

Bill No. SB 990

Barcode 811104

CHAMBER ACTION

Senate

House

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The Committee on Agriculture (Haridopolos) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 372.86, Florida Statutes, is amended to read:

372.86 Possessing or exhibiting regulated ~~poisonous or venomous~~ reptile; license required.--

(1) The Fish and Wildlife Conservation Commission shall establish a list of venomous, nonnative, or other reptiles for which the possession, transportation, or exhibition is regulated. The commission is authorized to adopt rules pursuant to chapter 120 to implement the provisions of ss. 372.86-372.91.

(2) No person, firm, or corporation shall keep, possess, or exhibit any regulated ~~poisonous or venomous~~ reptile without first having obtained a special permit or license therefor from the Fish and Wildlife Conservation

Bill No. SB 990

Barcode 811104

1 Commission as herein provided.

2 Section 2. Section 372.87, Florida Statutes, is
3 amended to read:

4 372.87 License fee; renewal, revocation.--The Fish and
5 Wildlife Conservation Commission is hereby authorized and
6 empowered to issue a license or permit for the keeping,
7 possessing, or exhibiting of regulated ~~poisonous or venomous~~
8 reptiles, upon payment of an annual fee of \$100 and upon
9 assurance that all of the provisions of ss. 372.86-372.91 and
10 such other reasonable rules and regulations as said commission
11 may prescribe will be fully complied with in all respects.

12 Such permit may be revoked by the Fish and Wildlife
13 Conservation Commission upon violation of any of the
14 provisions of ss. 372.86-372.91 or upon violation of any of
15 the rules and regulations prescribed by said commission
16 relating to the keeping, possessing, and exhibiting of any
17 regulated ~~poisonous and venomous~~ reptiles. Such permits or
18 licenses shall be for an annual period to be prescribed by the
19 said commission and shall be renewable from year to year upon
20 the payment of said fee and shall be subject to the same
21 conditions, limitations, and restrictions as herein set forth.

22 Section 3. Section 372.88, Florida Statutes, is
23 amended to read:

24 372.88 Bond required, amount.--No person, party, firm,
25 or corporation shall exhibit to the public either with or
26 without charge, or admission fee any regulated ~~poisonous or~~
27 ~~venomous~~ reptile without having first posted a good and
28 sufficient bond in writing in the penal sum of \$10,000 ~~\$1,000~~
29 payable to the Fish and Wildlife Conservation Commission
30 ~~Governor of the state, and the Governor's successors in~~
31 ~~office~~, conditioned that such exhibitor will indemnify and

Bill No. SB 990

Barcode 811104

1 save harmless all persons from injury or damage from such
 2 regulated ~~poisonous or venomous~~ reptiles so exhibited and
 3 shall fully comply with all laws of the state and all rules
 4 and regulations of the ~~Fish and Wildlife Conservation~~
 5 commission governing the keeping, possessing, or exhibiting of
 6 regulated ~~poisonous or venomous~~ reptiles; provided, however,
 7 that the aggregate liability of the surety for all such
 8 injuries or damages shall, in no event, exceed the penal sum
 9 of said bond. The surety for said bond must be a surety
 10 company authorized to do business under the laws of the state
 11 or in lieu of such a surety, cash in the sum of \$10,000 ~~\$1,000~~
 12 may be posted with the said commission to ensure compliance
 13 with the conditions of said bond.

14 Section 4. Section 372.89, Florida Statutes, is
 15 amended to read:

16 372.89 Safe housing required.--All persons, firms, or
 17 corporations licensed under this law to keep, possess, or
 18 exhibit regulated ~~poisonous or venomous~~ reptiles shall provide
 19 safe, secure, and proper housing for said reptiles in cases,
 20 cages, pits, or enclosures. It shall be unlawful for any
 21 person, firm, or corporation, whether licensed hereunder or
 22 not, to keep, possess, or exhibit any regulated ~~poisonous or~~
 23 ~~venomous~~ reptiles in any manner not approved as safe, secure,
 24 and proper by the Fish and Wildlife Conservation Commission.

25 Section 5. Section 372.90, Florida Statutes, is
 26 amended to read:

27 372.90 Transportation.--Regulated ~~Poisonous or~~
 28 ~~venomous~~ reptiles may be transported only in the following
 29 fashion: The reptile, or reptiles shall be placed in a stout
 30 closely woven cloth sack, tied or otherwise secured. This sack
 31 shall then be placed in a box. The box shall be of strong

Bill No. SB 990

Barcode 811104

1 material in solid sheets, except for small air holes, which
 2 holes shall be screened. Boxes containing poisonous ~~or~~
 3 ~~venomous snakes or other reptiles~~ shall be prominently labeled
 4 ~~"Danger--Poisonous Snakes"~~ or "Danger--Poisonous Reptiles."

5 Section 6. Section 372.901, Florida Statutes, is
 6 amended to read:

7 372.901 Inspection and reporting.--

8 (1) Regulated ~~Poisonous or venomous~~ reptiles, held in
 9 captivity, shall be subject to inspection by an inspecting
 10 officer from the Fish and Wildlife Conservation Commission.
 11 The inspecting officer shall determine whether the said
 12 reptiles are securely, properly, and safely penned. In the
 13 event that the reptiles are not safely penned, the inspecting
 14 officer shall report the situation in writing to the person or
 15 firm owning the said reptiles. Failure of the owner or
 16 exhibitor to correct the situation within 30 days after such
 17 written notice shall be grounds for revocation of the license
 18 or permit of said owner or exhibitor.

19 (2) The commission shall establish by rule a reporting
 20 system for regulated reptiles. Such reports may include, but
 21 are not limited to, information regarding:

22 (a) The purchase or other acquisition of a regulated
 23 reptile.

24 (b) The possession of a regulated reptile.

25 (c) The sale, gift, or other transfer of a regulated
 26 reptile.

27 (d) The death, destruction, or other disposition of a
 28 regulated reptile.

29 Section 7. Section 372.91, Florida Statutes, is
 30 amended to read:

31 372.91 Who may open cages, pits, or other containers

Bill No. SB 990

Barcode 811104

1 housing regulated ~~poisonous or venomous~~ reptiles.--No person
 2 except the licensee or her or his authorized employee shall
 3 open any cage, pit, or other container which contains
 4 regulated~~poisonous or venomous~~ reptiles.

5 Section 8. Section 372.911, Florida Statutes, is
 6 renumbered as section 372.0715, Florida Statutes.

7 Section 9. Section 372.912, Florida Statutes, is
 8 renumbered as section 372.902, Florida Statutes, and amended
 9 to read:

10 372.902 ~~372.912~~ Organized regulated ~~poisonous~~ reptile
 11 hunts.--

12 (1) All persons, firms, and corporations sponsoring
 13 and conducting any organized regulated ~~poisonous~~ reptile hunt
 14 for whatever purpose shall comply with the provisions of ss.
 15 372.86-372.91.

16 (2) All persons participating in any organized
 17 regulated~~poisonous~~ reptile hunt in the state which is
 18 sponsored and conducted by a nonprofit organization registered
 19 with the Department of State under the provisions of chapter
 20 617 shall be exempt from the licensing provisions contained in
 21 ss. 372.86, 372.87, and 372.88, only for the duration of said
 22 organized hunt.

23 (3) All organized regulated ~~poisonous~~ reptile hunts in
 24 the state shall be registered with the Fish and Wildlife
 25 Conservation Commission and be subject to reasonable rules and
 26 regulations promulgated by said commission.

27 Section 10. Section 372.92, Florida Statutes, is
 28 amended to read:

29 372.92 Rules and regulations; penalties.--

30 (1) The Fish and Wildlife Conservation Commission may
 31 prescribe such other rules and regulations as it may deem

Bill No. SB 990

Barcode 811104

1 necessary to prevent the escape of regulated ~~poisonous and~~
 2 ~~venomous~~ reptiles, either in connection of construction of
 3 such cages or otherwise to carry out the intent of ss.
 4 372.86-372.91.

5 (2) Any person who violates a provision of ss.
 6 372.86-372.91 or any rule or regulation established under ss.
 7 372.86-372.91 commits a misdemeanor of the first degree,
 8 punishable as provided in s. 775.082 or s. 775.083.

9 (3) Any person who knowingly releases a regulated
 10 reptile to the wild or who through gross negligence allows a
 11 regulated reptile to escape commits a felony of the third
 12 degree, punishable as provided in s. 775.082, s. 775.083, or
 13 s. 775.084.

14 Section 11. This act shall take effect July 1, 2006.

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

18 And the title is amended as follows:

19 Delete everything before the enacting clause

21 and insert:

22 A bill to be entitled

23 An act relating to regulated reptiles; amending
 24 s. 372.86, F.S.; requiring the Fish and
 25 Wildlife Conservation Commission to establish a
 26 list of reptiles subject to regulation;
 27 authorizing the commission to adopt rules;
 28 amending s. 372.87, F.S.; requiring licensure
 29 for the keeping, possessing, or exhibiting of
 30 regulated reptiles; amending s. 372.88, F.S. ;
 31 increasing the required bond amount for the

Bill No. SB 990

Barcode 811104

1 exhibition of regulated reptiles; requiring
2 such bonds to be payable to the commission;
3 amending s. 372.89, F.S.; requiring safe,
4 secure, and proper housing of regulated
5 reptiles; amending s. 372.90, F.S.; providing
6 for the transportation of regulated reptiles;
7 amending s. 372.901, F.S.; providing for the
8 inspection of regulated reptiles; requiring the
9 commission to establish a reporting system for
10 certain activities related to regulated
11 reptiles; amending s. 372.91, F.S.; authorizing
12 certain persons to open regulated reptile
13 cages; renumbering s. 372.911, F.S., relating
14 to rewards, to conform; renumbering and
15 amending s. 372.912, F.S., relating to
16 organized regulated reptile hunts; amending s.
17 372.92, F.S.; providing criminal penalties for
18 certain activities related to regulated
19 reptiles; providing an effective date.

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