

By the Committee on Environmental Preservation; and Senators Argenziano, Baker and Haridopolos

592-2295-06

1 A bill to be entitled

2 An act relating to hunting lands; creating s.

3 372.0025, F.S.; providing definitions;

4 requiring certain lands owned, managed, or

5 leased by the Fish and Wildlife Conservation

6 Commission to be used for the purpose of

7 hunting; requiring the commission to support,

8 promote, and enhance hunting opportunities;

9 requiring the commission to provide comparable

10 acreage for any loss of existing hunting lands;

11 requiring agencies and water management

12 districts to allow certain lands to be used for

13 the purpose of hunting; providing an exemption

14 for lands designated as units within the state

15 park system as determined by the Division of

16 Recreation and Parks in the Department of

17 Environmental Protection; requiring annual

18 reports to the commission and Legislature;

19 providing an effective date.

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21 WHEREAS, section 372.002, Florida Statutes, protects

22 the right of citizens of this state to hunt, and

23 WHEREAS, access and availability of hunting lands is

24 essential to the exercise of that right, NOW, THEREFORE,

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

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28 Section 1. Section 372.0025, Florida Statutes, is

29 created to read:

30 372.0025 No net loss of hunting lands.--

31 (1) As used in this section, the term:

1 (a) "Commission" means the Fish and Wildlife
2 Conservation Commission.

3 (b) "Commission-managed lands" means those lands owned
4 by the commission, those lands owned by the state over which
5 the commission holds management authority, or those privately
6 owned lands that are leased or managed by the commission.

7 (c) "Hunting" means the lawful pursuit, trapping,
8 shooting, capture, collection, or killing of wildlife or the
9 lawful attempt to pursue, trap, shoot, capture, collect, or
10 kill wildlife.

11 (2) Commission-managed lands shall be open to access
12 and use for hunting except as limited by the commission for
13 reasons of public safety, fish or wildlife management, or
14 homeland security or as otherwise limited by law.

15 (3) The commission, in exercising its authority under
16 the State Constitution and statutes, shall exercise its
17 authority, consistent with subsection (2), in a manner that
18 supports, promotes, and enhances hunting opportunities to the
19 extent authorized by state law.

20 (4) Commission land management decisions and actions,
21 including decisions made by private owners to close hunting
22 land managed by the commission, shall not result in any net
23 loss of habitat land acreage available for hunting
24 opportunities on commission-managed lands that exists on the
25 effective date of this act. The commission shall expeditiously
26 find replacement acreage for hunting to compensate for
27 closures of any existing hunting land. Replacement lands must,
28 to the greatest extent possible, be located in the same
29 administrative region and allow the same hunting opportunities
30 as the land being replaced.

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1 (5) Any agency or water management district that owns
2 or manages lands shall assist and coordinate and cooperate
3 with the commission to allow hunting on such lands if such
4 lands are determined by the commission to be suitable for
5 hunting. To ensure no net loss of land acreage available for
6 hunting, agencies and water management districts shall
7 cooperate with the commission to open new, additional hunting
8 lands to replace lost hunting acreage. However, lands
9 officially designated as units within the state park system
10 may not be considered for replacement hunting lands and may be
11 opened for hunting only when necessary as a wildlife control
12 or management tool as determined by the Division of Recreation
13 and Parks in the Department of Environmental Protection.

14 (6) By October 1 of each year, the executive director
15 of the commission shall submit to the Legislature a written
16 report describing:

17 (a) The acreage managed by the commission which was
18 closed to hunting during the previous fiscal year and the
19 reasons for the closures.

20 (b) The acreage managed by the commission which was
21 opened to hunting to compensate for closures of existing land
22 pursuant to subsection (4).

23 (7) By October 1 of each year, any agency or water
24 management district that owns or manages lands shall submit a
25 written report to the commission and the Legislature that
26 includes:

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

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

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1 (c) The acreage for each property and the county where
2 each property is located, except for right-of-way lands and
3 parcels of less than 50 acres.

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

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 Senate Bill 430

10 The committee substitute clarifies that to the greatest extent
11 practicable, replacement hunting lands must be located within
12 the same area as lands that were closed to hunting and must
13 provide the same hunting opportunities. Lands officially
14 designated as units within the state park system may not be
15 considered for replacement hunting lands and may only be
16 opened for hunting for wildlife management purposes.

17 The committee substitute provides that water management
18 districts lands can be considered for replacement hunting
19 lands. Annual reports submitted by agencies and water
20 management districts to identify property open and closed for
21 hunting do not need to identify right-of-way lands and parcels
22 of lands that are less than 50 acres in size.
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