

1 A bill to be entitled
2 An act relating to the protection of wild and aquatic
3 life; amending s. 253.03, F.S.; requiring the Board of
4 Trustees of the Internal Improvement Trust Fund to provide
5 for the establishment of seagrass mitigation banks for
6 specified purposes; amending s. 253.04, F.S.; providing
7 that careless operation of a vessel outside a marked
8 channel that causes seagrass scarring within certain
9 aquatic preserves is a civil infraction; defining the
10 terms "seagrass scarring" and "seagrasses"; providing that
11 refusal to post bond or sign a boating citation is a
12 second degree misdemeanor; providing criminal penalties;
13 requiring that civil penalties collected for the careless
14 operation of a vessel causing seagrass scarring be
15 deposited into the Internal Improvement Trust Fund and
16 used for specified purposes; amending s. 253.034, F.S.;
17 creating a monitoring team for the purposes of reviewing
18 management plans of state-owned lands; providing review
19 procedures; amending s. 259.037, F.S.; requiring agencies
20 to report additional information to the Division of State
21 Lands; amending s. 327.73, F.S.; providing civil penalties
22 for seagrass scarring; amending s. 372.73, F.S.; providing
23 for the forfeiture of illegally taken wildlife, freshwater
24 fish, and saltwater fish to investigating law enforcement
25 agencies; authorizing investigating law enforcement
26 agencies to dispose of such wildlife, freshwater fish, and
27 saltwater fish in a specified manner; requiring certain
28 documentation; requiring the release of certain wildlife,

29 freshwater fish, and saltwater fish to native habitats;
 30 providing for release of nonnative species by rule;
 31 revising provisions for the deposit of certain proceeds
 32 relating to the confiscation and disposition of illegally
 33 taken wildlife, freshwater fish, and saltwater fish;
 34 authorizing certain law enforcement agencies to receive
 35 specified portions of forfeited property; creating s.
 36 372.731, F.S.; providing for photographs of illegally
 37 taken wildlife, freshwater fish, or saltwater fish to be
 38 admissible as evidence in the prosecution of certain
 39 violations; specifying requirements and procedures for
 40 such photographs; amending ss. 370.021, 370.061, 372.9901,
 41 372.9904, and 932.7055, F.S.; conforming cross-references;
 42 repealing s. 327.803, F.S., relating to the Boating
 43 Advisory Council; repealing s. 372.107, F.S., relating to
 44 the Federal Law Enforcement Trust Fund within the Fish and
 45 Wildlife Conservation Commission; providing an effective
 46 date.

47
 48 Be It Enacted by the Legislature of the State of Florida:

49
 50 Section 1. Subsection (18) is added to section 253.03,
 51 Florida Statutes, to read:

52 253.03 Board of trustees to administer state lands; lands
 53 enumerated.--

54 (18) The Board of Trustees of the Internal Improvement
 55 Trust Fund shall ensure the preservation and regeneration of
 56 seagrass, as defined in s. 253.04(4)(b)2., by providing for the

57 establishment of seagrass mitigation banks, pursuant to s.
 58 373.4136, to offset the unavoidable impacts of projects where
 59 such banks meet the applicable public interest test of chapters
 60 253 and 258. This subsection shall not prohibit mitigation for
 61 impacts to seagrass or other habitats on sovereignty submerged
 62 lands for other types of projects, or for projects occurring on
 63 nonsovereign submerged lands, upon applicable approval of the
 64 board of trustees.

65 Section 2. Subsections (4) through (7) of section 253.04,
 66 Florida Statutes, are renumbered as subsections (5) through (8),
 67 respectively, and a new subsection (4) is added to that section
 68 to read:

69 253.04 Duty of board to protect, etc., state lands; state
 70 may join in any action brought.--

71 (4) (a) The duty to conserve and improve state-owned lands
 72 and the products thereof shall include the preservation and
 73 regeneration of seagrass, which is deemed essential to the
 74 oceans, gulfs, estuaries, and shorelines of the state.

75 (b) Any person operating a vessel outside a lawfully
 76 marked channel in a careless manner that causes seagrass
 77 scarring within an aquatic preserve established in ss. 258.39-
 78 258.399 with the exception of the Lake Jackson, Wekiva River,
 79 and Rainbow River aquatic preserves, commits a civil infraction,
 80 punishable as provided in s. 327.73. Each violation is a
 81 separate offense. As used in this subsection, the term:

82 1. "Seagrass scarring" means the destruction of roots,
 83 shoots, or stems of seagrass plants that results in tracks on
 84 the substrate caused by the operation of a motorized vessel in

85 waters supporting seagrasses, commonly known as prop-scars or
 86 propeller scars.

87 2. "Seagrasses" means Cuban shoal grass (Halodule
 88 wrightii), turtle grass (Thalassia testudinum), manatee grass
 89 (Syringodium filiforme), star grass (Halophila engelmannii),
 90 paddle grass (Halophila decipiens), Johnson's seagrass
 91 (Halophila johnsonii), or widgeon grass (Ruppia maritima).

92 (c) Any violation of this subsection is a violation of the
 93 boating laws of this state and shall be charged on a uniform
 94 boating citation as provided in s. 327.74. Any person who
 95 refuses to post a bond or accept and sign a uniform boating
 96 citation commits a misdemeanor of the second degree as provided
 97 in s. 327.73(3), punishable as provided in s. 775.082 or s.
 98 775.083.

99 (d) All civil penalties imposed and collected pursuant to
 100 this subsection shall be deposited into the Internal Improvement
 101 Trust Fund and used solely to implement, administer, and enforce
 102 this subsection; provide for seagrass restoration; conduct a
 103 program to educate vessel operators about the need to protect
 104 seagrasses from damage caused by the operation of vessels; and
 105 fund the marking of seagrass.

106 Section 3. Paragraph (c) is added to subsection (5) of
 107 section 259.034, Florida Statutes, to read:

108 253.034 State-owned lands; uses.--

109 (5) Each manager of conservation lands shall submit to the
 110 Division of State Lands a land management plan at least every 10
 111 years in a form and manner prescribed by rule by the board and
 112 in accordance with the provisions of s. 259.032. Each manager of

113 conservation lands shall also update a land management plan
114 whenever the manager proposes to add new facilities or make
115 substantive land use or management changes that were not
116 addressed in the approved plan, or within 1 year of the addition
117 of significant new lands. Each manager of nonconservation lands
118 shall submit to the Division of State Lands a land use plan at
119 least every 10 years in a form and manner prescribed by rule by
120 the board. The division shall review each plan for compliance
121 with the requirements of this subsection and the requirements of
122 the rules established by the board pursuant to this section. All
123 land use plans, whether for single-use or multiple-use
124 properties, shall include an analysis of the property to
125 determine if any significant natural or cultural resources are
126 located on the property. Such resources include archaeological
127 and historic sites, state and federally listed plant and animal
128 species, and imperiled natural communities and unique natural
129 features. If such resources occur on the property, the manager
130 shall consult with the Division of State Lands and other
131 appropriate agencies to develop management strategies to protect
132 such resources. Land use plans shall also provide for the
133 control of invasive nonnative plants and conservation of soil
134 and water resources, including a description of how the manager
135 plans to control and prevent soil erosion and soil or water
136 contamination. Land use plans submitted by a manager shall
137 include reference to appropriate statutory authority for such
138 use or uses and shall conform to the appropriate policies and
139 guidelines of the state land management plan. Plans for managed
140 areas larger than 1,000 acres shall contain an analysis of the

141 multiple-use potential of the property, which analysis shall
142 include the potential of the property to generate revenues to
143 enhance the management of the property. Additionally, the plan
144 shall contain an analysis of the potential use of private land
145 managers to facilitate the restoration or management of these
146 lands. In those cases where a newly acquired property has a
147 valid conservation plan that was developed by a soil and
148 conservation district, such plan shall be used to guide
149 management of the property until a formal land use plan is
150 completed.

151 (c) Beginning July 1, 2010, and every 3 years thereafter,
152 state-owned lands with an approved land management plan shall be
153 monitored for land management activities by a monitoring team.
154 The Division of State Lands shall coordinate the activities of
155 the monitoring team, which shall consist of three members. One
156 member shall be selected by the Executive Director of the Fish
157 and Wildlife Conservation Commission or a designee, and shall
158 have experience with applied habitat management. One member
159 shall be selected by the Secretary of the Department of
160 Environmental Protection or a designee, and shall have
161 experience with public recreation or use administration. One
162 member shall be selected by the Commissioner of Agriculture or a
163 designee, and shall have experience with applied land
164 management. The Division of State Lands shall provide the
165 monitoring team with the operational report prepared pursuant to
166 s. 259.037(6). The monitoring team shall prepare a monitoring
167 report that assesses the progress towards achieving short-term
168 and long-term land management goals, as identified in the

169 operational report, and shall propose corrective actions for
 170 identified deficiencies in management activities. The monitoring
 171 report shall be submitted to the Acquisition and Restoration
 172 Council and the managing agency. The Acquisition and Restoration
 173 Council shall review the monitoring report and determine whether
 174 the deficiencies warrant a corrective action plan or revisions
 175 to the management plan. Significant and recurring deficiencies
 176 shall be brought to the Board of Trustees, which shall determine
 177 whether the corrective actions being proposed by the land
 178 manager and the Acquisition and Restoration Council sufficiently
 179 address the deficiencies. Corrective actions plans shall be
 180 prepared and submitted in the same manner as land management
 181 plans.

182 Section 4. Subsection (6) is added to section 259.037,
 183 Florida Statutes, to read:

184 259.037 Land Management Uniform Accounting Council.--

185 (6) Beginning July 1, 2010, and every 3 years thereafter,
 186 each reporting agency shall also submit an operational report
 187 for each management area along with an approved management plan.
 188 The report should assess the progress toward achieving short-
 189 term and long-term management goals of the approved management
 190 plan, including all land management activities, and identify any
 191 deficiencies in management and corrective actions to address
 192 identified deficiencies as appropriate. This report shall be
 193 submitted to the Division of State Lands for inclusion in its
 194 annual report required pursuant to s. 259.036.

195 Section 5. Paragraph (x) is added to subsection (1) of
 196 section 327.73, Florida Statutes, and subsection (8) of that
 197 section is amended, to read:

198 327.73 Noncriminal infractions.--

199 (1) Violations of the following provisions of the vessel
 200 laws of this state are noncriminal infractions:

201 (x) Section 253.04(4)(a), relating to carelessly causing
 202 seagrass scarring, for which the civil penalty is:

203 1. Fifty dollars upon conviction for a first offense.

204 2. Two hundred and fifty dollars upon conviction for a
 205 second offense occurring within 12 months after a prior
 206 conviction.

207 3. Five hundred dollars upon conviction for a third
 208 offense occurring within 36 months after a prior conviction.

209 4. One thousand dollars upon conviction for a fourth or
 210 subsequent offense.

211
 212 Any person cited for a violation of any such provision shall be
 213 deemed to be charged with a noncriminal infraction, shall be
 214 cited for such an infraction, and shall be cited to appear
 215 before the county court. The civil penalty for any such
 216 infraction is \$50, except as otherwise provided in this section.
 217 Any person who fails to appear or otherwise properly respond to
 218 a uniform boating citation shall, in addition to the charge
 219 relating to the violation of the boating laws of this state, be
 220 charged with the offense of failing to respond to such citation
 221 and, upon conviction, be guilty of a misdemeanor of the second
 222 degree, punishable as provided in s. 775.082 or s. 775.083. A

223 written warning to this effect shall be provided at the time
 224 such uniform boating citation is issued.

225 (8) Except as otherwise provided by s. 253.04(4)(c), all
 226 fees and civil penalties assessed and collected pursuant to this
 227 section shall be remitted by the clerk of the court to the
 228 Department of Revenue to be deposited into the Marine Resources
 229 Conservation Trust Fund for boating safety education purposes.

230 Section 6. Section 372.73, Florida Statutes, is amended to
 231 read:

232 372.73 Confiscation and disposition of illegally taken
 233 wildlife, freshwater fish, and saltwater fish ~~game~~.--

234 (1)(a) All wildlife, ~~game~~ and freshwater fish, and
 235 saltwater fish seized under the authority of this chapter, any
 236 other chapter, or rules of the commission shall, upon conviction
 237 of the offender or sooner in accordance with a court order if
 238 the court so orders, be forfeited to the investigating law
 239 enforcement agency. The law enforcement agency may elect to
 240 retain the wildlife, freshwater fish, or saltwater fish for the
 241 agency's official use; transfer the wildlife, freshwater fish,
 242 or saltwater fish to another unit of state or local government
 243 for official use; donate the wildlife, freshwater fish, or
 244 saltwater fish to a charitable organization; sell the wildlife,
 245 freshwater fish, or saltwater fish at a public sale, pursuant to
 246 the provisions of s. 705.103; or destroy the wildlife,
 247 freshwater fish, or saltwater fish if none of the other options
 248 are practicable or if the wildlife, freshwater fish, or
 249 saltwater fish is unwholesome or otherwise not of appreciable
 250 value.

251 (b) All live wildlife, freshwater fish, or saltwater fish,
252 the possession of which is unlawful, shall be properly
253 documented as evidence under s. 372.731 and returned to the
254 habitat unharmed, except that nonnative species may be released
255 only as allowed by rules of the commission. Any unclaimed
256 wildlife, freshwater fish, or saltwater fish shall be retained
257 by the investigating law enforcement agency and disposed of in
258 accordance with the provisions of this subsection ~~and given to~~
259 ~~some hospital or charitable institution and receipt therefor~~
260 ~~sent to the Fish and Wildlife Conservation Commission.~~

261 (2) All furs or hides or fur-bearing animals seized under
262 the authority of this chapter shall, upon conviction of the
263 offender, be forfeited and sent to the commission, which shall
264 sell such hides and furs ~~the same and deposit the proceeds of~~
265 ~~such sale to the credit of the State Game Trust Fund or into the~~
266 ~~commission's Federal Law Enforcement Trust Fund as provided in~~
267 ~~s. 372.107, as applicable.~~ If any such hides or furs are seized
268 and the offender is unknown, the court shall order such hides or
269 furs sent to the ~~Fish and Wildlife Conservation~~ commission,
270 which shall sell such hides and furs.

271 (3) Except as otherwise provided in subsection (4), ~~and~~
272 ~~deposit~~ the proceeds of any such sale pursuant to this section
273 shall be remitted to the Department of Revenue for deposit to
274 the credit of the State Game Trust Fund or the Marine Resources
275 Conservation Trust Fund ~~into the commission's Federal Law~~
276 ~~Enforcement Trust Fund as provided in s. 372.107, as applicable.~~

277 (4) Any state, municipal, or county law enforcement agency
278 that enforces or assists the commission in enforcing the

279 provisions of this chapter, which enforcement or assistance
 280 results in a forfeiture of property as provided in this section,
 281 shall be entitled to receive all or a share of any property
 282 based upon the agency's participation in such enforcement.

283 Section 7. Section 372.731, Florida Statutes, is created
 284 to read:

285 372.731 Photographs of illegally taken wildlife,
 286 freshwater fish, and saltwater fish.--In any prosecution for a
 287 violation of this chapter, chapter 370, or rules of the
 288 commission, a photograph of the illegally taken wildlife,
 289 freshwater fish, or saltwater fish may be deemed competent
 290 evidence of such property and may be admissible in the
 291 prosecution to the same extent as if such wildlife, freshwater
 292 fish, or saltwater fish were introduced as evidence. Such
 293 photograph shall bear a written description of the wildlife,
 294 freshwater fish, or saltwater fish alleged to have been
 295 illegally taken, the name of the violator, the location where
 296 the alleged wrongful taking occurred, the name of the
 297 investigating law enforcement officer, the date the photograph
 298 was taken, and the name of the photographer. Such writing shall
 299 be made under oath by the investigating law enforcement officer,
 300 and the photograph shall be identified by the signature of the
 301 photographer.

302 Section 8. Subsection (2) of section 370.021, Florida
 303 Statutes, is amended to read:

304 370.021 Administration; rules, publications, records;
 305 penalties; injunctions.--

306 (2) MAJOR VIOLATIONS.--In addition to the penalties
 307 provided in paragraphs (1)(a) and (b), the court shall assess
 308 additional penalties against any commercial harvester convicted
 309 of major violations as follows:

310 (a) For a violation involving more than 100 illegal blue
 311 crabs, spiny lobster, or stone crabs, an additional penalty of
 312 \$10 for each illegal blue crab, spiny lobster, stone crab, or
 313 part thereof.

314 (b) For a violation involving the taking or harvesting of
 315 shrimp from a nursery or other prohibited area, or any two
 316 violations within a 12-month period involving shrimping gear,
 317 minimum size (count), or season, an additional penalty of \$10
 318 for each pound of illegal shrimp or part thereof.

319 (c) For a violation involving the taking or harvesting of
 320 oysters from nonapproved areas or the taking or possession of
 321 unculled oysters, an additional penalty of \$10 for each bushel
 322 of illegal oysters.

323 (d) For a violation involving the taking or harvesting of
 324 clams from nonapproved areas, an additional penalty of \$100 for
 325 each 500 count bag of illegal clams.

326 (e) For a violation involving the taking, harvesting, or
 327 possession of any of the following species, which are
 328 endangered, threatened, or of special concern:

- 329 1. Shortnose sturgeon (*Acipenser brevirostrum*);
- 330 2. Atlantic sturgeon (*Acipenser oxyrinchus*);
- 331 3. Common snook (*Centropomus undecimalis*);
- 332 4. Atlantic loggerhead turtle (*Caretta caretta caretta*);
- 333 5. Atlantic green turtle (*Chelonia mydas mydas*);

- 334 6. Leatherback turtle (*Dermochelys coriacea*);
- 335 7. Atlantic hawksbill turtle (*Eretmochelys imbricata*
- 336 *imbracata*);
- 337 8. Atlantic ridley turtle (*Lepidochelys kemp*); or
- 338 9. West Indian manatee (*Trichechus manatus latirostris*),

339
 340 an additional penalty of \$100 for each unit of marine life or
 341 part thereof.

342 (f) For a second or subsequent conviction within 24 months
 343 for any violation of the same law or rule involving the taking
 344 or harvesting of more than 100 pounds of any finfish, an
 345 additional penalty of \$5 for each pound of illegal finfish.

346 (g) For any violation involving the taking, harvesting, or
 347 possession of more than 1,000 pounds of any illegal finfish, an
 348 additional penalty equivalent to the wholesale value of the
 349 illegal finfish.

350 (h) Permits issued to any commercial harvester by the
 351 commission to take or harvest saltwater products, or any license
 352 issued pursuant to s. 370.06 or s. 370.07 may be suspended or
 353 revoked by the commission, pursuant to the provisions and
 354 procedures of s. 120.60, for any major violation prescribed in
 355 this subsection:

- 356 1. Upon a first conviction, for up to 30 calendar days.
- 357 2. Upon a second conviction which occurs within 12 months
- 358 after a prior violation, for up to 90 calendar days.
- 359 3. Upon a third conviction which occurs within 24 months
- 360 after a prior conviction, for up to 180 calendar days.

361 4. Upon a fourth conviction which occurs within 36 months
362 after a prior conviction, for a period of 6 months to 3 years.

363 (i) Upon the arrest and conviction for a major violation
364 involving stone crabs, the licenseholder must show just cause
365 why his or her license should not be suspended or revoked. For
366 the purposes of this paragraph, a "major violation" means a
367 major violation as prescribed for illegal stone crabs; any
368 single violation involving possession of more than 25 stone
369 crabs during the closed season or possession of 25 or more
370 whole-bodied or egg-bearing stone crabs; any violation for trap
371 molestation, trap robbing, or pulling traps at night; or any
372 combination of violations in any 3-consecutive-year period
373 wherein more than 75 illegal stone crabs in the aggregate are
374 involved.

375 (j) Upon the arrest and conviction for a major violation
376 involving spiny lobster, the licenseholder must show just cause
377 why his or her license should not be suspended or revoked. For
378 the purposes of this paragraph, a "major violation" means a
379 major violation as prescribed for illegal spiny lobster; any
380 single violation involving possession of more than 25 spiny
381 lobster during the closed season or possession of more than 25
382 wrung spiny lobster tails or more than 25 egg-bearing or
383 stripped spiny lobster; any violation for trap molestation, trap
384 robbing, or pulling traps at night; or any combination of
385 violations in any 3-consecutive-year period wherein more than 75
386 illegal spiny lobster in the aggregate are involved.

387 (k) Upon the arrest and conviction for a major violation
388 involving blue crabs, the licenseholder shall show just cause

389 why his or her saltwater products license should not be
390 suspended or revoked. This paragraph shall not apply to an
391 individual fishing with no more than five traps. For the
392 purposes of this paragraph, a "major violation" means a major
393 violation as prescribed for illegal blue crabs, any single
394 violation wherein 50 or more illegal blue crabs are involved;
395 any violation for trap molestation, trap robbing, or pulling
396 traps at night; or any combination of violations in any 3-
397 consecutive-year period wherein more than 100 illegal blue crabs
398 in the aggregate are involved.

399 (1) Upon the conviction for a major violation involving
400 finfish, the licenseholder must show just cause why his or her
401 saltwater products license should not be suspended or revoked.
402 For the purposes of this paragraph, a major violation is
403 prescribed for the taking and harvesting of illegal finfish, any
404 single violation involving the possession of more than 100
405 pounds of illegal finfish, or any combination of violations in
406 any 3-consecutive-year period wherein more than 200 pounds of
407 illegal finfish in the aggregate are involved.

408 (m) For a violation involving the taking or harvesting of
409 any marine life species, as those species are defined by rule of
410 the commission, the harvest of which is prohibited, or the
411 taking or harvesting of such a species out of season, or with an
412 illegal gear or chemical, or any violation involving the
413 possession of 25 or more individual specimens of marine life
414 species, or any combination of violations in any 3-year period
415 involving more than 70 such specimens in the aggregate, the

416 suspension or revocation of the licenseholder's marine life
 417 endorsement as provided in paragraph (h).

418
 419 The penalty provisions of this subsection apply to commercial
 420 harvesters and wholesale and retail dealers as defined in s.
 421 370.07. Any other person who commits a major violation under
 422 this subsection commits a Level Three violation under s. 372.83.
 423 Notwithstanding the provisions of s. 948.01, no court may
 424 suspend, defer, or withhold adjudication of guilt or imposition
 425 of sentence for any major violation prescribed in this
 426 subsection. The proceeds from the penalties assessed pursuant to
 427 this subsection shall be deposited into the Marine Resources
 428 Conservation Trust Fund to be used for marine fisheries research
 429 ~~or into the commission's Federal Law Enforcement Trust Fund as~~
 430 ~~provided in s. 372.107, as applicable.~~

431 Section 9. Subsection (4) and paragraph (c) of subsection
 432 (5) of section 370.061, Florida Statutes, are amended to read:

433 370.061 Confiscation, seizure, and forfeiture of property
 434 and products.--

435 (4) DESTRUCTION OR DISPOSITION OF PROPERTY.--All property
 436 forfeited under this section may be destroyed, used by the
 437 commission, disposed of by gift to charitable or state
 438 institutions, or sold, with the proceeds derived from the sale
 439 deposited into the Marine Resources Conservation Trust Fund to
 440 be used for law enforcement purposes, ~~or into the commission's~~
 441 ~~Federal Law Enforcement Trust Fund as provided in s. 372.107, as~~
 442 ~~applicable.~~

443 (5) CONFISCATION AND SALE OF PERISHABLE SALTWATER
 444 PRODUCTS; PROCEDURE.--

445 (c) In the event of acquittal, the proceeds of a sale or
 446 the bond or cash deposit required by this subsection shall be
 447 returned to the defendant. In the event of a conviction, the
 448 proceeds of a sale or the bond or cash deposit required by this
 449 subsection shall be deposited into the Marine Resources
 450 Conservation Trust Fund to be used for law enforcement purposes
 451 ~~or into the commission's Federal Law Enforcement Trust Fund as~~
 452 ~~provided in s. 372.107, as applicable.~~ Such deposit into the
 453 Marine Resources Conservation Trust Fund ~~or the Federal Law~~
 454 ~~Enforcement Trust Fund~~ shall constitute confiscation.

455 Section 10. Subsection (5) of section 372.9901, Florida
 456 Statutes, is amended to read:

457 372.9901 Seizure of illegal hunting devices; disposition;
 458 notice; forfeiture.--In order to protect the state's wildlife
 459 resources, any vehicle, vessel, animal, gun, light, or other
 460 hunting device used or attempted to be used in connection with,
 461 as an instrumentality of, or in aiding and abetting in the
 462 commission of an offense prohibited by s. 372.99 is subject to
 463 seizure and forfeiture. The provisions of chapter 932 do not
 464 apply to any seizure or forfeiture under this section. For
 465 purposes of this section, a conviction is any disposition other
 466 than acquittal or dismissal.

467 (5) All amounts received from the sale or other
 468 disposition of the property shall be paid into the State Game
 469 Trust Fund ~~or into the commission's Federal Law Enforcement~~
 470 ~~Trust Fund as provided in s. 372.107, as applicable.~~ If the

471 property is not sold or converted, it shall be delivered to the
 472 executive director of the commission.

473 Section 11. Subsection (3) of section 372.9904, Florida
 474 Statutes, is amended to read:

475 372.9904 Seizure of illegal transportation devices;
 476 disposition; appraisal; forfeiture.--

477 (3) Upon conviction of the violator, the property, if
 478 owned by the person convicted, shall be forfeited to the state
 479 under the procedure set forth in ss. 370.061 and 370.07, when
 480 not inconsistent with this section. All amounts received from
 481 the sale or other disposition of the property shall be paid into
 482 the State Game Trust Fund ~~or into the commission's Federal Law~~
 483 ~~Enforcement Trust Fund as provided in s. 372.107, as applicable.~~
 484 If the property is not sold or converted, it shall be delivered
 485 to the director of the Fish and Wildlife Conservation
 486 Commission.

487 Section 12. Paragraph (e) of subsection (6) of section
 488 932.7055, Florida Statutes, is amended to read:

489 932.7055 Disposition of liens and forfeited property.--

490 (6) If the seizing agency is a state agency, all remaining
 491 proceeds shall be deposited into the General Revenue Fund.

492 However, if the seizing agency is:

493 (e) The Fish and Wildlife Conservation Commission, the
 494 proceeds accrued pursuant to the provisions of the Florida
 495 Contraband Forfeiture Act shall be deposited into the State Game
 496 Trust Fund as provided in ss. 372.73, 372.9901, and 372.9904,
 497 into the Marine Resources Conservation Trust Fund as provided in

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498 | ~~s. 370.061, or into the commission's Federal Law Enforcement~~
499 | ~~Trust Fund as provided in s. 372.107, as applicable.~~

500 | Section 13. Sections 327.803 and 372.107, Florida
501 | Statutes, are repealed.

502 | Section 14. This act shall take effect October 1, 2008.