiles.

5 (j) Section 372.921, prohibiting certain poisonous or
6 venomous reptile hunts.

7 (k) Section 372.921, prohibiting the exhibition or
8 sale of wildlife.

9 (l) Section 372.922, prohibiting the personal
10 possession of wildlife.

11 Section 21. Section 372.26, Florida Statutes, is
12 amended to read:

13 372.26 Imported fish.--

14 (1) No person shall import into the state or place in
15 any of the fresh waters of the state any freshwater fish of
16 any species without having first obtained a permit from the
17 Fish and Wildlife Conservation Commission. The commission is
18 authorized to issue or deny such a permit upon the completion
19 of studies of the species made by it to determine any
20 detrimental effect the species might have on the ecology of
21 the state.

22 (2) A person who violates this section commits a Level
23 Three violation under s. 372.83 ~~Persons in violation of this~~
24 ~~section shall be guilty of a misdemeanor of the first degree,~~
25 ~~punishable as provided in s. 775.082 or s. 775.083.~~

26 Section 22. Section 372.265, Florida Statutes, is
27 amended to read:

28 372.265 Regulation of foreign animals.--

29 (1) It is unlawful to import for sale or use, or to
30 release within this state, any species of the animal kingdom
31

1 not indigenous to Florida without having obtained a permit to
2 do so from the Fish and Wildlife Conservation Commission.

3 (2) The Fish and Wildlife Conservation Commission is
4 authorized to issue or deny such a permit upon the completion
5 of studies of the species made by it to determine any
6 detrimental effect the species might have on the ecology of
7 the state.

8 (3) A person ~~Persons~~ in violation of this section
9 commits a Level Three violation under s. 372.83 ~~shall be~~
10 ~~guilty of a misdemeanor of the first degree, punishable as~~
11 ~~provided in s. 775.082 or s. 775.083.~~

12 Section 23. Subsection (2) of section 372.661, Florida
13 Statutes, is amended to read:

14 372.661 Private hunting preserve license fees;
15 exception.--

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

27 Section 24. Section 372.662, Florida Statutes, is
28 amended to read:

29 372.662 Unlawful sale, possession, or transporting of
30 alligators or alligator skins.--Whenever the sale, possession,
31 or transporting of alligators or alligator skins is prohibited

1 by any law of this state, or by the rules, regulations, or
2 orders of the Fish and Wildlife Conservation Commission
3 adopted pursuant to s. 9, Art. IV of the State Constitution,
4 the sale, possession, or transporting of alligators or
5 alligator skins is a Level Three violation under s. 372.83
6 ~~misdemeanor of the first degree, punishable as provided in s.~~
7 ~~775.082 or s. 775.083.~~

8 Section 25. Section 372.667, Florida Statutes, is
9 amended to read:

10 372.667 Feeding or enticement of alligators or
11 crocodiles unlawful; penalty.--

12 (1) No person shall intentionally feed, or entice with
13 feed, any wild American alligator (*Alligator mississippiensis*)
14 or American crocodile (*Crocodylus acutus*). However, the
15 provisions of this section shall not apply to:

16 (a) Those persons feeding alligators or crocodiles
17 maintained in protected captivity for educational, scientific,
18 commercial, or recreational purposes.

19 (b) Fish and Wildlife Conservation Commission
20 personnel, persons licensed or otherwise authorized by the
21 commission, or county or municipal animal control personnel
22 when relocating alligators or crocodiles by baiting or
23 enticement.

24 (2) For the purposes of this section, the term
25 "maintained in protected captivity" means held in captivity
26 under a permit issued by the Fish and Wildlife Conservation
27 Commission pursuant to s. 372.921 or s. 372.922.

28 (3) Any person who violates this section commits a
29 Level Two violation under s. 372.83 ~~is guilty of a misdemeanor~~
30 ~~of the second degree, punishable as provided in s. 775.082 or~~
31 ~~s. 775.083.~~

1 Section 26. Section 372.705, Florida Statutes, is
2 amended to read:

3 372.705 Harassment of hunters, trappers, or fishers.--

4 (1) A person may not intentionally, within a publicly
5 or privately owned wildlife management or fish management area
6 or on any state-owned water body:

7 (a) Interfere with or attempt to prevent the lawful
8 taking of fish, game, or nongame animals by another.

9 (b) Attempt to disturb fish, game, or nongame animals
10 or attempt to affect their behavior with the intent to prevent
11 their lawful taking by another.

12 (2) Any person who violates this section commits a
13 Level Two violation under s. 372.83 ~~subsection (1) is guilty~~
14 ~~of a misdemeanor of the second degree, punishable as provided~~
15 ~~in s. 775.082 or s. 775.083.~~

16 Section 27. Section 372.988, Florida Statutes, is
17 amended to read:

18 372.988 Required clothing for persons hunting
19 deer.--It is a Level One violation under s. 372.83 ~~unlawful~~
20 for any person to hunt deer, or for any person to accompany
21 another person hunting deer, during the open season for the
22 taking of deer on public lands unless each person shall wear a
23 total of at least 500 square inches of daylight fluorescent
24 orange material as an outer garment. Such clothing shall be
25 worn above the waistline and may include a head covering. The
26 provisions of this section shall not apply to any person
27 hunting deer with a bow and arrow during archery season or a
28 crossbow during crossbow season ~~seasons restricted to hunting~~
29 ~~with a bow and arrow.~~

30 Section 28. Subsection (1) of section 372.99022,
31 Florida Statutes, is amended to read:

1 372.99022 Illegal molestation of or theft from
2 freshwater fishing gear.--

3 (1)(a) Any person, firm, or corporation that willfully
4 molests any authorized and lawfully permitted freshwater
5 fishing gear belonging to another without the express written
6 consent of the owner commits a Level Four violation under s.
7 372.83 felony of the third degree, punishable as provided in
8 ~~s. 775.082, s. 775.083, or s. 775.084~~. Any written consent
9 must be available for immediate inspection.

10 (b) Any person, firm, or corporation that willfully
11 removes the contents of any authorized and lawfully permitted
12 freshwater fishing gear belonging to another without the
13 express written consent of the owner commits a Level Four
14 violation under s. 372.83 felony of the third degree,
15 ~~punishable as provided in s. 775.082, s. 775.083, or s.~~
16 ~~775.084~~. Any written consent must be available for immediate
17 inspection.

18
19 A person, firm, or corporation that receives a citation for a
20 violation of this subsection is prohibited, immediately upon
21 receipt of such citation and until adjudicated or convicted of
22 a felony under this subsection, from transferring any
23 endorsements.

24 Section 29. Section 372.99, Florida Statutes, is
25 amended to read:

26 372.99 Illegal taking and possession of deer and wild
27 turkey; evidence; penalty.--

28 (1) Whoever takes or kills any deer or wild turkey, or
29 possesses a freshly killed deer or wild turkey, during the
30 closed season prescribed by law or by the rules and
31 regulations of the Fish and Wildlife Conservation Commission,

1 or whoever takes or attempts to take any deer or wild turkey
2 by the use of gun and light in or out of closed season,
3 commits a Level Three violation under s. 372.83 ~~is guilty of a~~
4 ~~misdemeanor of the first degree, punishable as provided in s.~~
5 ~~775.082 or s. 775.083~~, and shall forfeit any license or permit
6 issued to her or him under the provisions of this chapter. No
7 license shall be issued to such person for a period of 3 years
8 following any such violation on the first offense. Any person
9 guilty of a second or subsequent violation shall be
10 permanently ineligible for issuance of a license or permit
11 thereafter.

12 (2) The display or use of a light in a place where
13 deer might be found and in a manner capable of disclosing the
14 presence of deer, together with the possession of firearms or
15 other weapons customarily used for the taking of deer, between
16 1 hour after sunset and 1 hour before sunrise, shall be prima
17 facie evidence of an intent to violate the provisions of
18 subsection (1). This subsection does not apply to an owner or
19 her or his employee when patrolling or inspecting the land of
20 the owner, provided the employee has satisfactory proof of
21 employment on her or his person.

22 (3) Whoever takes or kills any doe deer; fawn or baby
23 deer; or deer, whether male or female, which does not have one
24 or more antlers at least 5 inches in length, except as
25 provided by law or the rules of the Fish and Wildlife
26 Conservation Commission, during the open season prescribed by
27 the rules of the commission, commits a Level Three violation
28 under 372.83 ~~is guilty of a misdemeanor of the first degree,~~
29 ~~punishable as provided in s. 775.082 or s. 775.083~~, and may be
30 required to forfeit any license or permit issued to such
31 person for a period of 3 years following any such violation on

1 the first offense. Any person guilty of a second or subsequent
2 violation shall be permanently ineligible for issuance of a
3 license or permit thereafter.

4 (4) Any person who cultivates agricultural crops may
5 apply to the Fish and Wildlife Conservation Commission for a
6 permit to take or kill deer on land which that person is
7 currently cultivating. When said person can show, to the
8 satisfaction of the Fish and Wildlife Conservation Commission,
9 that such taking or killing of deer is justified because of
10 damage to the person's crops caused by deer, the Fish and
11 Wildlife Conservation Commission may issue a limited permit to
12 the applicant to take or kill deer without being in violation
13 of subsection (1) or subsection (3).

14 (5) Whoever possesses for sale or sells deer or wild
15 turkey taken in violation of this chapter or the rules and
16 regulations of the commission commits a Level Four violation
17 under s. 372.83 is guilty of a felony of the third degree,
18 ~~punishable as provided in s. 775.082, s. 775.083, or s.~~
19 ~~775.084.~~

20 (6) Any person who enters upon private property and
21 shines lights upon such property, without the express
22 permission of the owner of the property and with the intent to
23 take deer by utilizing such shining lights, commits a Level
24 Three violation under s. 372.83 shall be guilty of a
25 ~~misdemeanor of the second degree, punishable as provided in s.~~
26 ~~775.082 or s. 775.083.~~

27 Section 30. Subsection (1) of section 372.9903,
28 Florida Statutes, is amended to read:

29 372.9903 Illegal possession or transportation of
30 freshwater game fish in commercial quantities; penalty.--
31

1 (1) Whoever possesses, moves, or transports any black
2 bass, bream, speckled perch, or other freshwater game fish in
3 commercial quantities in violation of law or the rules of the
4 Fish and Wildlife Conservation Commission commits a Level
5 Three violation under s. 372.83 shall be guilty of a
6 ~~misdemeanor of the first degree, punishable as provided in s.~~
7 ~~775.082 or s. 775.083.~~

8 Section 31. Section 372.831, Florida Statutes, is
9 created to read:

10 372.831 Wildlife Violators Compact Act.--The Wildlife
11 Violators Compact is created and entered into with all other
12 jurisdictions legally joining therein in the form
13 substantially as follows:

14
15 ARTICLE I

16 Findings and Purpose

17
18 (1) The participating states find that:

19 (a) Wildlife resources are managed in trust by the
20 respective states for the benefit of all residents and
21 visitors.

22 (b) The protection of the wildlife resources of a
23 state is materially affected by the degree of compliance with
24 state statutes, laws, regulations, ordinances, and
25 administrative rules relating to the management of such
26 resources.

27 (c) The preservation, protection, management, and
28 restoration of wildlife contributes immeasurably to the
29 aesthetic, recreational, and economic aspects of such natural
30 resources.

1 (d) Wildlife resources are valuable without regard to
2 political boundaries; therefore, every person should be
3 required to comply with wildlife preservation, protection,
4 management, and restoration laws, ordinances, and
5 administrative rules and regulations of the participating
6 states as a condition precedent to the continuance or issuance
7 of any license to hunt, fish, trap, or possess wildlife.

8 (e) Violation of wildlife laws interferes with the
9 management of wildlife resources and may endanger the safety
10 of persons and property.

11 (f) The mobility of many wildlife law violators
12 necessitates the maintenance of channels of communication
13 among the various states.

14 (g) In most instances, a person who is cited for a
15 wildlife violation in a state other than his or her home state
16 is:

17 1. Required to post collateral or a bond to secure
18 appearance for a trial at a later date;

19 2. Taken into custody until the collateral or bond is
20 posted; or

21 3. Taken directly to court for an immediate
22 appearance.

23 (h) The purpose of the enforcement practices set forth
24 in paragraph (g) is to ensure compliance with the terms of a
25 wildlife citation by the cited person who, if permitted to
26 continue on his or her way after receiving the citation, could
27 return to his or her home state and disregard his or her duty
28 under the terms of the citation.

29 (i) In most instances, a person receiving a wildlife
30 citation in his or her home state is permitted to accept the
31 citation from the officer at the scene of the violation and

1 immediately continue on his or her way after agreeing or being
2 instructed to comply with the terms of the citation.

3 (j) The practices described in paragraph (g) cause
4 unnecessary inconvenience and, at times, a hardship for the
5 person who is unable at the time to post collateral, furnish a
6 bond, stand trial, or pay a fine, and thus is compelled to
7 remain in custody until some alternative arrangement is made.

8 (k) The enforcement practices described in paragraph
9 (g) consume an undue amount of time of law enforcement
10 agencies.

11 (2) It is the policy of the participating states to:

12 (a) Promote compliance with the statutes, laws,
13 ordinances, regulations, and administrative rules relating to
14 the management of wildlife resources in their respective
15 states.

16 (b) Recognize a suspension of the wildlife license
17 privileges of any person whose license privileges have been
18 suspended by a participating state and treat such suspension
19 as if it had occurred in each respective state.

20 (c) Allow a violator, except as provided in subsection
21 (2) of Article III, to accept a wildlife citation and, without
22 delay, proceed on his or her way, whether or not the violator
23 is a resident of the state in which the citation was issued,
24 if the violator's home state is party to this compact.

25 (d) Report to the appropriate participating state, as
26 provided in the compact manual, any conviction recorded
27 against any person whose home state was not the issuing state.

28 (e) Allow the home state to recognize and treat
29 convictions recorded against its residents, which convictions
30 occurred in a participating state, as though they had occurred
31 in the home state.

1 (f) Extend cooperation to its fullest extent among the
2 participating states for enforcing compliance with the terms
3 of a wildlife citation issued in one participating state to a
4 resident of another participating state.

5 (g) Maximize the effective use of law enforcement
6 personnel and information.

7 (h) Assist court systems in the efficient disposition
8 of wildlife violations.

9 (3) The purpose of this compact is to:

10 (a) Provide a means through which participating states
11 may join in a reciprocal program to effectuate the policies
12 enumerated in subsection (2) in a uniform and orderly manner.

13 (b) Provide for the fair and impartial treatment of
14 wildlife violators operating within participating states in
15 recognition of the violator's right to due process and the
16 sovereign status of a participating state.

17
18 ARTICLE II

19 Definitions

20
21 As used in this compact, the term:

22 (1) "Citation" means any summons, complaint, summons
23 and complaint, ticket, penalty assessment, or other official
24 document issued to a person by a wildlife officer or other
25 peace officer for a wildlife violation which contains an order
26 requiring the person to respond.

27 (2) "Collateral" means any cash or other security
28 deposited to secure an appearance for trial in connection with
29 the issuance by a wildlife officer or other peace officer of a
30 citation for a wildlife violation.

31

1 (3) "Compliance" with respect to a citation means the
2 act of answering a citation through an appearance in a court
3 or tribunal, or through the payment of fines, costs, and
4 surcharges, if any.

5 (4) "Conviction" means a conviction, including any
6 court conviction, for any offense related to the preservation,
7 protection, management, or restoration of wildlife which is
8 prohibited by state statute, law, regulation, ordinance, or
9 administrative rule. The term also includes the forfeiture of
10 any bail, bond, or other security deposited to secure
11 appearance by a person charged with having committed any such
12 offense, the payment of a penalty assessment, a plea of nolo
13 contendere, or the imposition of a deferred or suspended
14 sentence by the court.

15 (5) "Court" means a court of law, including
16 magistrate's court and the justice of the peace court.

17 (6) "Home state" means the state of primary residence
18 of a person.

19 (7) "Issuing state" means the participating state that
20 issues a wildlife citation to the violator.

21 (8) "License" means any license, permit, or other
22 public document that conveys to the person to whom it was
23 issued the privilege of pursuing, possessing, or taking any
24 wildlife regulated by statute, law, regulation, ordinance, or
25 administrative rule of a participating state; any privilege to
26 obtain such license, permit, or other public document; or any
27 statutory exemption from the requirement to obtain such
28 license, permit, or other public document. However, when
29 applied to licenses issued by the State of Florida, only those
30 licenses issued pursuant to s. 372.561, s. 372.562, or s.
31 372.57 shall be considered licenses.

1 (9) "Licensing authority" means the department or
2 division within each participating state which is authorized
3 by law to issue or approve licenses or permits to hunt, fish,
4 trap, or possess wildlife.

5 (10) "Participating state" means any state that enacts
6 legislation to become a member of this wildlife compact.

7 (11) "Personal recognizance" means an agreement by a
8 person made at the time of issuance of the wildlife citation
9 that such person will comply with the terms of the citation.

10 (12) "State" means any state, territory, or possession
11 of the United States, the District of Columbia, the
12 Commonwealth of Puerto Rico, the Provinces of Canada, and
13 other countries.

14 (13) "Suspension" means any revocation, denial, or
15 withdrawal of any or all license privileges, including the
16 privilege to apply for, purchase, or exercise the benefits
17 conferred by any license.

18 (14) "Terms of the citation" means those conditions
19 and options expressly stated upon the citation.

20 (15) "Wildlife" means all species of animals,
21 including, but not limited to, mammals, birds, fish, reptiles,
22 amphibians, mollusks, and crustaceans, which are defined as
23 "wildlife" and are protected or otherwise regulated by
24 statute, law, regulation, ordinance, or administrative rule in
25 a participating state. Species included in the definition of
26 "wildlife" vary from state to state and the determination of
27 whether a species is "wildlife" for the purposes of this
28 compact shall be based on local law.

29 (16) "Wildlife law" means any statute, law,
30 regulation, ordinance, or administrative rule developed and
31

1 enacted for the management of wildlife resources and the uses
2 thereof.

3 (17) "Wildlife officer" means any individual
4 authorized by a participating state to issue a citation for a
5 wildlife violation.

6 (18) "Wildlife violation" means any cited violation of
7 a statute, law, regulation, ordinance, or administrative rule
8 developed and enacted for the management of wildlife resources
9 and the uses thereof.

10
11 ARTICLE III

12 Procedures for Issuing State

13
14 (1) When issuing a citation for a wildlife violation,
15 a wildlife officer shall issue a citation to any person whose
16 primary residence is in a participating state in the same
17 manner as though the person were a resident of the issuing
18 state and shall not require such person to post collateral to
19 secure appearance, subject to the exceptions noted in
20 subsection (2), if the officer receives the recognizance of
21 such person that he will comply with the terms of the
22 citation.

23 (2) Personal recognizance is acceptable if not
24 prohibited by local law; by policy, procedure, or regulation
25 of the issuing agency; or by the compact manual and if the
26 violator provides adequate proof of identification to the
27 wildlife officer.

28 (3) Upon conviction or failure of a person to comply
29 with the terms of a wildlife citation, the appropriate
30 official shall report the conviction or failure to comply to
31 the licensing authority of the participating state in which

1 the wildlife citation was issued. The report shall be made in
2 accordance with procedures specified by the issuing state and
3 must contain information as specified in the compact manual as
4 minimum requirements for effective processing by the home
5 state.

6 (4) Upon receipt of the report of conviction or
7 noncompliance pursuant to subsection (3), the licensing
8 authority of the issuing state shall transmit to the licensing
9 authority of the home state of the violator the information in
10 the form and content prescribed in the compact manual.

11
12 ARTICLE IV

13 Procedure for Home State

14
15 (1) Upon receipt of a report from the licensing
16 authority of the issuing state reporting the failure of a
17 violator to comply with the terms of a citation, the licensing
18 authority of the home state shall notify the violator and
19 shall initiate a suspension action in accordance with the home
20 state's suspension procedures and shall suspend the violator's
21 license privileges until satisfactory evidence of compliance
22 with the terms of the wildlife citation has been furnished by
23 the issuing state to the home state licensing authority.
24 Due-process safeguards shall be accorded.

25 (2) Upon receipt of a report of conviction from the
26 licensing authority of the issuing state, the licensing
27 authority of the home state shall enter such conviction in its
28 records and shall treat such conviction as though it occurred
29 in the home state for purposes of the suspension of license
30 privileges.

31

1 (3) The licensing authority of the home state shall
2 maintain a record of actions taken and shall make reports to
3 issuing states as provided in the compact manual.

4
5 ARTICLE V

6 Reciprocal Recognition of Suspension

7
8 (1) Each participating state may recognize the
9 suspension of license privileges of any person by any other
10 participating state as though the violation resulting in the
11 suspension had occurred in that state and would have been the
12 basis for suspension of license privileges in that state.

13 (2) Each participating state shall communicate
14 suspension information to other participating states in the
15 form and content contained in the compact manual.

16
17 ARTICLE VI

18 Applicability of Other Laws

19
20 Except as expressly required by provisions of this compact,
21 this compact does not affect the right of any participating
22 state to apply any of its laws relating to license privileges
23 to any person or circumstance or to invalidate or prevent any
24 agreement or other cooperative arrangement between a
25 participating state and a nonparticipating state concerning
26 the enforcement of wildlife laws.

27
28 ARTICLE VII

29 Compact Administrator Procedures

30
31

1 (1) For the purpose of administering the provisions of
2 this compact and to serve as a governing body for the
3 resolution of all matters relating to the operation of this
4 compact, a board of compact administrators is established. The
5 board shall be composed of one representative from each of the
6 participating states to be known as the compact administrator.
7 The compact administrator shall be appointed by the head of
8 the licensing authority of each participating state and shall
9 serve and be subject to removal in accordance with the laws of
10 the state he or she represents. A compact administrator may
11 provide for the discharge of his or her duties and the
12 performance of his or her functions as a board member by an
13 alternate. An alternate is not entitled to serve unless
14 written notification of his or her identity has been given to
15 the board.

16 (2) Each member of the board of compact administrators
17 shall be entitled to one vote. No action of the board shall be
18 binding unless taken at a meeting at which a majority of the
19 total number of the board's votes are cast in favor thereof.
20 Action by the board shall be only at a meeting at which a
21 majority of the participating states are represented.

22 (3) The board shall elect annually from its membership
23 a chairman and vice chairman.

24 (4) The board shall adopt bylaws not inconsistent with
25 the provisions of this compact or the laws of a participating
26 state for the conduct of its business and shall have the power
27 to amend and rescind its bylaws.

28 (5) The board may accept for any of its purposes and
29 functions under this compact any and all donations and grants
30 of moneys, equipment, supplies, materials, and services,
31 conditional or otherwise, from any state, the United States,

1 or any governmental agency, and may receive, use, and dispose
2 of the same.

3 (6) The board may contract with, or accept services or
4 personnel from, any governmental or intergovernmental agency,
5 individual, firm, corporation, or private nonprofit
6 organization or institution.

7 (7) The board shall formulate all necessary procedures
8 and develop uniform forms and documents for administering the
9 provisions of this compact. All procedures and forms adopted
10 pursuant to board action shall be contained in a compact
11 manual.

12
13 ARTICLE VIII

14 Entry into Compact and Withdrawal

15
16 (1) This compact shall become effective at such time
17 as it is adopted in substantially similar form by two or more
18 states.

19 (2)(a) Entry into the compact shall be made by
20 resolution of ratification executed by the authorized
21 officials of the applying state and submitted to the chairman
22 of the board.

23 (b) The resolution shall substantially be in the form
24 and content as provided in the compact manual and must include
25 the following:

26 1. A citation of the authority from which the state is
27 empowered to become a party to this compact;

28 2. An agreement of compliance with the terms and
29 provisions of this compact; and

30
31

1 3. An agreement that compact entry is with all states
2 participating in the compact and with all additional states
3 legally becoming a party to the compact.

4 (c) The effective date of entry shall be specified by
5 the applying state, but may not be less than 60 days after
6 notice has been given by the chairman of the board of the
7 compact administrators or by the secretariat of the board to
8 each participating state that the resolution from the applying
9 state has been received.

10 (3) A participating state may withdraw from
11 participation in this compact by official written notice to
12 each participating state, but withdrawal shall not become
13 effective until 90 days after the notice of withdrawal is
14 given. The notice must be directed to the compact
15 administrator of each member state. The withdrawal of any
16 state does not affect the validity of this compact as to the
17 remaining participating states.

18
19 ARTICLE IX

20 Amendments to the Compact

21
22 (1) This compact may be amended from time to time.
23 Amendments shall be presented in resolution form to the
24 chairman of the board of compact administrators and shall be
25 initiated by one or more participating states.

26 (2) Adoption of an amendment shall require endorsement
27 by all participating states and shall become effective 30 days
28 after the date of the last endorsement.

29
30 ARTICLE X

31 Construction and Severability

1
2 This compact shall be liberally construed so as to effectuate
3 the purposes stated herein. The provisions of this compact are
4 severable and if any phrase, clause, sentence, or provision of
5 this compact is declared to be contrary to the constitution of
6 any participating state or of the United States, or if the
7 applicability thereof to any government, agency, individual,
8 or circumstance is held invalid, the validity of the remainder
9 of this compact shall not be affected thereby. If this compact
10 is held contrary to the constitution of any participating
11 state, the compact shall remain in full force and effect as to
12 the remaining states and in full force and effect as to the
13 participating state affected as to all severable matters.

14
15 ARTICLE XI

16 Title

17
18 (1) This compact shall be known as the "Wildlife
19 Violator Compact."

20 (2) For purposes of this act and the interstate
21 wildlife violator compact, the Fish and Wildlife Conservation
22 Commission is the licensing authority for the State of Florida
23 and the commission shall enforce the interstate Wildlife
24 Violators Compact and shall do all things within the
25 commission's jurisdiction which are necessary to effectuate
26 the purposes and the intent of the compact. The commission may
27 execute a resolution of ratification to formalize the State of
28 Florida's entry into the compact. Upon adoption of the
29 Wildlife Violators Compact, the commission may adopt rules to
30 administer the provisions of the compact.

1 (3) Any act done or omitted pursuant to, or in
2 enforcing, the provisions of this compact are subject to
3 review in accordance with chapter 120, Florida Statutes, by
4 the Fish and Wildlife Conservation Commission, but any review
5 of a suspension for the failure of a violator to comply with
6 the terms of a citation or a conviction pursuant to the
7 compact is limited to establishing the identity of the person
8 so convicted or failing to comply with a citation.

9 Section 32. Section 372.711, Florida Statutes, is
10 repealed.

11 Section 33. This act shall take effect October 1,
12 2006.

13
14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
15 COMMITTEE SUBSTITUTE FOR
16 Senate Bill 2202

17 The committee substitute provides a definition for "commercial
18 harvester" and revises various sections of chapter 370, F.S.,
19 to create and conform recreational and commercial saltwater
20 fishing violations to the new penalty structure being created
21 in the bill. The committee substitute creates an annual \$5
22 crossbow season permit for residents and nonresidents, and
23 incorporates the fee for the permit into the annual
24 sportsman's and annual gold sportsman's licenses issued by the
25 Fish and Wildlife Conservation Commission. The committee
26 substitute amends various provisions of chapter 372, F.S., to
27 conform to the new penalty structure created in the bill, and
28 establishes the Wildlife Violators Compact as s. 372.831, F.S.
29
30
31