

ENROLLED
 HB 265, Engrossed 1

2006 Legislature

1 A bill to be entitled
 2 An act relating to hunting lands; creating s. 372.0025,
 3 F.S.; providing definitions; requiring certain lands
 4 owned, managed, or leased by the Fish and Wildlife
 5 Conservation Commission to be used for the purpose of
 6 hunting; requiring the commission to support, promote, and
 7 enhance hunting opportunities; requiring the commission to
 8 provide comparable acreage for any loss of existing
 9 hunting lands; providing requirements for location and use
 10 of replacement lands; requiring state agencies and water
 11 management districts to allow certain lands to be used for
 12 the purpose of hunting; providing an exemption for lands
 13 within the state park system; authorizing the Department
 14 of Environmental Protection to make certain determinations
 15 relating to such lands; requiring annual reports to the
 16 commission and Legislature; providing an effective date.

17
 18 WHEREAS, section 372.002, Florida Statutes, protects the
 19 right of citizens of this state to hunt, and

20 WHEREAS, access and availability of hunting lands is
 21 essential to the exercise of that right, NOW, THEREFORE,

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

24
 25 Section 1. Section 372.0025, Florida Statutes, is created
 26 to read:

27 372.0025 No net loss of hunting lands.--

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28 (1) As used in this section, the term:
 29 (a) "Commission" means the Fish and Wildlife Conservation
 30 Commission.
 31 (b) "Commission-managed lands" means those lands owned by
 32 the commission, those lands owned by the state over which the
 33 commission holds management authority, or those privately owned
 34 lands that are leased or managed by the commission.
 35 (c) "Hunting" means the lawful pursuit, trapping,
 36 shooting, capture, collection, or killing of wildlife or the
 37 lawful attempt to pursue, trap, shoot, capture, collect, or kill
 38 wildlife.
 39 (2) Commission-managed lands shall be open to access and
 40 use for hunting except as limited by the commission for reasons
 41 of public safety, fish or wildlife management, or homeland
 42 security or as otherwise limited by law.
 43 (3) The commission, in exercising its authority under the
 44 State Constitution and statutes, shall exercise its authority,
 45 consistent with subsection (2), in a manner that supports,
 46 promotes, and enhances hunting opportunities to the extent
 47 authorized by state law.
 48 (4) Commission land management decisions and actions,
 49 including decisions made by private owners to close hunting land
 50 managed by the commission, shall not result in any net loss of
 51 habitat land acreage available for hunting opportunities on
 52 commission-managed lands that exists on the effective date of
 53 this act. The commission shall expeditiously find replacement
 54 acreage for hunting to compensate for closures of any existing

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55 | hunting land. Replacement lands shall, to the greatest extent
56 | possible, be located within the same administrative region of
57 | the commission and shall be consistent with the hunting
58 | discipline that the commission allowed on the closed land.

59 | (5) Any state agency or water management district that
60 | owns or manages lands shall assist and coordinate and cooperate
61 | with the commission to allow hunting on such lands if such lands
62 | are determined by the commission to be suitable for hunting. To
63 | ensure no net loss of land acreage available for hunting, state
64 | agencies and water management districts shall cooperate with the
65 | commission to open new, additional hunting lands to replace lost
66 | hunting acreage. However, lands officially designated as units
67 | within the state park system may not be considered for
68 | replacement hunting lands and may only be opened for hunting
69 | when necessary as a wildlife control or management tool as
70 | determined by the Division of Recreation and Parks in the
71 | Department of Environmental Protection.

72 | (6) By October 1 of each year, the executive director of
73 | the commission shall submit to the Legislature a written report
74 | describing:

75 | (a) The acreage managed by the commission that was closed
76 | to hunting during the previous fiscal year and the reasons for
77 | the closures.

78 | (b) The acreage managed by the commission that was opened
79 | to hunting to compensate for closures of existing land pursuant
80 | to subsection (4).

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81 (7) By October 1 of each year, any state agency or water
82 management district that owns or manages lands shall submit a
83 written report to the commission and the Legislature that
84 includes:

85 (a) A list of properties that were open for hunting during
86 the previous fiscal year.

87 (b) A list of properties that were not open for hunting
88 during the previous fiscal year.

89 (c) The acreage for each property and the county where
90 each property is located, except for right-of-way lands and
91 parcels under 50 acres.

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