



1 A bill to be entitled
2 An act relating to the Fish and Wildlife Conservation
3 Commission; amending ss. 327.37, 327.39, and 327.50,
4 F.S.; requiring that personal floatation devices be
5 used in accordance with the United States Coast Guard
6 approval label during operation of certain vessels or
7 personal watercraft or while engaged in water skiing,
8 parasailing, aquaplaning, and similar activities;
9 reenacting s. 327.50(1)(a), F.S., relating to vessel
10 safety equipment, to incorporate changes to federal
11 regulations; amending s. 379.223, F.S.; authorizing
12 citizen support organizations to receive funds from
13 the commission if the organization provides services
14 by contract under certain circumstances; amending s.
15 379.3012, F.S.; conforming provisions relating to
16 implementation of the alligator management and
17 trapping program to changes made by the act; amending
18 s. 379.357, F.S.; revising the time period for which
19 tarpon tags are valid; removing provisions requiring
20 tax collectors to submit unissued tarpon tags and
21 audit reports to the commission; removing provisions
22 requiring individuals to submit information regarding
23 landed tarpon to the commission; amending s. 379.361,
24 F.S.; removing criteria for issuance of restricted
25 species endorsements on saltwater products licenses;
26 amending s. 379.364, F.S.; removing provisions



27 | requiring dealers and buyers of certain hides and furs
28 | to submit reports to the commission; removing
29 | provisions prohibiting the shipment of hides or furs
30 | without specified information; amending s. 379.3751,
31 | F.S.; removing provisions authorizing the commission
32 | to limit the number of participants engaged in the
33 | taking of alligators or their eggs; exempting certain
34 | persons from alligator trapping license requirements
35 | and fees; providing that certain permitholders engaged
36 | in the taking of alligators are not required to
37 | possess management area permits; amending s. 379.3752,
38 | F.S.; removing provisions requiring alligator hide
39 | validation tags to be affixed to the hide of any
40 | alligator taken from the wild; revising provisions
41 | requiring the commission to transfer certain revenues
42 | for alligator husbandry research; requiring the
43 | commission to transfer funds, contingent upon certain
44 | appropriations, from the alligator management program
45 | to the General Inspection Trust Fund for the purpose
46 | of providing marketing and education services
47 | regarding alligator products produced in this state;
48 | removing provisions authorizing the commission to
49 | limit the number of tags available for alligators
50 | taken pursuant to a collection permit; amending s.
51 | 379.401, F.S.; conforming provisions to changes made
52 | by the act; creating s. 379.412, F.S.; providing



53 penalties for the feeding of wildlife and freshwater
 54 fish; providing applicability; defining the term
 55 "violation"; repealing s. 379.3011, F.S., relating to
 56 the alligator trapping program; repealing s. 379.3013,
 57 F.S., relating to alligator study requirements;
 58 repealing s. 379.3016, F.S., relating to the unlawful
 59 sale of alligator products; repealing s. 379.3017,
 60 F.S., relating to products derived or made from the
 61 skins of other crocodilia; providing an effective
 62 date.

63

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

65

66 Section 1. Paragraph (b) of subsection (2) of section
 67 327.37, Florida Statutes, is amended to read:

68 327.37 Water skis, parasails, aquaplanes, kiteboarding,
 69 kitesurfing, and moored ballooning regulated.—

70 (2)

71 (b) A person may not engage in water skiing, parasailing,
 72 aquaplaning, or any similar activity unless such person is
 73 wearing a noninflatable ~~type I, type II, type III, or type V~~
 74 personal flotation device currently approved by the United
 75 States Coast Guard and used in accordance with the United States
 76 Coast Guard approval label.

77 Section 2. Subsection (1) of section 327.39, Florida
 78 Statutes, is amended to read:



CS/HB 7021, Engrossed 1

2015

79 327.39 Personal watercraft regulated.—

80 (1) A person may not operate a personal watercraft unless
81 each person riding on or being towed behind such vessel is
82 wearing a ~~type I, type II, type III, or type V~~ personal
83 flotation device, other than an inflatable device, currently
84 approved by the United States Coast Guard and used in accordance
85 with the United States Coast Guard approval label.

86 Section 3. Paragraph (b) of subsection (1) of section
87 327.50, Florida Statutes, is amended, and paragraph (a) of that
88 subsection is reenacted, to read:

89 327.50 Vessel safety regulations; equipment and lighting
90 requirements.—

91 (1) (a) The owner and operator of every vessel on the
92 waters of this state shall carry, store, maintain, and use
93 safety equipment in accordance with current United States Coast
94 Guard safety equipment requirements as specified in the Code of
95 Federal Regulations, unless expressly exempted by the
96 department.

97 (b) A ~~No~~ person may not ~~shall~~ operate a vessel less than
98 26 feet in length on the waters of this state unless every
99 person under 6 years of age on board the vessel is wearing a
100 ~~type I, type II, or type III Coast Guard approved~~ personal
101 flotation device currently approved by the United States Coast
102 Guard and used in accordance with the United States Coast
103 approval label while such vessel is underway. For the purpose of
104 this section, "underway" means ~~shall mean~~ at all times except



CS/HB 7021, Engrossed 1

2015

105 | when a vessel is anchored, moored, made fast to the shore, or
106 | aground.

107 | Section 4. Paragraph (b) of subsection (1) of section
108 | 379.223, Florida Statutes, is amended to read:

109 | 379.223 Citizen support organizations; use of state
110 | property; audit.—

111 | (1) The Fish and Wildlife Conservation Commission may
112 | authorize the establishment of citizen support organizations to
113 | provide assistance, funding, and promotional support for the
114 | programs of the commission. For purposes of this section, the
115 | term "citizen support organization" means an organization which:

116 | (b) Is organized and operated to conduct programs and
117 | activities; raise funds; request and receive grants, gifts, and
118 | bequests of money; acquire, receive, hold, invest, and
119 | administer in its own name securities, funds, or real or
120 | personal property; and make expenditures for the benefit of the
121 | commission or an individual program unit of the commission;
122 | except that such organization may not receive funds from the
123 | commission or the Fish and Wildlife Research Institute by grant
124 | ~~or, gift, or contract~~ unless specifically authorized by the
125 | Legislature. If the citizen support organization by contract
126 | provides fiscal and administrative services to the commission
127 | for a grant or program that benefits the commission, the
128 | organization may be reimbursed or compensated for such services
129 | by the commission if the services are a direct benefit to the
130 | commission.



CS/HB 7021, Engrossed 1

2015

131 Section 5. Section 379.3012, Florida Statutes, is amended
132 to read:

133 379.3012 Alligator management ~~and trapping~~ program
134 implementation; commission authority.—

135 ~~(1) In any alligator management and trapping program that~~
136 ~~the Fish and Wildlife Conservation Commission shall establish,~~
137 ~~the commission shall have the authority to adopt all rules~~
138 ~~necessary for full and complete implementation of such alligator~~
139 ~~management and trapping program, and, in order to ensure its~~
140 ~~lawful, safe, and efficient operation in accordance therewith,~~
141 ~~may:~~

142 ~~(a) Regulate the marketing and sale of alligators, their~~
143 ~~hides, eggs, meat, and byproducts, including the development and~~
144 ~~maintenance of a state-sanctioned sale.~~

145 ~~(b) Regulate the handling and processing of alligators,~~
146 ~~their eggs, hides, meat, and byproducts, for the lawful, safe,~~
147 ~~and sanitary handling and processing of same.~~

148 ~~(c) Regulate commercial alligator farming facilities and~~
149 ~~operations for the captive propagation and rearing of alligators~~
150 ~~and their eggs.~~

151 ~~(d) Provide hide-grading services by two or more~~
152 ~~individuals pursuant to state-sanctioned sales if rules are~~
153 ~~first promulgated by the commission governing:~~

154 1. ~~All grading-related services to be provided pursuant to~~
155 ~~this section;~~

156 2. ~~Criteria for qualifications of persons to serve as~~



157 ~~hide graders for grading services to be provided pursuant to~~
158 ~~this section; and~~

159 ~~3. The certification process by which hide graders~~
160 ~~providing services pursuant to this section will be certified.~~

161 ~~(c) Provide sales-related services by contract pursuant to~~
162 ~~state-sanctioned sales if rules governing such services are~~
163 ~~first promulgated by the commission.~~

164 ~~(2) All contractors of the commission for the grading,~~
165 ~~marketing, and sale of alligators and their hides, eggs, meat,~~
166 ~~and byproducts shall not engage in any act constituting a~~
167 ~~conflict of interest under part III of chapter 112.~~

168 ~~(3) The powers and duties of the commission to implement~~
169 ~~the alligator management program do hereunder shall not be~~
170 ~~construed so as to supersede the regulatory authority or lawful~~
171 ~~responsibility of the Department of Agriculture and Consumer~~
172 ~~Services, the Department of Health, or any local governmental~~
173 ~~entity regarding the processing or handling of food products,~~
174 ~~but are shall be deemed supplemental thereto.~~

175 Section 6. Subsections (1) and (3) of section 379.357,
176 Florida Statutes, are amended to read:

177 379.357 Fish and Wildlife Conservation Commission license
178 program for tarpon; fees; penalties.—

179 (1) The commission shall establish a license program for
180 the purpose of issuing tags to individuals desiring to harvest
181 fish of the species *Megalops atlanticus*, commonly known as
182 tarpon, ~~(*megalops atlantica*)~~ from the waters of the state. The



CS/HB 7021, Engrossed 1

2015

183 tags shall be nontransferable, except that the commission may
184 allow for a limited number of tags to be purchased by
185 professional fishing guides for transfer to individuals, and
186 issued by the commission in order of receipt of a properly
187 completed application for a nonrefundable fee of \$50 per tag.
188 The commission and any tax collector may sell the tags and
189 collect the fees therefor. Tarpon tags are valid from January
190 July 1 through December 31 ~~June 30. Before August 15 of each~~
191 ~~year, each tax collector shall submit to the commission all~~
192 ~~unissued tags for the previous fiscal year along with a written~~
193 ~~audit report, on forms prescribed or approved by the commission,~~
194 ~~as to the numbers of the unissued tags.~~ To defray the cost of
195 issuing any tag, the issuing tax collector shall collect and
196 retain as his or her costs, in addition to the tag fee
197 collected, the amount allowed under s. 379.352(6) for the
198 issuance of licenses.

199 (3) An ~~No~~ individual may not ~~shall~~ take, kill, or possess
200 any fish of the species Megalops atlanticus ~~megalops atlantica~~,
201 commonly known as tarpon, unless the ~~such~~ individual has
202 purchased a tarpon tag and securely attached it through the
203 lower jaw of the fish. ~~Said individual shall within 5 days after~~
204 ~~the landing of the fish submit a form to the commission which~~
205 ~~indicates the length, weight, and physical condition of the~~
206 ~~tarpon when caught; the date and location of where the fish was~~
207 ~~caught; and any other pertinent information which may be~~
208 ~~required by the commission. The commission may refuse to issue~~



CS/HB 7021, Engrossed 1

2015

209 ~~new tags to individuals or guides who fail to provide the~~
210 ~~required information.~~

211 Section 7. Paragraph (b) of subsection (2) of section
212 379.361, Florida Statutes, is amended to read:

213 379.361 Licenses.—

214 (2) SALTWATER PRODUCTS LICENSE.—

215 (b)~~1~~. A restricted species endorsement on the saltwater
216 products license is required to sell to a licensed wholesale
217 dealer those species which the state, by law or rule, has
218 designated as "restricted species." ~~This endorsement may be~~
219 ~~issued only to a person who is at least 16 years of age, or to a~~
220 ~~firm certifying that over 25 percent of its income or \$5,000 of~~
221 ~~its income, whichever is less, is attributable to the sale of~~
222 ~~saltwater products pursuant to a saltwater products license~~
223 ~~issued under this paragraph or a similar license from another~~
224 ~~state. This endorsement may also be issued to a for-profit~~
225 ~~corporation if it certifies that at least \$5,000 of its income~~
226 ~~is attributable to the sale of saltwater products pursuant to a~~
227 ~~saltwater products license issued under this paragraph or a~~
228 ~~similar license from another state. However, if at least 50~~
229 ~~percent of the annual income of a person, firm, or for-profit~~
230 ~~corporation is derived from charter fishing, the person, firm,~~
231 ~~or for-profit corporation must certify that at least \$2,500 of~~
232 ~~the income of the person, firm, or corporation is attributable~~
233 ~~to the sale of saltwater products pursuant to a saltwater~~
234 ~~products license issued under this paragraph or a similar~~



CS/HB 7021, Engrossed 1

2015

235 ~~license from another state, in order to be issued the~~
236 ~~endorsement. Such income attribution must apply to at least 1 of~~
237 ~~the last 3 years. For the purpose of this section, "income"~~
238 ~~means that income that is attributable to work, employment,~~
239 ~~entrepreneurship, pensions, retirement benefits, and social~~
240 ~~security benefits.~~

241 ~~2. To renew an existing restricted species endorsement, a~~
242 ~~marine aquaculture producer possessing a valid saltwater~~
243 ~~products license with a restricted species endorsement may apply~~
244 ~~income from the sale of marine aquaculture products to licensed~~
245 ~~wholesale dealers.~~

246 ~~3. The commission may require verification of such income~~
247 ~~for all restricted species endorsements issued pursuant to this~~
248 ~~paragraph. Acceptable proof of income earned from the sale of~~
249 ~~saltwater products shall be:~~

250 ~~a. Copies of trip ticket records generated pursuant to~~
251 ~~this subsection (marine fisheries information system),~~
252 ~~documenting qualifying sale of saltwater products;~~

253 ~~b. Copies of sales records from locales other than Florida~~
254 ~~documenting qualifying sale of saltwater products;~~

255 ~~e. A copy of the applicable federal income tax return,~~
256 ~~including Form 1099 attachments, verifying income earned from~~
257 ~~the sale of saltwater products;~~

258 ~~d. Crew share statements verifying income earned from the~~
259 ~~sale of saltwater products; or~~

260 ~~e. A certified public accountant's notarized statement~~



261 ~~attesting to qualifying source and amount of income.~~

262 ~~4. Notwithstanding any other provision of law, any person~~
263 ~~who owns a retail seafood market or restaurant at a fixed~~
264 ~~location for at least 3 years, who has had an occupational~~
265 ~~license for 3 years before January 1, 1990, who harvests~~
266 ~~saltwater products to supply his or her retail store, and who~~
267 ~~has had a saltwater products license for 1 of the past 3 license~~
268 ~~years before January 1, 1990, may provide proof of his or her~~
269 ~~verification of income and sales value at the person's retail~~
270 ~~seafood market or restaurant and in his or her saltwater~~
271 ~~products enterprise by affidavit and shall thereupon be issued a~~
272 ~~restricted species endorsement.~~

273 ~~5. Exceptions from income requirements shall be as~~
274 ~~follows:~~

275 ~~a. A permanent restricted species endorsement shall be~~
276 ~~available to those persons age 62 and older who have qualified~~
277 ~~for such endorsement for at least 3 of the last 5 years.~~

278 ~~b. Active military duty time shall be excluded from~~
279 ~~consideration of time necessary to qualify and shall not be~~
280 ~~counted against the applicant for purposes of qualifying.~~

281 ~~e. Upon the sale of a used commercial fishing vessel owned~~
282 ~~by a person, firm, or corporation possessing or eligible for a~~
283 ~~restricted species endorsement, the purchaser of such vessel~~
284 ~~shall be exempted from the qualifying income requirement for the~~
285 ~~purpose of obtaining a restricted species endorsement for a~~
286 ~~complete license year after purchase of the vessel.~~



CS/HB 7021, Engrossed 1

2015

287 ~~d. Upon the death or permanent disablement of a person~~
288 ~~possessing a restricted species endorsement, an immediate family~~
289 ~~member wishing to carry on the fishing operation shall be~~
290 ~~exempted from the qualifying income requirement for the purpose~~
291 ~~of obtaining a restricted species endorsement for a complete~~
292 ~~license year after the death or disablement.~~

293 ~~e. A restricted species endorsement may be issued on an~~
294 ~~individual saltwater products license to a person age 62 or~~
295 ~~older who documents that at least \$2,500 of such person's income~~
296 ~~is attributable to the sale of saltwater products.~~

297 ~~f. A permanent restricted species endorsement may also be~~
298 ~~issued on an individual saltwater products license to a person~~
299 ~~age 70 or older who has held a saltwater products license for at~~
300 ~~least 3 of the last 5 license years.~~

301 ~~g. Any resident who is certified to be totally and~~
302 ~~permanently disabled by the Railroad Retirement Board, by the~~
303 ~~United States Department of Veterans Affairs or its predecessor,~~
304 ~~or by any branch of the United States Armed Forces, or who holds~~
305 ~~a valid identification card issued by the Department of~~
306 ~~Veterans' Affairs pursuant to s. 295.17, upon proof of the same,~~
307 ~~or any resident certified to be disabled by the United States~~
308 ~~Social Security Administration or a licensed physician, upon~~
309 ~~proof of the same, shall be exempted from the income~~
310 ~~requirements if he or she also has held a saltwater products~~
311 ~~license for at least 3 of the last 5 license years before the~~
312 ~~date of the disability. A restricted species endorsement issued~~



313 ~~under this paragraph may be issued only on an individual~~
314 ~~saltwater products license.~~

315 ~~h. An honorably discharged, resident military veteran~~
316 ~~certified by the United States Department of Veterans Affairs or~~
317 ~~its predecessor or by any branch of the United States Armed~~
318 ~~Forces to have a service-connected permanent disability rating~~
319 ~~of 10 percent or higher, upon providing proof of such disability~~
320 ~~rating, is not required to provide documentation for the income~~
321 ~~requirement with his or her initial application for a restricted~~
322 ~~species endorsement. Documentation for the income requirement is~~
323 ~~required beginning with the renewal of the restricted species~~
324 ~~endorsement after such veteran has possessed a valid restricted~~
325 ~~species endorsement for a complete license year. This exemption~~
326 ~~applies only to issuance of the endorsement on an individual~~
327 ~~saltwater products license and is a one-time exemption. In order~~
328 ~~to renew the restricted species endorsement on an individual~~
329 ~~saltwater products license, the veteran must document that at~~
330 ~~least \$2,500 of his or her income is attributable to the sale of~~
331 ~~saltwater products.~~

332 ~~i. Beginning July 1, 2014, a resident military veteran who~~
333 ~~applies to the commission within 48 months after receiving an~~
334 ~~honorable discharge from any branch of the United States Armed~~
335 ~~Forces, the United States Coast Guard, the military reserves,~~
336 ~~the Florida National Guard, or the United States Coast Guard~~
337 ~~Reserve is not required to provide documentation for the income~~
338 ~~requirement with his or her initial application for a restricted~~



CS/HB 7021, Engrossed 1

2015

339 ~~species endorsement. Documentation for the income requirement is~~
340 ~~required beginning with the renewal of the restricted species~~
341 ~~endorsement after such veteran has possessed a valid restricted~~
342 ~~species endorsement for a complete license year. This exemption~~
343 ~~applies only to issuance of the endorsement on an individual~~
344 ~~saltwater products license and may only be applied one time per~~
345 ~~military enlistment.~~

346 ~~j. Until June 30, 2014, a resident military veteran who~~
347 ~~applies to the commission and who received an honorable~~
348 ~~discharge from any branch of the United States Armed Forces, the~~
349 ~~United States Coast Guard, the military reserves, the Florida~~
350 ~~National Guard, or the United States Coast Guard Reserve between~~
351 ~~September 11, 2001, and June 30, 2014, is not required to~~
352 ~~provide documentation for the income requirement with his or her~~
353 ~~initial application for a restricted species endorsement.~~

354 ~~Documentation for the income requirement is required beginning~~
355 ~~with the renewal of the restricted species endorsement after~~
356 ~~such veteran has possessed a valid restricted species~~
357 ~~endorsement for a complete license year. This exemption applies~~
358 ~~only to issuance of the endorsement on an individual saltwater~~
359 ~~products license.~~

360 Section 8. Section 379.364, Florida Statutes, is amended
361 to read:

362 379.364 License required for fur and hide dealers.—

363 (1) A ~~It is unlawful for any person may not to~~ engage in
364 the business of a dealer or buyer in green or dried alligator



CS/HB 7021, Engrossed 1

2015

365 hides ~~skins~~ or green or dried furs in the state or purchase such
366 hides or furs ~~skins~~ within the state until the ~~such~~ person has
367 been licensed as ~~herein~~ provided in this section.

368 (2) A person ~~Any resident dealer or buyer~~ who solicits
369 business through the mail ~~mails~~, or by advertising, or who
370 travels to buy or employs or has other agents or buyers, shall
371 be deemed a dealer.

372 (3) A resident ~~state~~ dealer ~~and~~ must pay a license fee of
373 \$100 per annum.

374 (4) ~~(3)~~ A nonresident dealer ~~or buyer~~ must pay a license
375 fee of \$500 per annum.

376 (4) ~~All dealers and buyers shall forward to the Fish and~~
377 ~~Wildlife Conservation Commission each 2 weeks during open season~~
378 ~~a report showing number and kind of hides bought and name of~~
379 ~~trapper from whom bought and the trapper's license number, or if~~
380 ~~trapper is exempt from license under any of the provisions of~~
381 ~~this chapter, such report shall show the nature of such~~
382 ~~exemption. A common carrier may not knowingly ship or transport~~
383 ~~or receive for transportation any hides or furs unless such~~
384 ~~shipments have marked thereon name of shipper and the number of~~
385 ~~her or his fur animal license or fur dealer's license.~~

386 Section 9. Subsections (1), (4), and (5) of section
387 379.3751, Florida Statutes, are amended to read:

388 379.3751 Taking and possession of alligators; trapping
389 licenses; fees.—

390 (1) (a) A ~~No~~ person may not ~~shall~~ take or possess any



CS/HB 7021, Engrossed 1

2015

391 alligator or the eggs thereof without having been issued an
392 alligator ~~first obtained from the commission a trapping~~ license
393 ~~and paid the fee~~ as provided in this section. The ~~Such~~ license
394 shall be dated when issued and remain valid for 12 months after
395 the date of issuance and shall authorize the person to whom it
396 is issued to take or possess alligators and their eggs, and to
397 sell, possess, and process alligators and their hides and meat,
398 in accordance with law and commission rules. The ~~Such~~ license is
399 ~~shall not be~~ transferable and is ~~shall not be~~ valid unless it
400 bears on its face in indelible ink the name of the person to
401 whom it is issued. The ~~Such~~ license shall be in the personal
402 possession of the licensee while the licensee ~~such person~~ is
403 taking alligators or their eggs or is selling, possessing, or
404 processing alligators or their eggs, hides, or meat. The failure
405 of the licensee to exhibit the ~~such~~ license to a ~~the~~ commission
406 law enforcement officer ~~or its wildlife officers~~, when the
407 licensee ~~such person~~ is found taking alligators or their eggs or
408 is found selling, possessing, or processing alligators or their
409 eggs, hides, or meat, is ~~shall be~~ a violation of law.

410 ~~(b) In order to assure the optimal utilization of the~~
411 ~~estimated available alligator resource and to ensure adequate~~
412 ~~control of the alligator management and harvest program, the~~
413 ~~commission may by rule limit the number of participants engaged~~
414 ~~in the taking of alligators or their eggs from the wild.~~

415 (b)-(e) A ~~No~~ person who has been convicted of any violation
416 of s. 379.3015 or s. 379.409 or ~~the~~ rules of the commission



417 relating to the illegal taking of crocodilian species may not
418 shall be issued ~~eligible for issuance of~~ a license for a period
419 of 5 years subsequent to such conviction. If a ~~In the event such~~
420 violation involves the unauthorized taking of an endangered
421 crocodilian species, a ~~no~~ license may not ~~shall~~ be issued for 10
422 years subsequent to the conviction.

423 (c) An alligator trapping license is not required for a
424 person taking nuisance alligators pursuant to a contract with
425 the commission. A person assisting contracted nuisance alligator
426 trappers, unless otherwise exempt under paragraph (d) or
427 paragraph (e), must possess an alligator trapping license or an
428 alligator trapping agent license as provided in subsection (2).

429 (d) An alligator trapping agent license is not required
430 for a child under 16 years of age taking alligators under an
431 alligator harvest program implemented by commission rule.

432 (e) An alligator trapping license or alligator trapping
433 agent license is not required for a person taking alligators
434 under a military or disabled veterans event permit issued by the
435 commission pursuant to s. 379.353(2)(q).

436 (f) An alligator trapping license or alligator trapping
437 agent license shall be issued without fee to any disabled
438 resident who meets the requirements of s. 379.353(1).

439 (g) A person engaged in the taking of alligators under any
440 permit issued by the commission which authorizes the take of
441 alligators is not required to possess a management area permit
442 under s. 379.354(8).



CS/HB 7021, Engrossed 1

2015

443 (4) ~~A No~~ person may not ~~shall~~ take any alligator egg
444 occurring in the wild or possess any such egg unless the ~~such~~
445 person has obtained, or is a licensed agent of another person
446 who has obtained, an alligator egg collection permit. The
447 alligator egg collection permit shall be required in addition to
448 the alligator farming license provided in paragraph (2) (d). The
449 commission may ~~is authorized to~~ assess a fee for issuance of the
450 alligator egg collection permit of up to \$5 per egg authorized
451 to be taken or possessed pursuant to such permit. Contingent
452 upon an annual appropriation for alligator marketing and
453 education activities ~~Irrespective of whether a fee is assessed,~~
454 \$1 per egg collected and retained, excluding eggs collected on
455 private wetland management areas, shall be transferred from the
456 alligator management program to the General Inspection Trust
457 Fund, to be administered by the Department of Agriculture and
458 Consumer Services for the purpose of providing marketing and
459 education services with respect to alligator products produced
460 in this state, notwithstanding other provisions in this chapter.

461 ~~(5) The commission shall adopt criteria by rule to~~
462 ~~establish appropriate qualifications for alligator collectors~~
463 ~~who may receive permits pursuant to this section.~~

464 Section 10. Section 379.3752, Florida Statutes, is amended
465 to read:

466 379.3752 Required tagging of alligators and hides; fees;
467 revenues.—The tags provided in this section shall be required in
468 addition to any license required under s. 379.3751.



469 (1) ~~A~~ No person may not ~~shall~~ take any alligator occurring
470 in the wild or possess any such alligator unless such alligator
471 is subsequently tagged in the manner required by commission
472 rule. For the tag required for an alligator hatchling, the
473 commission is authorized to assess a fee of not more than \$15
474 for each alligator hatchling tag issued. ~~The commission shall~~
475 ~~expend one-third of the revenue generated from the issuance of~~
476 ~~the alligator hatchling tag for alligator husbandry research.~~

477 (2) ~~The commission may require that an alligator hide~~
478 ~~validation tag (CITES tag) be affixed to the hide of any~~
479 ~~alligator taken from the wild and that such hide be possessed,~~
480 ~~purchased, sold, offered for sale, or transported in accordance~~
481 ~~with commission rule.~~ The commission may ~~is authorized~~ to assess
482 a fee of up to \$30 for each alligator hide validation tag
483 issued. Contingent upon an annual appropriation for alligator
484 marketing and education activities ~~Irrespective of whether a fee~~
485 ~~is assessed,~~ \$5 per validated hide, excluding those validated
486 from public hunt programs and alligator farms, shall be
487 transferred from the alligator management program to the General
488 Inspection Trust Fund, to be administered by the Department of
489 Agriculture and Consumer Services for the purpose of providing
490 marketing and education services with respect to alligator
491 products produced in this state, notwithstanding other
492 provisions in this chapter.

493 ~~(3) The number of tags available for alligators taken~~
494 ~~pursuant to a collection permit shall be limited to the number~~



CS/HB 7021, Engrossed 1

2015

495 ~~of tags determined by the commission to equal the safe yield of~~
496 ~~alligators as determined pursuant to s. 379.3013.~~

497 Section 11. Paragraph (a) of subsection (2) of section
498 379.401, Florida Statutes, is amended to read:

499 379.401 Penalties and violations; civil penalties for
500 noncriminal infractions; criminal penalties; suspension and
501 forfeiture of licenses and permits.—

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

504 1. Rules or orders of the commission relating to seasons
505 or time periods for the taking of wildlife, freshwater fish, or
506 saltwater fish.

507 2. Rules or orders of the commission establishing bag,
508 possession, or size limits or restricting methods of taking
509 wildlife, freshwater fish, or saltwater fish.

510 3. Rules or orders of the commission prohibiting access or
511 otherwise relating to access to wildlife management areas or
512 other areas managed by the commission.

513 4. Rules or orders of the commission relating to the
514 feeding of ~~wildlife, freshwater fish, or~~ saltwater fish.

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

517 6. Rules or orders of the commission relating to
518 restricted hunting areas, critical wildlife areas, or bird
519 sanctuaries.

520 7. Rules or orders of the commission relating to tagging



521 requirements for wildlife and fur-bearing animals.

522 8. Rules or orders of the commission relating to the use
523 of dogs for the taking of wildlife.

524 9. Rules or orders of the commission which are not
525 otherwise classified.

526 10. Rules or orders of the commission prohibiting the
527 unlawful use of finfish traps.

528 11. All prohibitions in this chapter which are not
529 otherwise classified.

530 12. Section 379.33, prohibiting the violation of or
531 noncompliance with commission rules.

532 13. Section 379.407(7), prohibiting the sale, purchase,
533 harvest, or attempted harvest of any saltwater product with
534 intent to sell.

535 14. Section 379.2421, prohibiting the obstruction of
536 waterways with net gear.

537 15. Section 379.413, prohibiting the unlawful taking of
538 bonefish.

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

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

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



CS/HB 7021, Engrossed 1

2015

547 19. Section 379.357, prohibiting the possession of tarpon
548 without purchasing a tarpon tag.

549 ~~20. Rules or orders of the commission prohibiting the~~
550 ~~feeding or enticement of alligators or crocodiles.~~

551 20.21. Section 379.105, prohibiting the intentional
552 harassment of hunters, fishers, or trappers.

553 Section 12. Section 379.412, Florida Statutes, is created
554 to read:

555 379.412 Penalties for feeding wildlife and freshwater
556 fish.—

557 (1) (a) The penalties in this section apply to a violation
558 of any rule or order of the commission that prohibits or
559 restricts:

560 1. Feeding wildlife or freshwater fish with food or
561 garbage;

562 2. Attracting or enticing wildlife or freshwater fish with
563 food or garbage; or

564 3. Allowing the placement of food or garbage in a manner
565 that attracts or entices wildlife or freshwater fish.

566 (b) This section does not apply to rules or orders of the
567 commission relating to:

568 1. Animals held in captivity;

569 2. Restricting the taking or hunting of species over bait
570 or intentionally placed or deposited food; or

571 3. Restricting the taking or hunting of species in
572 proximity to feeding stations.



573 (2) A person who violates a prohibition or restriction
574 identified in subsection (1):

575 (a) For a first violation, commits a noncriminal
576 infraction, punishable by a civil penalty of \$100.

577 1. A person cited for a violation under this paragraph
578 shall sign and accept a citation to appear before the county
579 court. The issuing officer may indicate on the citation the time
580 and location of the scheduled hearing and shall indicate the
581 applicable civil penalty.

582 2. A person cited for a violation may pay the civil
583 penalty by mail or in person within 30 days after receipt of the
584 citation. If the civil penalty is paid, the person is deemed to
585 have admitted committing the violation and to have waived his or
586 her right to a hearing before the county court. Such admission
587 may not be used as evidence in any other proceedings except to
588 determine the appropriate fine for any subsequent violations.

589 3. A person who refuses to accept a citation, who fails to
590 pay the civil penalty for a violation, or who fails to appear
591 before a county court as required commits a misdemeanor of the
592 second degree, punishable as provided in s. 775.082 or s.
593 775.083.

594 4. A person who elects to appear before the county court
595 or who is required to appear before the county court is deemed
596 to have waived the limitations on civil penalties provided under
597 this paragraph. After a hearing, the county court shall
598 determine if a violation has been committed, and if so, may



599 impose a civil penalty of not less than \$100. A person found
600 guilty of committing a violation may appeal that finding to the
601 circuit court. The commission of a violation must be proved
602 beyond a reasonable doubt.

603 (b) For second and subsequent violations, when all
604 violations are related to freshwater fish or wildlife other than
605 bears or alligators or other crocodilians, commits a misdemeanor
606 of the second degree, punishable as provided in s. 775.082 or s.
607 775.083.

608 (c) For a second violation, when all violations are
609 related to bears or alligators or other crocodilians, commits a
610 misdemeanor of the second degree, punishable as provided in s.
611 775.082 or s. 775.083.

612 (d) For a third violation, when all violations are related
613 to bears or alligators or other crocodilians, commits a
614 misdemeanor of the first degree, punishable as provided in s.
615 775.082 or s. 775.083.

616 (e) For a fourth or subsequent violation, when all
617 violations are related to bears or alligators or other
618 crocodilians, commits a felony of the third degree, punishable
619 as provided in s. 775.082, s. 775.083, or s. 775.084.

620 (3) As used in this section, the term "violation" means
621 any judicial disposition other than acquittal or dismissal.

622 Section 13. Sections 379.3011, 379.3013, 379.3016, and
623 379.3017, Florida Statutes, are repealed.

624 Section 14. This act shall take effect upon becoming a



CS/HB 7021, Engrossed 1

2015

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