

By the Committees on General Government Appropriations; and
Environmental Preservation and Conservation

601-2638-07

1 A bill to be entitled
2 An act relating to recreational licenses and
3 permits issued by the Fish and Wildlife
4 Conservation Commission; amending s. 372.561,
5 F.S.; authorizing the commission, tax
6 collectors, and certain subagents to request
7 and collect donations when selling a
8 recreational license or permit; requiring the
9 transfer of such donations to the Wildlife
10 Foundation of Florida, Inc., to be used for
11 specified purposes; amending s. 372.562, F.S.;
12 revising the exemption under which a resident
13 need not possess a license in order to fish in
14 salt water from land or from a structure fixed
15 to land; amending s. 372.57, F.S.; increasing
16 the fees charged to residents and nonresidents
17 for certain hunting and fishing licenses;
18 requiring the commission to provide to the
19 Governor and Legislature a report on activities
20 funded from the sale of snook permits; creating
21 a 3-day freshwater fishing license for
22 nonresidents; correcting a reference to spiny
23 lobster; authorizing the commission to increase
24 license and permit fees every 5 years by rule;
25 amending ss. 372.571 and 372.661, F.S.;
26 conforming cross-references; reenacting ss.
27 372.5712(1), 372.5715(1), and 372.573, F.S.,
28 relating to revenues from the waterfowl permit,
29 the wild turkey permit, and management area
30 permits, to incorporate the amendment to s.
31

1 372.57, F.S., in references thereto; providing
2 an effective date.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
6 Section 1. Present subsection (13) of section 372.561,
7 Florida Statutes, is redesignated as subsection (14), and a
8 new subsection (13) is added to that section, to read:

9 372.561 Recreational licenses, permits, and
10 authorization numbers to take wild animal life, freshwater
11 aquatic life, and marine life; issuance; costs; reporting.--

12 (13) The commission, any tax collector in this state,
13 or any subagent authorized to sell licenses and permits under
14 s. 372.574 may request and collect donations when selling a
15 recreational license or permit authorized under s. 372.57. All
16 donations collected under this subsection must be transferred
17 to the Wildlife Foundation of Florida, Inc., to be used for
18 the purposes specified in s. 372.0215.

19 ~~(14)(13)~~ The commission is authorized to adopt rules
20 pursuant to ss. 120.536(1) and 120.54 to implement the
21 provisions of this section.

22 Section 2. Subsection (2) of section 372.562, Florida
23 Statutes, is amended to read:

24 372.562 Recreational licenses and permits; exemptions
25 from fees and requirements.--

26 (2) A hunting, freshwater fishing, or saltwater
27 fishing license or permit is not required for:

28 (a) Any child under 16 years of age, except as
29 otherwise provided in this chapter.

30 (b) Any person hunting or freshwater fishing on her or
31 his homestead property, or on the homestead property of the

1 person's spouse or minor child; or any minor child hunting or
2 freshwater fishing on the homestead property of her or his
3 parent.

4 (c) Any resident who is a member of the United States
5 Armed Forces and not stationed in this state, when home on
6 leave for 30 days or less, upon submission of orders.

7 (d) Any resident freshwater fishing for recreational
8 purposes only, within her or his county of residence with live
9 or natural bait, using poles or lines not equipped with a
10 fishing line retrieval mechanism. This exemption does not
11 apply to residents fishing in, except on a legally established
12 fish management area.

13 (e) Any person freshwater fishing in a fish pond of 20
14 acres or less that is located entirely within the private
15 property of the fish pond owner.

16 (f) Any person freshwater fishing in a fish pond that
17 is licensed in accordance with s. 372.5705.

18 (g) Any person fishing who has been accepted as a
19 client for developmental disabilities services by the
20 Department of Children and Family Services, provided the
21 department furnishes proof thereof.

22 (h) Any resident ~~saltwater fishing~~ saltwater fishing in salt
23 ~~water~~ from land or from a structure fixed to the land.

24 (i) Any person saltwater fishing from a vessel
25 licensed pursuant to s. 372.57(7).

26 (j) Any person saltwater fishing from a vessel the
27 operator of which is licensed pursuant to s. 372.57(7).

28 (k) Any person saltwater fishing who holds a valid
29 saltwater products license issued under s. 370.06(2).

30 (l) Any person saltwater fishing for recreational
31 purposes from a pier licensed under s. 372.57.

1 (m) Any resident fishing for a saltwater species in
2 fresh water from land or from a structure fixed to land.

3 (n) Any resident fishing for mullet in fresh water who
4 has a valid Florida freshwater fishing license.

5 (o) Any resident 65 years of age or older who has in
6 her or his possession proof of age and residency. A no-cost
7 license under this paragraph may be obtained from any tax
8 collector's office upon proof of age and residency and must be
9 in the possession of the resident during hunting, freshwater
10 fishing, and saltwater fishing activities.

11 (p) Any employee of the commission who takes
12 freshwater fish, saltwater fish, or game as part of employment
13 with the commission, or any other person authorized by
14 commission permit to take freshwater fish, saltwater fish, or
15 game for scientific or educational purposes.

16 (q) Any resident who is recreationally freshwater
17 fishing and who holds a valid commercial fishing license
18 issued under s. 372.65(1)(a).

19 Section 3. Subsections (4) and (5), paragraphs (a),
20 (b), (c), and (h) of subsection (8), paragraph (a) of
21 subsection (9), and paragraph (c) of subsection (10) of
22 section 372.57, Florida Statutes, are amended, and subsection
23 (18) is added to that section, to read:

24 372.57 Recreational licenses, permits, and
25 authorization numbers; fees established.--

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

29 (a) Annual freshwater fishing license, ~~\$15.50~~\$12.

30 (b) Annual saltwater fishing license, ~~\$15.50~~\$12.

31 (c) Annual hunting license to take game, ~~\$15.50~~\$11.

1 (d) Annual combination hunting and freshwater fishing
2 license, ~~\$31~~\$22.

3 (e) Annual combination freshwater fishing and
4 saltwater fishing license, ~~\$31~~\$24.

5 (f) Annual combination hunting, freshwater fishing,
6 and saltwater fishing license, ~~\$46.50~~\$34.

7 (g) Annual license to take fur-bearing animals, \$25.
8 However, a resident with a valid hunting license or a no-cost
9 license who is taking fur-bearing animals for noncommercial
10 purposes using guns or dogs only, and not traps or other
11 devices, is not required to purchase this license. Also, a
12 resident 65 years of age or older is not required to purchase
13 this license.

14 (h) Annual sportsman's license, ~~\$79~~\$71, except that
15 an annual sportsman's license for a resident 64 years of age
16 or older is \$12. A sportsman's license authorizes the person
17 to whom it is issued to take game and freshwater fish, subject
18 to the state and federal laws, rules, and regulations,
19 including rules of the commission, in effect at the time of
20 the taking. Other authorized activities include activities
21 authorized by a management area permit, a muzzle-loading gun
22 season permit, a crossbow season permit, a turkey permit, a
23 Florida waterfowl permit, and an archery season permit.

24 (i) Annual gold sportsman's license, ~~\$98.50~~\$87. The
25 gold sportsman's license authorizes the person to whom it is
26 issued to take freshwater fish, saltwater fish, and game,
27 subject to the state and federal laws, rules, and regulations,
28 including rules of the commission, in effect at the time of
29 taking. Other authorized activities include activities
30 authorized by a management area permit, a muzzle-loading gun
31 season permit, a crossbow season permit, a turkey permit, a

1 Florida waterfowl permit, an archery season permit, a snook
2 permit, and a spiny lobster permit.

3 (j) Annual military gold sportsman's license, \$18.50.
4 The gold sportsman's license authorizes the person to whom it
5 is issued to take freshwater fish, saltwater fish, and game,
6 subject to the state and federal laws, rules, and regulations,
7 including rules of the commission, in effect at the time of
8 taking. Other authorized activities include activities
9 authorized by a management area permit, a muzzle-loading gun
10 season permit, a crossbow season permit, a turkey permit, a
11 Florida waterfowl permit, an archery season permit, a snook
12 permit, and a spiny lobster permit. Any resident who is an
13 active or retired member of the United States Armed Forces,
14 the United States Armed Forces Reserve, the National Guard,
15 the United States Coast Guard, or the United States Coast
16 Guard Reserve is eligible to purchase the military gold
17 sportsman's license upon submission of a current military
18 identification card.

19 (5) NONRESIDENT HUNTING AND FISHING LICENSES.--The
20 licenses and fees for nonresidents participating in hunting
21 and fishing activities in the state are as follows:

22 (a) Freshwater fishing license to take freshwater fish
23 for 3 consecutive days, \$15.50.

24 ~~(b)(a)~~ Freshwater fishing license to take freshwater
25 fish for 7 consecutive days, ~~\$28.50~~\$15.

26 ~~(c)(b)~~ Saltwater fishing license to take saltwater
27 fish for 3 consecutive days, ~~\$15.50~~\$5.

28 ~~(d)(c)~~ Saltwater fishing license to take saltwater
29 fish for 7 consecutive days, ~~\$28.50~~\$15.

30 ~~(e)(d)~~ Annual freshwater fishing license, ~~\$45.50~~\$30.

31 ~~(f)(e)~~ Annual saltwater fishing license, ~~\$45.50~~\$30.

1 ~~(g)(f)~~ Hunting license to take game for 10 consecutive
2 days, \$45.

3 ~~(h)(g)~~ Annual hunting license to take game, \$150.

4 ~~(i)(h)~~ Annual license to take fur-bearing animals,
5 \$25. However, a nonresident with a valid Florida hunting
6 license who is taking fur-bearing animals for noncommercial
7 purposes using guns or dogs only, and not traps or other
8 devices, is not required to purchase this license.

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

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

17 (b)1. An annual Florida turkey permit for a resident
18 to take wild turkeys within the state is~~\$10~~\$5.

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

21 (c) An annual snook permit for a resident or
22 nonresident to take or possess any snook from any waters of
23 the state is~~\$10~~\$2. Revenue generated from the sale of snook
24 permits shall be used exclusively for law enforcement
25 activities, management, research, stock enhancement, and
26 public education that directly benefit the snook population.
27 The commission shall provide a complete and detailed annual
28 report on activities performed under this paragraph to the
29 Governor, the President of the Senate, and the Speaker of the
30 House of Representatives on or before September 1 of each year
31 for programs to benefit the snook population.

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

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

26 (9) RESIDENT 5-YEAR HUNTING AND FISHING LICENSES.--

27 (a) Five-year licenses are available for residents
28 only, as follows:

29 1. A 5-year freshwater fishing or saltwater fishing
30 license is ~~\$77.50~~\$60 for each type of license and authorizes
31 the person to whom the license is issued to take or attempt to

1 take or possess freshwater fish or saltwater fish consistent
2 with the state and federal laws and regulations and rules of
3 the commission in effect at the time of taking.

4 2. A 5-year hunting license is ~~\$77.50~~^{\$55} and
5 authorizes the person to whom it is issued to take or attempt
6 to take or possess game consistent with the state and federal
7 laws and regulations and rules of the commission in effect at
8 the time of taking.

9 3. The commission is authorized to sell the hunting,
10 fishing, and recreational activity permits authorized in
11 subsection (8) for a 5-year period to match the purchase of
12 5-year fishing and hunting licenses. The fee for each permit
13 issued under this paragraph shall be five times the annual
14 cost established in subsection (8).

15 (10) RESIDENT LIFETIME FRESHWATER OR SALTWATER FISHING
16 LICENSES.--

17 (c) The following activities are authorized by the
18 purchase of a lifetime saltwater fishing license:

19 1. Taking, or attempting to take or possess, saltwater
20 fish consistent with the state and federal laws and
21 regulations and rules of the commission in effect at the time
22 of the taking.

23 2. All activities authorized by a snook permit and a
24 spiny lobster ~~crayfish~~ permit.

25 3. All activities for which an additional license,
26 permit, or fee is required to take or attempt to take or
27 possess saltwater fish, which additional license, permit, or
28 fee was imposed subsequent to the date of the purchase of the
29 lifetime saltwater fishing license.

30 (18) FEES INCREASES.--Beginning July 1, 2012, the
31 commission may increase the fees of all recreational licenses

1 and permits provided under this section by rule based on the
2 change in the Consumer Price Index published by the United
3 States Department of Labor, and every 5 years thereafter.

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

6 372.571 Expiration of licenses and permits.--Each
7 license or permit issued under this chapter must be dated when
8 issued. Each license or permit issued under this chapter
9 remains valid for 12 months after the date of issuance, except
10 for a lifetime license issued pursuant to s. 372.57 which is
11 valid from the date of issuance until the death of the
12 individual to whom the license is issued unless otherwise
13 revoked in accordance with s. 372.83 or s. 372.99, or a 5-year
14 license issued pursuant to s. 372.57 which is valid for 5
15 consecutive years from the date of purchase unless otherwise
16 revoked in accordance with s. 372.83 or s. 372.99, or a
17 license issued pursuant to s. 372.57(5)(a), (b), (c), (d), or
18 (g) or (f) or (8)(f), ~~or (g)2.~~, or (h)1., which is valid for
19 the period specified on the license. A resident lifetime
20 license or a resident 5-year license that has been purchased
21 by a resident of this state and who subsequently resides in
22 another state shall be honored for activities authorized by
23 that license.

24 Section 5. Subsection (2) of section 372.661, Florida
25 Statutes, is amended to read:

26 372.661 Private hunting preserve license fees;
27 exception.--

28 (2) A commercial hunting preserve license, which shall
29 exempt patrons of licensed preserves from the license and
30 permit requirements of s. 372.57(4)(c), (d), (f), (h), (i),
31 and (j); (5)~~(f)~~ and (h); (8)(a), (b), and (e);

1 (9)(a)2.; (11); and (12) while hunting on the licensed
2 preserve property, shall be \$500. Such commercial hunting
3 preserve license shall be available only to those private
4 hunting preserves licensed pursuant to this section which are
5 operated exclusively for commercial purposes, which are open
6 to the public, and for which a uniform fee is charged to
7 patrons for hunting privileges.

8 Section 6. For the purpose of incorporating the
9 amendments made by this act to section 372.57, Florida
10 Statutes, in a reference thereto, subsection (1) of section
11 372.5712, Florida Statutes, is reenacted to read:

12 372.5712 Florida waterfowl permit revenues.--

13 (1) The commission shall expend the revenues generated
14 from the sale of the Florida waterfowl permit as provided in
15 s. 372.57(8)(a) or that pro rata portion of any license that
16 includes waterfowl hunting privileges, as provided in s.
17 372.57(4)(h), (i), and (j) and (9)(a)3. as follows: A maximum
18 of 5 percent of the gross revenues shall be expended for
19 administrative costs; a maximum of 25 percent of the gross
20 revenues shall be expended for waterfowl research approved by
21 the commission; and a maximum of 70 percent of the gross
22 revenues shall be expended for projects approved by the
23 commission, in consultation with the Waterfowl Advisory
24 Council, for the purpose of protecting and propagating
25 migratory waterfowl and for the development, restoration,
26 maintenance, and preservation of wetlands within the state.

27 Section 7. For the purpose of incorporating the
28 amendments made by this act to section 372.57, Florida
29 Statutes, in a reference thereto, subsection (1) of section
30 372.5715, Florida Statutes, is reenacted to read:

31 372.5715 Florida wild turkey permit revenues.--

1 (1) The commission shall expend the revenues generated
2 from the sale of the turkey permit as provided for in s.
3 372.57(8)(b) or that pro rata portion of any license that
4 includes turkey hunting privileges as provided for in s.
5 372.57(4)(h), (i), and (j) for research and management of wild
6 turkeys.

7 Section 8. For the purpose of incorporating the
8 amendments made by this act to section 372.57, Florida
9 Statutes, in a reference thereto, section 372.573, Florida
10 Statutes, is reenacted to read:

11 372.573 Management area permit revenues.--The
12 commission shall expend the revenue generated from the sale of
13 the management area permit as provided for in s. 372.57(8)(g)
14 or that pro rata portion of any license that includes
15 management area privileges as provided for in s. 372.57(4)(h),
16 (i), and (j) for the lease, management, and protection of
17 lands for public hunting, fishing, and other outdoor
18 recreation.

19 Section 9. This act shall take effect October 1, 2007.
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21 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
22 COMMITTEE SUBSTITUTE FOR
23 CS/SB 1982

24 Corrects references that apply to freshwater fishing and spiny
25 lobster, and clarifies and exemption provision for
26 commercially licensed fishermen.
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