



453552

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 379.2426, Florida Statutes, is created
to read:

379.2426 Possession of separated shark fins on the water
prohibited; penalties.-

(1)°As used in this section, the term:

(a) "Land" means the physical act of bringing a harvested



453552

11 organism, or any part thereof, ashore.

12 (b) "Shark" means any species of the orders
13 Carcharhiniformes, Lamniformes, Hexanchiformes,
14 Orectolobiformes, Pristiophoriformes, Squaliformes,
15 Squatiniformes, or any part thereof.

16 (c) "Shark fin" means the detached fin of a shark,
17 including the caudal or tail fin, or any portion thereof.

18 (d) "Separated," with respect to a shark fin, means not
19 naturally attached to the corresponding shark body through some
20 portion of uncut skin.

21 (2) A person may not possess in or on the waters of this
22 state a shark fin that has been separated from a shark or land a
23 separated shark fin in this state, unless:

24 (a) Such possession is authorized by commission rule; or

25 (b) Such fin has been lawfully obtained on land, prepared
26 by taxidermy, and is possessed for the purposes of display.

27 (3) A person who violates this section is subject to the
28 following penalties:

29 (a) For a first violation, a misdemeanor of the second
30 degree, punishable as provided in s. 775.082 or s. 775.083. In
31 addition, the commission shall assess an administrative fine of
32 \$4,500 and suspend all of the person's license privileges under
33 this chapter for 180 days.

34 (b) For a second violation, a misdemeanor of the second
35 degree, punishable as provided in s. 775.082 or s. 775.083. In
36 addition, the commission shall assess an administrative fine of
37 \$9,500 and suspend all of the person's license privileges under
38 this chapter for 365 days.

39 (c) For a third and any subsequent violation, a misdemeanor



453552

40 of the first degree, punishable as provided in s. 775.082 or s.
41 775.083. In addition, the commission shall assess an
42 administrative fine of \$9,500 and permanently revoke all of the
43 person's license privileges under this chapter.

44
45 While his or her license privileges are under suspension or
46 revocation pursuant to this subsection, a person may not
47 participate in the taking or harvesting, or attempt the taking
48 or harvesting, of saltwater products from any vessel within the
49 waters of the state; be aboard any vessel on which a commercial
50 quantity of saltwater products is possessed through an activity
51 requiring a license pursuant to this chapter; or engage in any
52 other activity requiring a license, permit, or certificate
53 issued pursuant to this chapter.

54 Section 2. This act shall take effect October 1, 2017.

55
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete everything before the enacting clause
59 and insert:

60 A bill to be entitled

61 An act relating to shark fins; creating s. 379.2426,
62 F.S.; defining terms; prohibiting persons from
63 possessing separated shark fins except under certain
64 conditions; providing penalties; prohibiting persons
65 with suspended or revoked license privileges from
66 engaging in certain activities; providing an effective
67 date.