

1 A bill to be entitled
 2 An act relating to crustaceans; amending s. 379.407,
 3 F.S.; providing that certain violations relating to
 4 spiny lobsters and stone crabs are separate and
 5 distinct offenses; amending s. 379.2431, F.S.;
 6 conforming a cross-reference; providing an effective
 7 date.

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

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 11 Section 1. Subsection (1) of section 379.407, Florida
 12 Statutes, is amended to read:

13 379.407 Administration; rules, publications, records;
 14 penalties; injunctions.—

15 (1) BASE PENALTIES.—Unless otherwise provided by law:7

16 (a) ~~A violation any person, firm, or corporation who~~
 17 ~~violates any provision of this chapter,7~~ or the rules ~~any rule~~ of
 18 ~~the Fish and Wildlife Conservation~~ commission relating to the
 19 conservation of marine resources is punishable, ~~shall be~~
 20 ~~punished:~~

21 1.(a) ~~Upon a first conviction, by imprisonment for a~~
 22 ~~period of~~ not more than 60 days or by a fine of not less than
 23 \$100 or ~~not~~ more than \$500, or by both such fine and
 24 imprisonment.

25 2.(b) ~~Upon~~ On a second or subsequent conviction within 12
 26 months, by imprisonment for not more than 6 months or by a fine
 27 of not less than \$250 or ~~not~~ more than \$1,000, or by both such
 28 fine and imprisonment.

29 | (b) Each spiny lobster or stone crab taken in violation of
 30 | this chapter or the rules of the commission constitutes a
 31 | separate and distinct violation.

32 |
 33 | Upon final disposition of an ~~any~~ alleged offense for which a
 34 | citation for a ~~any~~ violation of this chapter or the rules of the
 35 | commission has been issued, the court shall, within 10 days,
 36 | certify the disposition to the commission.

37 | Section 2. Paragraph (s) of subsection (2) of section
 38 | 379.2431, Florida Statutes, is amended to read:

39 | 379.2431 Marine animals; regulation.—

40 | (2) PROTECTION OF MANATEES OR SEA COWS.—

41 | (s) Except as otherwise provided in this paragraph, a ~~any~~
 42 | person violating the provisions of this subsection or a ~~any~~ rule
 43 | or ordinance adopted pursuant to this subsection commits a
 44 | misdemeanor, punishable as provided in s. 379.407(1) (a) ~~or (b)~~.

45 | 1. A ~~Any~~ person operating a vessel in excess of a posted
 46 | speed limit commits ~~shall be guilty of~~ a civil infraction,
 47 | punishable as provided in s. 327.73, except as provided in
 48 | subparagraph 2.

49 | 2. This paragraph does not apply to a person ~~persons~~
 50 | violating restrictions governing "No Entry" zones or "Motorboat
 51 | Prohibited" zones, who, if convicted, commits ~~shall be guilty of~~
 52 | a misdemeanor, punishable as provided in s. 379.407(1) (a) ~~or~~
 53 | ~~(b)~~, or, if such violation demonstrates blatant or willful
 54 | action, may be found guilty of harassment as described in
 55 | paragraph (d).

56 | 3. A person may engage in an ~~any~~ activity otherwise

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57 prohibited by this subsection or a ~~any~~ rule or ordinance adopted
58 pursuant to this subsection if the activity is reasonably
59 necessary in order to prevent the loss of human life or a vessel
60 in distress due to weather conditions or other reasonably
61 unforeseen circumstances, or in order to render emergency
62 assistance to a person ~~persons~~ or a vessel in distress.

63 Section 3. This act shall take effect July 1, 2014.