

By Senator Dean

5-00665B-14

20141126__

1 A bill to be entitled
2 An act relating to the Fish and Wildlife Conservation
3 Commission; amending s. 327.355, F.S.; providing that
4 a boating safety course may be offered in a classroom
5 or online; conforming provisions relating to the
6 reassignment of the boating safety program from the
7 Department of Environmental Protection to the
8 commission; amending s. 327.4105, F.S.; requiring the
9 commission to submit an updated report relating to the
10 regulation of mooring vessels; extending the
11 expiration date of the pilot program for the
12 regulation of mooring vessels; amending s. 327.731,
13 F.S.; providing that a boating safety course may be
14 offered in a classroom or online; eliminating an
15 exemption from boating safety education requirements
16 for boating law violators; amending s. 328.72, F.S.;
17 expanding a county's authorization to use moneys
18 collected from vessel registration fees; amending s.
19 379.101, F.S.; redefining and defining certain terms;
20 conforming a cross-reference; repealing s.
21 379.2257(3), F.S., relating to a charge to be applied
22 to areas covered by cooperative agreements with the
23 United States Forest Service over and above the
24 license fee for hunting; amending s. 379.247, F.S.;
25 removing provisions relating to noncommercial
26 trawling; amending s. 379.353, F.S.; conforming
27 provisions relating to the change in responsibility
28 for providing developmental disabilities services,
29 from the Department of Children and Families to the

5-00665B-14

20141126__

30 Agency for Persons with Disabilities; conforming
31 provisions to changes made by the act; amending s.
32 379.354, F.S.; authorizing the commission to require a
33 license, permit, or authorization number for a person
34 to take certain wildlife on public lands; clarifying
35 that a license to take fur-bearing animals is required
36 unless otherwise provided; conforming provisions to
37 changes made by the act; repealing s. 379.355, F.S.,
38 relating to special recreational spiny lobster
39 licenses; amending s. 379.3581, F.S.; revising the
40 proof of compliance that certain people must have in
41 their personal possession to take game, fur-bearing
42 animals, or other wildlife; requiring certain people
43 to provide a valid hunter safety certification card
44 number in order to purchase a Florida hunting license;
45 providing that such license indicates completion of
46 the hunter safety course; providing that a license
47 with a special authorization to hunt under supervision
48 serves as proof of compliance; conforming provisions
49 to changes made by the act; repealing s. 379.363(1)(h)
50 and (i), F.S., relating to the annual gear license
51 fee; repealing s. 379.3635, F.S., relating to haul
52 seine and trawl permits to be used in Lake Okeechobee;
53 amending ss. 379.208, 379.337, 379.401, and 589.19,
54 F.S.; conforming cross-references and provisions to
55 changes made by the act; providing an effective date.

56
57 Be It Enacted by the Legislature of the State of Florida:
58

5-00665B-14

20141126__

59 Section 1. Subsection (5) of section 327.355, Florida
60 Statutes, is amended to read:

61 327.355 Operation of vessels by persons under 21 years of
62 age who have consumed alcoholic beverages.-

63 (5) A ~~Any~~ person ~~who is~~ convicted of a violation of
64 subsection (1) shall be ordered by the court to ~~punished as~~
65 ~~follows:~~

66 (a) ~~The court shall order the defendant to~~ Participate in
67 public service or a community work project for a minimum of 50
68 hours;

69 (b) ~~The court shall order the defendant to~~ Refrain from
70 operating any vessel until the 50 hours of public service or
71 community work have ~~has~~ been performed; and

72 (c) Enroll in, attend, and successfully complete, at his or
73 her own expense, a classroom or online boating safety course
74 that meets minimum standards established by commission ~~the~~
75 ~~department~~ by rule.

76 Section 2. Subsections (5) and (6) of section 327.4105,
77 Florida Statutes, are amended to read:

78 327.4105 Pilot program for regulation of mooring vessels
79 outside of public mooring fields.-The Fish and Wildlife
80 Conservation Commission, in consultation with the Department of
81 Environmental Protection, is directed to establish a pilot
82 program to explore potential options for regulating the
83 anchoring or mooring of non-live-aboard vessels outside the
84 marked boundaries of public mooring fields.

85 (5) The commission shall submit a report of its findings
86 and recommendations to the Governor, the President of the
87 Senate, and the Speaker of the House of Representatives by

5-00665B-14

20141126__

88 January 1, 2014, and shall submit an updated report by January
 89 1, 2017.

90 (6) The pilot program shall expire on July 1, 2017 2014,
 91 unless reenacted by the Legislature. All ordinances enacted
 92 under this section shall expire concurrently with the expiration
 93 of the pilot program and shall be inoperative and unenforceable
 94 thereafter.

95 Section 3. Subsection (1) of section 327.731, Florida
 96 Statutes, is amended to read:

97 327.731 Mandatory education for violators.-

98 (1) A ~~Every~~ person convicted of a criminal violation under
 99 ~~of~~ this chapter, ~~every person~~ convicted of a noncriminal
 100 infraction under this chapter if the infraction resulted in a
 101 reportable boating accident, or ~~and every person~~ convicted of
 102 two noncriminal infractions as specified ~~defined~~ in s.
 103 327.73(1)(h)-(k), (m), (o), (p), and (s)-(x), said infractions
 104 occurring within a 12-month period, must:

105 (a) Enroll in, attend, and successfully complete, at his or
 106 her own expense, a classroom or online boating safety course
 107 that is approved by and meets the minimum standards established
 108 by ~~the commission by rule; however, the commission may provide~~
 109 ~~by rule pursuant to chapter 120 for waivers of the attendance~~
 110 ~~requirement for violators residing in areas where classroom~~
 111 ~~presentation of the course is not available;~~

112 (b) File with the commission within 90 days proof of
 113 successful completion of the course; and

114 (c) Refrain from operating a vessel until he or she has
 115 filed ~~the~~ proof of successful completion of the course with the
 116 commission.

5-00665B-14

20141126__

117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145

~~Any person who has successfully completed an approved boating course shall be exempt from these provisions upon showing proof to the commission as specified in paragraph (b).~~

Section 4. Subsection (15) of section 328.72, Florida Statutes, is amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.-

(15) DISTRIBUTION OF FEES.-Except for the first \$2, \$1 of which shall be remitted to the state for deposit into the Save the Manatee Trust Fund created within the Fish and Wildlife Conservation Commission and \$1 of which shall be remitted to the state for deposit into the Marine Resources Conservation Trust Fund to fund a grant program for public launching facilities, pursuant to s. 206.606, giving priority consideration to counties with more than 35,000 registered vessels, moneys designated for the use of the counties, as specified in subsection (1), shall be distributed by the tax collector to the board of county commissioners for use only as provided in this section. Such moneys to be returned to the counties are for the sole purposes of providing, maintaining, or operating recreational channel marking and other uniform waterway markers, public boat ramps, lifts, and hoists, marine railways, boat piers, docks, mooring buoys, and other public launching facilities; and removing derelict vessels, debris that specifically impede boat access, not including the dredging of channels vessel removal, and ~~removal of~~ vessels and floating structures deemed a hazard to public safety and health for failure to comply with s. 327.53. Counties shall demonstrate

5-00665B-14

20141126__

146 through an annual detailed accounting report of vessel
 147 registration revenues that the registration fees were spent as
 148 provided in this subsection. This report shall be provided to
 149 the Fish and Wildlife Conservation Commission no later than
 150 November 1 of each year. If, before ~~prior to~~ January 1 of each
 151 calendar year, the ~~annual detailed~~ accounting report meeting the
 152 prescribed criteria has still not been provided to the
 153 commission, the tax collector of that county may ~~shall~~ not
 154 distribute the moneys designated for the use of counties, as
 155 specified in subsection (1), to the board of county
 156 commissioners but shall, ~~instead,~~ for the next calendar year,
 157 remit such moneys to the state for deposit into the Marine
 158 Resources Conservation Trust Fund. The commission shall return
 159 those moneys to the county if the county fully complies with
 160 this section within that calendar year. If the county does not
 161 fully comply with this section within that calendar year, the
 162 moneys shall remain within the Marine Resources Trust Fund and
 163 may be appropriated for the purposes specified in this
 164 subsection.

165 Section 5. Present subsections (29) through (39) of section
 166 379.101, Florida Statutes, are renumbered as subsections (30)
 167 through (40), respectively, new subsections (29) and (41) are
 168 added to that section, and subsections (3), (20), and (27) and
 169 present subsection (30) of that section are amended, to read:

170 379.101 Definitions.—In construing these statutes, where
 171 the context does not clearly indicate otherwise, the word,
 172 phrase, or term:

173 (3) "Closed season" means ~~shall be~~ that portion of the year
 174 during which ~~wherein the laws or rules of Florida forbid the~~

5-00665B-14

20141126__

175 taking of particular species of wildlife ~~game~~ or varieties of
176 fish is prohibited by state law or by commission rule.

177 (20) "Game" means deer, bear, squirrel, rabbits, ~~and, where~~
178 ~~designated by commission rules, wild hogs,~~ ducks, geese, rails,
179 coots, gallinules, snipe, woodcock, wild turkeys, grouse,
180 pheasants, quail, and doves.

181 (27) "Open season" means ~~shall be~~ that portion of the year
182 during which state wherein the laws allow for ~~of Florida for the~~
183 ~~preservation of fish and game permit~~ the taking of particular
184 species of wildlife ~~game~~ or varieties of fish.

185 (29) "Public lands" means lands within the state which are
186 available for public use and are owned, operated, or managed by
187 a federal, state, county, or municipal governmental entity.

188 (31)~~(30)~~ "Resident" or "resident of Florida" means:

189 (a) For purposes of part VII ~~and for purposes of s.~~
190 ~~379.355,~~ a citizen of the United States who has continuously
191 resided in this state for 1 year before applying for a hunting,
192 fishing, or other license. However, for purposes of ss. 379.363,
193 ~~379.3635,~~ 379.364, 379.3711, 379.3712, 379.372, 379.373,
194 379.374, 379.3751, 379.3752, 379.3761, and 379.3762, the term
195 ~~"resident" or "resident of Florida"~~ means a citizen of the
196 United States who has continuously resided in this state for 6
197 months before applying for a hunting, fishing, or other license.

198 (b) For purposes of part VI, ~~except s. 379.355:~~

199 1. A ~~Any~~ member of the United States Armed Forces who is
200 stationed in the state and his or her family members residing
201 with such member; or

202 2. A ~~Any~~ person who has declared Florida as his or her only
203 state of residence as evidenced by a valid Florida driver

5-00665B-14

20141126__

204 license or identification card that has ~~with~~ both a Florida
205 address and a Florida residency verified by the Department of
206 Highway Safety and Motor Vehicles, or, in the absence thereof,
207 one of the following:

- 208 a. A current Florida voter information card;
209 b. A sworn statement manifesting and evidencing domicile in
210 Florida in accordance with s. 222.17;
211 c. Proof of a current Florida homestead exemption; or
212 d. For a child younger than 18 years of age, a student
213 identification card from a Florida school or, if ~~when~~
214 accompanied by his or her parent at the time of purchase, the
215 parent's proof of residency.

216 (41) "Wildlife" means a wild or nondomesticated bird,
217 mammal, fur-bearing animal, reptile, or amphibian.

218 Section 6. Subsection (3) of section 379.2257, Florida
219 Statutes, is repealed.

220 Section 7. Paragraph (d) of subsection (4) and subsection
221 (5) of section 379.247, Florida Statutes, are amended to read:

222 379.247 Regulation of shrimp fishing; Clay, Duval, Nassau,
223 Putnam, Flagler, and St. Johns Counties.—

224 (4) DEAD SHRIMP PRODUCTION.—Any person may operate as a
225 commercial dead shrimp producer provided that:

226 (d) ~~No person holding a dead shrimp production permit~~
227 ~~issued pursuant to this subsection shall simultaneously hold a~~
228 ~~permit for noncommercial trawling under the provisions of~~
229 ~~subsection (5).~~ The number of permits issued by the commission
230 for commercial trawling or dead shrimp production in any one
231 year shall be limited to those active in the base year, 1976,
232 and renewed annually since 1976. All permits for dead shrimp

5-00665B-14

20141126__

233 production issued pursuant to this section shall be inheritable
234 or transferable to an immediate family member and annually
235 renewable by the holder thereof. Such inheritance or transfer
236 shall be valid upon being registered with the commission. Each
237 permit not renewed shall expire and shall not be renewed under
238 any circumstances.

239 ~~(5) NONCOMMERCIAL TRAWLING.—If noncommercial trawling is~~
240 ~~authorized by the Fish and Wildlife Conservation Commission, any~~
241 ~~person may trawl for shrimp in the St. Johns River for his or~~
242 ~~her own use as food under the following conditions:~~

243 ~~(a) Each person who desires to trawl for shrimp for use as~~
244 ~~food shall obtain a noncommercial trawling permit from the local~~
245 ~~office of the Fish and Wildlife Conservation Commission upon~~
246 ~~filling out an application on a form prescribed by the~~
247 ~~commission and upon paying a fee for the permit, which shall~~
248 ~~cost \$50.~~

249 ~~(b) All trawling shall be restricted to the confines of the~~
250 ~~St. Johns River proper in the area north of the Acosta Bridge in~~
251 ~~Jacksonville and at least 100 yards from the nearest shoreline.~~

252 ~~(c) No shrimp caught by a person licensed under the~~
253 ~~provisions of this subsection may be sold or offered for sale.~~

254 Section 8. Paragraphs (g) and (o) of subsection (2) of
255 section 379.353, Florida Statutes, are amended to read:

256 379.353 Recreational licenses and permits; exemptions from
257 fees and requirements.—

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

260 (g) Any person fishing who has been accepted as a client
261 for developmental disabilities services by the Agency for

5-00665B-14

20141126__

262 Persons with Disabilities if ~~Department of Children and Family~~
263 ~~Services,~~ provided the agency ~~department~~ furnishes proof
264 thereof.

265 (o) Any employee of the commission who takes freshwater
266 fish, saltwater fish, or wildlife ~~game~~ as part of employment
267 with the commission, or any other person authorized by
268 commission permit to take freshwater fish, saltwater fish, or
269 wildlife ~~game~~ for scientific or educational purposes.

270 Section 9. Subsections (1), (3), (4), (5), and (9),
271 paragraph (b) of subsection (11), paragraph (b) of subsection
272 (12), and subsection (17) of section 379.354, Florida Statutes,
273 are amended to read:

274 379.354 Recreational licenses, permits, and authorization
275 numbers; fees established.—

276 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER REQUIRED.—

277 (a) Except as provided in s. 379.353, a ~~no~~ person may not
278 ~~shall~~ take game, freshwater or saltwater fish, or fur-bearing
279 animals within this state without ~~having~~ first obtaining
280 ~~obtained~~ a license, permit, or authorization number and paying
281 ~~paid~~ the fees set forth in this chapter.

282 (b) A license, permit, or authorization number may be
283 required by commission rule or order for the taking of other
284 wildlife on public lands if determined by the commission to be
285 necessary for the proper management of natural resources, public
286 safety, or public access.

287 (c) A ~~Such~~ license, permit, or authorization number
288 authorizes ~~shall authorize~~ the person to whom it is issued to
289 take the wildlife or ~~game,~~ freshwater or saltwater fish for
290 which the license, permit, or authorization number is issued, ~~or~~

5-00665B-14

20141126__

291 ~~fur-bearing animals,~~ and to participate in outdoor recreational
 292 activities in accordance with ~~the laws of the state~~ laws and
 293 ~~rules of the commission~~ rules.

294 (3) PERSONAL POSSESSION REQUIRED.—Each license, permit, or
 295 authorization number must be in the personal possession of the
 296 person to whom it is issued while such person is taking,
 297 attempting to take, or possessing ~~game,~~ freshwater or saltwater
 298 fish, or wildlife if a license, permit, or authorization number
 299 is required pursuant to this section or s. 379.353 ~~fur-bearing~~
 300 ~~animals.~~ A ~~Any~~ person taking, attempting to take, or possessing
 301 wildlife or ~~game,~~ freshwater or saltwater fish, ~~or fur-bearing~~
 302 ~~animals~~ who fails to produce a license, permit, or authorization
 303 number at the request of a commission law enforcement officer
 304 violates this subsection ~~commits a violation of the law.~~

305 (4) RESIDENT HUNTING AND FISHING LICENSES.—The licenses and
 306 fees for residents participating in hunting and fishing
 307 activities in this state are as follows:

308 (a) Annual freshwater fishing license, \$15.50.

309 (b) Annual saltwater fishing license, \$15.50.

310 (c) Annual hunting license to take wildlife ~~game,~~ \$15.50.

311 (d) Annual combination hunting and freshwater fishing
 312 license, \$31.

313 (e) Annual combination freshwater fishing and saltwater
 314 fishing license, \$31.

315 (f) Annual combination hunting, freshwater fishing, and
 316 saltwater fishing license, \$46.50.

317 (g) Annual license to take fur-bearing animals, \$25.

318 Notwithstanding a license issued under this section or a license
 319 or exemption under s. 379.353, this license is required to take

5-00665B-14

20141126__

320 fur-bearing animals unless otherwise provided in this paragraph.
321 ~~However,~~ A resident with a valid hunting license or a no-cost
322 license who is taking fur-bearing animals for noncommercial
323 purposes using guns or dogs only, and not traps or other
324 devices, is not required to purchase this license. Also, a
325 resident 65 years of age or older is not required to purchase
326 this license.

327 (h) Annual sportsman's license, \$79, except that an annual
328 sportsman's license for a resident 64 years of age or older is
329 \$12. A sportsman's license authorizes the person to whom it is
330 issued to take wildlife ~~game~~ and freshwater fish, subject to the
331 state and federal laws, rules, and regulations, including rules
332 of the commission, in effect at the time of the taking. Other
333 authorized activities include activities authorized by a
334 management area permit, a muzzle-loading gun season permit, a
335 crossbow season permit, a turkey permit, a Florida waterfowl
336 permit, a deer permit, and an archery season permit.

337 (i) Annual gold sportsman's license, \$98.50. The gold
338 sportsman's license authorizes the person to whom it is issued
339 to take freshwater fish, saltwater fish, and wildlife ~~game~~,
340 subject to the state and federal laws, rules, and regulations,
341 including rules of the commission, in effect at the time of
342 taking. Other authorized activities include those ~~activities~~
343 authorized by a management area permit, a muzzle-loading gun
344 season permit, a crossbow season permit, a turkey permit, a
345 Florida waterfowl permit, a deer permit, an archery season
346 permit, a snook permit, and a spiny lobster permit.

347 (j) Annual military gold sportsman's license, \$18.50. A ~~The~~
348 ~~gold sportsman's license authorizes the person to whom it is~~

5-00665B-14

20141126__

349 ~~issued to take freshwater fish, saltwater fish, and game,~~
350 ~~subject to the state and federal laws, rules, and regulations,~~
351 ~~including rules of the commission, in effect at the time of~~
352 ~~taking. Other authorized activities include activities~~
353 ~~authorized by a management area permit, a muzzle-loading gun~~
354 ~~season permit, a crossbow season permit, a turkey permit, a~~
355 ~~Florida waterfowl permit, a deer permit, an archery season~~
356 ~~permit, a snook permit, and a spiny lobster permit. Any resident~~
357 ~~who is an active or retired member of the United States Armed~~
358 ~~Forces, the United States Armed Forces Reserve, the National~~
359 ~~Guard, the United States Coast Guard, or the United States Coast~~
360 ~~Guard Reserve may ~~is eligible to~~ purchase the military gold~~
361 ~~sportsman's license upon submission of a current military~~
362 ~~identification card. The annual military gold sportsman's~~
363 ~~license authorizes the same activities as the annual gold~~
364 ~~sportsman's license.~~

365 (k) An annual resident shoreline fishing license shall be
366 issued without a fee to allow a ~~any~~ resident to saltwater fish
367 from land or from a structure fixed to the land. This license is
368 not required for a ~~any~~ resident issued any other license
369 identified in this section which allows the taking of saltwater
370 fish.

371 (5) NONRESIDENT HUNTING AND FISHING LICENSES.—The licenses
372 and fees for nonresidents participating in hunting and fishing
373 activities in the state are as follows:

374 (a) Freshwater fishing license to take freshwater fish for
375 3 consecutive days, \$15.50.

376 (b) Freshwater fishing license to take freshwater fish for
377 7 consecutive days, \$28.50.

5-00665B-14

20141126__

378 (c) Saltwater fishing license to take saltwater fish for 3
379 consecutive days, \$15.50.

380 (d) Saltwater fishing license to take saltwater fish for 7
381 consecutive days, \$28.50.

382 (e) Annual freshwater fishing license, \$45.50.

383 (f) Annual saltwater fishing license, \$45.50.

384 (g) Hunting license to take wildlife ~~game~~ for 10
385 consecutive days, \$45.

386 (h) Annual hunting license to take wildlife ~~game~~, \$150.

387 (i) Annual license to take fur-bearing animals, \$25.

388 Notwithstanding a license issued under this section or a license
389 or exemption under s. 379.353, this license is required to take
390 fur-bearing animals unless otherwise provided in this paragraph.

391 ~~However,~~ A nonresident with a valid Florida hunting license who
392 is taking fur-bearing animals for noncommercial purposes using
393 guns or dogs only, and not traps or other devices, is not
394 required to purchase this license.

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

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

398 1. A 5-year freshwater fishing or saltwater fishing license
399 is \$77.50 for each type of license and authorizes the person to
400 whom the license is issued to take or attempt to take or possess
401 freshwater fish or saltwater fish consistent with the state and
402 federal laws and regulations and rules of the commission in
403 effect at the time of taking.

404 2. A 5-year hunting license is \$77.50 and authorizes the
405 person to whom it is issued to take or attempt to take or
406 possess wildlife ~~game~~ consistent with the state and federal laws

5-00665B-14

20141126__

407 and regulations and rules of the commission in effect at the
408 time of taking.

409 3. The commission may ~~is authorized to~~ sell the hunting,
410 fishing, and recreational activity permits authorized under ~~in~~
411 subsection (8) for a 5-year period to coincide with ~~match~~ the
412 purchase of 5-year fishing and hunting licenses. The fee for
413 each permit issued under this paragraph is ~~shall be~~ five times
414 the annual fee cost ~~cost~~ established in subsection (8).

415 (b) Proceeds from the sale of all 5-year licenses and
416 permits shall be deposited into the Dedicated License Trust
417 Fund, to be distributed in accordance with ~~the provisions of~~ s.
418 379.203.

419 (11) RESIDENT LIFETIME HUNTING LICENSES.—

420 (b) The following activities are authorized by the purchase
421 of a lifetime hunting license:

422 1. Taking, or attempting to take or possess, wildlife ~~game~~
423 consistent with the state and federal laws and regulations and
424 rules of the commission in effect at the time of the taking.

425 2. All activities authorized by a muzzle-loading gun season
426 permit, a crossbow season permit, a turkey permit, an archery
427 season permit, a Florida waterfowl permit, a deer permit, and a
428 management area permit, excluding fishing.

429 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.—

430 (b) The following activities are authorized by the purchase
431 of a lifetime sportsman's license:

432 1. Taking, or attempting to take or possess, freshwater and
433 saltwater fish, and wildlife ~~game~~, consistent with the state and
434 federal laws and regulations and rules of the commission in
435 effect at the time of taking.

5-00665B-14

20141126__

436 2. All activities authorized by a management area permit, a
437 muzzle-loading gun season permit, a crossbow season permit, a
438 turkey permit, an archery season permit, a Florida waterfowl
439 permit, a deer permit, a snook permit, and a spiny lobster
440 permit.

441 (17) SUSPENDED OR REVOKED LICENSES.—A person may not take
442 game, freshwater fish, saltwater fish, ~~or~~ fur-bearing animals,
443 or other wildlife for which the commission determines that a
444 license, permit, or authorization number is required under
445 subsection (1) within this state if a license issued to such
446 person as required under this section or a privilege granted to
447 such person under s. 379.353 is suspended or revoked. A person
448 who violates this subsection commits a Level Three violation
449 under s. 379.401.

450 Section 10. Section 379.355, Florida Statutes, is repealed.

451 Section 11. Subsections (2) and (6) of section 379.3581,
452 Florida Statutes, are amended to read:

453 379.3581 Hunter safety course; requirements; penalty.—

454 (2) (a) Except as provided in paragraph (b), a person born
455 on or after June 1, 1975, may not be issued a license pursuant
456 to s. 379.353 or s. 379.354 to take wildlife ~~wild animal life~~
457 with the use of a firearm, gun, bow, or crossbow in this state
458 without having first successfully completed a hunter safety
459 course, as provided in this section, and without having in his
460 or her personal possession a hunter safety certification card,
461 as provided in this section.

462 (b) A person born on or after June 1, 1975, who has not
463 successfully completed a hunter safety course may apply to the
464 commission for a special authorization to hunt under

5-00665B-14

20141126__

465 supervision. The special authorization for supervised hunting
466 shall be designated on any license or permit required under this
467 chapter for a person to take wildlife ~~game or fur-bearing~~
468 ~~animals~~. A person issued a license with a special authorization
469 to hunt under supervision must hunt under the supervision of,
470 and in the presence of, a person 21 years of age or older who is
471 licensed to hunt pursuant to s. 379.354 or who is exempt from
472 licensure ~~licensing requirements~~ or eligible for a free license
473 pursuant to s. 379.353.

474 (6) A person ~~All persons~~ subject to the requirements of
475 subsection (2) must have in his or her ~~their~~ personal possession
476 proof of compliance with this section, while taking or
477 attempting to take, wildlife with the use of a firearm, gun,
478 bow, or crossbow, game, fur-bearing animals, or other wildlife
479 for which the commission determines that a license, permit, or
480 authorization number is required under s. 379.354(1).

481 (a) A person subject to paragraph (2)(a) must provide and
482 ~~must, unless the requirement to complete a hunter safety course~~
483 ~~is deferred pursuant to this section, display~~ a valid hunter
484 safety certification card number in order to purchase a Florida
485 hunting license. After the issuance of such a license, the
486 license indicates the completion of the hunter safety course and
487 serves itself shall serve as proof of compliance with this
488 section. Otherwise, the only acceptable proof of compliance with
489 this section for a person subject to paragraph (2)(a) is a valid
490 hunter safety certification card.

491 (b) For a person subject to paragraph (2)(b), a license
492 with a special authorization to hunt under supervision issued
493 pursuant to paragraph (2)(b) serves as proof of compliance with

5-00665B-14

20141126__

494 ~~this section A holder of a lifetime license whose license does~~
495 ~~not indicate on the face of the license that a hunter safety~~
496 ~~course has been completed must have in his or her personal~~
497 ~~possession a hunter safety certification card, as provided by~~
498 ~~this section, while attempting to take wild animal life with the~~
499 ~~use of a firearm, gun, bow, or crossbow.~~

500 Section 12. Paragraphs (h) and (i) of subsection (1) of
501 section 379.363, Florida Statutes, are repealed.

502 Section 13. Section 379.3635, Florida Statutes, is
503 repealed.

504 Section 14. Paragraph (c) of subsection (2) of section
505 379.208, Florida Statutes, is amended to read:

506 379.208 Marine Resources Conservation Trust Fund;
507 purposes.—

508 (2) The Marine Resources Conservation Trust Fund shall
509 receive the proceeds from:

510 (c) All fees collected under ss. 379.2424, ~~379.355,~~
511 379.357, 379.365, 379.366, and 379.3671.

512 Section 15. Paragraph (d) of subsection (5) of section
513 379.337, Florida Statutes, is amended to read:

514 379.337 Confiscation, seizure, and forfeiture of property
515 and products.—

516 (5) CONFISCATION AND SALE OF PERISHABLE SALTWATER PRODUCTS;
517 PROCEDURE.—

518 (d) For purposes of confiscation under this subsection, the
519 term "saltwater products" has the same meaning as provided set
520 ~~out~~ in s. 379.101(36), except that the term does not include
521 saltwater products harvested under the authority of a
522 recreational license unless the amount of such harvested

5-00665B-14

20141126__

523 products exceeds three times the applicable recreational bag
524 limit for trout, snook, or redfish.

525 Section 16. Paragraph (a) of subsection (1) and paragraph
526 (a) of subsection (3) of section 379.401, Florida Statutes, are
527 amended to read:

528 379.401 Penalties and violations; civil penalties for
529 noncriminal infractions; criminal penalties; suspension and
530 forfeiture of licenses and permits.—

531 (1) (a) LEVEL ONE VIOLATIONS.—A person commits a Level One
532 violation if he or she violates any of the following provisions:

533 1. Rules or orders of the commission relating to the filing
534 of reports or other documents required to be filed by persons
535 who hold recreational licenses and permits issued by the
536 commission.

537 2. Rules or orders of the commission relating to quota hunt
538 permits, daily use permits, hunting zone assignments, camping,
539 alcoholic beverages, vehicles, and check stations within
540 wildlife management areas or other areas managed by the
541 commission.

542 3. Rules or orders of the commission relating to daily use
543 permits, alcoholic beverages, swimming, possession of firearms,
544 operation of vehicles, and watercraft speed within fish
545 management areas managed by the commission.

546 4. Rules or orders of the commission relating to vessel
547 size or specifying motor restrictions on specified water bodies.

548 ~~5. Section 379.355, providing for special recreational~~
549 ~~spiny lobster licenses.~~

550 5.6. Section 379.354(1)-(15), providing for recreational
551 licenses to hunt, fish, and trap.

5-00665B-14

20141126__

552 ~~6.7.~~ Section 379.3581, providing hunter safety course
553 requirements.

554 ~~7.8.~~ Section 379.3003, prohibiting deer hunting unless
555 required clothing is worn.

556 (3) (a) LEVEL THREE VIOLATIONS.—A person commits a Level
557 Three violation if he or she violates any of the following
558 provisions:

559 1. Rules or orders of the commission prohibiting the sale
560 of saltwater fish.

561 2. Rules or orders of the commission prohibiting the
562 illegal importation or possession of exotic marine plants or
563 animals.

564 3. Section 379.407(2), establishing major violations.

565 4. Section 379.407(4), prohibiting the possession of
566 certain finfish in excess of recreational daily bag limits.

567 5. Section 379.28, prohibiting the importation of
568 freshwater fish.

569 6. Section 379.354(17), prohibiting the taking of game,
570 freshwater fish, ~~or saltwater fish,~~ fur-bearing animals, or
571 other wildlife while a required license is suspended or revoked.

572 7. Section 379.3014, prohibiting the illegal sale or
573 possession of alligators.

574 8. Section 379.404(1), (3), and (5) ~~(6)~~, prohibiting the
575 illegal taking and possession of deer and wild turkey.

576 9. Section 379.406, prohibiting the possession and
577 transportation of commercial quantities of freshwater game fish.

578 Section 17. Paragraph (b) of subsection (4) of section
579 589.19, Florida Statutes, is amended to read:

580 589.19 Creation of certain state forests; naming of certain

5-00665B-14

20141126__

581 state forests; Operation Outdoor Freedom Program.—

582 (4)

583 (b) Participation in the Operation Outdoor Freedom Program
584 is shall be limited to Florida residents, as defined in s.
585 379.101(31)(b) ~~s. 379.101(30)(b)~~, who:

586 1. Are honorably discharged military veterans certified by
587 the United States Department of Veterans Affairs or its
588 predecessor or by any branch of the United States Armed Forces
589 to be at least 30 percent permanently service-connected
590 disabled;

591 2. Have been awarded the Military Order of the Purple
592 Heart; or

593 3. Are active duty servicemembers with a service-connected
594 injury as determined by his or her branch of the United States
595 Armed Forces.

596

597 Proof of eligibility under this subsection, as prescribed by the
598 Florida Forest Service, may be required.

599 Section 18. This act shall take effect July 1, 2014.