

Bill No. CS for SB 2054

Barcode 922520

CHAMBER ACTION

Senate

House

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Comm: RCS
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The Committee on Communications and Public Utilities (Baker)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 3, line 21 through page 6, line 12, delete
those lines

and insert:

Section 1. Subsection (2) of section 258.007, Florida
Statutes, is amended to read:

258.007 Powers of division.--

(2) The division has authority to adopt rules pursuant
to ss. 120.536(1) and 120.54 to implement provisions of law
conferring duties on it, and to impose penalties for the
violation of any rule authorized by this section ~~shall be a~~
~~misdemeanor and punishable accordingly.~~

Section 2. Section 258.008, Florida Statutes, is
created to read:

258.008 Prohibited activities; penalties.--

(1) Except as provided in subsection (3), any person
who violates or otherwise fails to comply with the rules

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1 adopted under this chapter commits a noncriminal infraction
2 for which ejection from all property managed by the Division
3 of Recreation and Parks and a fine of up to \$1,000 may be
4 imposed by the division.

5 (2) In addition to penalties imposed under subsection
6 (1), any person who fails to sign a citation given under
7 subsection (1), fails to appear in court in response to such
8 citation, or fails to comply with the court's order commits a
9 misdemeanor of the second degree, punishable as provided in s.
10 775.082 or s. 775.083.

11 (3) Any person who engages in any of the following
12 activities within the boundaries of a state park without first
13 obtaining the express permission of the Division of Recreation
14 and Parks commits a misdemeanor of the second degree,
15 punishable as provided in s. 775.082 or s. 775.083, and shall
16 be ejected from all property managed by the division:

17 (a) Cutting, carving, injuring, mutilating, moving,
18 displacing, or breaking off any water-bottom formation or
19 coral;

20 (b) Capturing, trapping, injuring, or harassing a wild
21 animal;

22 (c) Collecting plant or animal specimens;

23 (d) Leaving the designated public roads in a vehicle;

24 or

25 (e) Hunting.

26 (4) Fines paid under this section shall be paid to the
27 Department of Environmental Protection and deposited in the
28 State Park Trust Fund. If a person who receives a citation
29 elects to defend himself or herself in court, the county shall
30 claims court for the county in which the violation occurred
31 shall have jurisdiction. Court costs shall be determined by

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1 and paid to the court as ordered by the court. A person who
 2 receives a citation but fails to pay the fine, sign and accept
 3 a citation, appear in court, or comply with the court's order
 4 may not enter any state park property until he or she has paid
 5 the fine, complied with the procedure, or complied with the
 6 order. The department may establish by rule the procedures for
 7 giving a citation, giving a notice of appearance in court,
 8 payment of fines, and listing of persons ejected from state
 9 parks; the amounts of fines for civil infractions up to
 10 \$1,000; definitions; time limits and deadlines; and any other
 11 matter necessary to implement this section.

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13 (Redesignate subsequent sections.)

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

17 And the title is amended as follows:

18 On page 1, lines 4 through 5, delete those lines

19
20 and insert:

21 F.S.; deleting a penalty for a rule violation;
 22 creating s. 258.008, F.S.; creating penalties
 23 for the violation of rules adopted under ch.
 24 258, F.S., and for specified activities within
 25 the boundaries of a state park; providing for
 26 fines to be deposited into the State Park Trust
 27 Fund; providing for court costs under certain
 28 circumstances; amending s.

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