

By Senator Evers

2-01432A-14

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1 A bill to be entitled
2 An act relating to lionfish; creating s. 379.2414,
3 F.S.; providing a definition; prohibiting the
4 importation and aquaculture of lionfish and the sale
5 of illegally imported lionfish; providing penalties;
6 authorizing the Fish and Wildlife Conservation
7 Commission and the Department of Agriculture and
8 Consumer Services to adopt rules; amending s. 379.401,
9 F.S.; conforming provisions to changes made by the
10 act; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 379.2414, Florida Statutes, is created
15 to read:

16 379.2414 Lionfish.—

17 (1) As used in this section, the term "lionfish" means a
18 finfish of the genus *Pterois*.

19 (2) The importation of live lionfish or hybrids or eggs
20 thereof or the aquaculture of lionfish or the sale of illegally
21 imported live lionfish is prohibited.

22 (3) A person who violates this section commits a Level Two
23 violation under s. 379.401.

24 (4) The commission may adopt rules to administer this
25 section. The Department of Agriculture and Consumer Services may
26 adopt rules relating to the aquaculture of lionfish pursuant to
27 subsection (2).

28 Section 2. Paragraph (a) of subsection (2) of section
29 379.401, Florida Statutes, is amended to read:

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30 379.401 Penalties and violations; civil penalties for
31 noncriminal infractions; criminal penalties; suspension and
32 forfeiture of licenses and permits.—

33 (2) (a) LEVEL TWO VIOLATIONS.—A person commits a Level Two
34 violation if he or she violates any of the following provisions:

35 1. Rules or orders of the commission relating to seasons or
36 time periods for the taking of wildlife, freshwater fish, or
37 saltwater fish.

38 2. Rules or orders of the commission establishing bag,
39 possession, or size limits or restricting methods of taking
40 wildlife, freshwater fish, or saltwater fish.

41 3. Rules or orders of the commission prohibiting access or
42 otherwise relating to access to wildlife management areas or
43 other areas managed by the commission.

44 4. Rules or orders of the commission relating to the
45 feeding of wildlife, freshwater fish, or saltwater fish.

46 5. Rules or orders of the commission relating to landing
47 requirements for freshwater fish or saltwater fish.

48 6. Rules or orders of the commission relating to restricted
49 hunting areas, critical wildlife areas, or bird sanctuaries.

50 7. Rules or orders of the commission relating to tagging
51 requirements for wildlife and fur-bearing animals.

52 8. Rules or orders of the commission relating to the use of
53 dogs for the taking of wildlife.

54 9. Rules or orders of the commission which are not
55 otherwise classified.

56 10. Rules or orders of the commission prohibiting the
57 unlawful use of finfish traps.

58 11. All prohibitions in this chapter which are not

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59 otherwise classified.

60 12. Section 379.33, prohibiting the violation of or
61 noncompliance with commission rules.

62 13. Section 379.407(6), prohibiting the sale, purchase,
63 harvest, or attempted harvest of any saltwater product with
64 intent to sell.

65 14. Section 379.2421, prohibiting the obstruction of
66 waterways with net gear.

67 15. Section 379.413, prohibiting the unlawful taking of
68 bonefish.

69 16. Section 379.365(2)(a) and (b), prohibiting the
70 possession or use of stone crab traps without trap tags and
71 theft of trap contents or gear.

72 17. Section 379.366(4)(b), prohibiting the theft of blue
73 crab trap contents or trap gear.

74 18. Section 379.3671(2)(c), prohibiting the possession or
75 use of spiny lobster traps without trap tags or certificates and
76 theft of trap contents or trap gear.

77 19. Section 379.357, prohibiting the possession of tarpon
78 without purchasing a tarpon tag.

79 20. Rules or orders of the commission prohibiting the
80 feeding or enticement of alligators or crocodiles.

81 21. Section 379.105, prohibiting the intentional harassment
82 of hunters, fishers, or trappers.

83 22. Section 379.2414, prohibiting the importation and
84 aquaculture of lionfish and the sale of illegally imported
85 lionfish.

86 Section 3. This act shall take effect August 1, 2014.