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2 An act relating to shark fins; creating s. 379.2426,
3 F.S.; defining terms; prohibiting persons from
4 possessing separated shark fins except under certain
5 conditions; providing penalties; prohibiting persons
6 with suspended or revoked license privileges from
7 engaging in certain activities; providing an effective
8 date.

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

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

14 379.2426 Possession of separated shark fins on the water
15 prohibited; penalties.-

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

17 (a) "Land" means the physical act of bringing a harvested
18 organism, or any part thereof, ashore.

19 (b) "Shark" means any species of the orders
20 *Carcharhiniformes, Lamniformes, Hexanchiformes,*
21 *Orectolobiformes, Pristiophoriformes, Squaliformes,*
22 *Squatiniiformes, or any part thereof.*

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

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

28 (2) A person may not possess in or on the waters of this
29 state a shark fin that has been separated from a shark or land a

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30 separated shark fin in this state, unless:

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

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

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

36 (a) For a first violation, a misdemeanor of the second
37 degree, punishable as provided in s. 775.082 or s. 775.083. In
38 addition, the commission shall assess an administrative fine of
39 \$4,500 and suspend all of the person's license privileges under
40 this chapter for 180 days.

41 (b) For a second violation, a misdemeanor of the second
42 degree, punishable as provided in s. 775.082 or s. 775.083. In
43 addition, the commission shall assess an administrative fine of
44 \$9,500 and suspend all of the person's license privileges under
45 this chapter for 365 days.

46 (c) For a third and any subsequent violation, a misdemeanor
47 of the first degree, punishable as provided in s. 775.082 or s.
48 775.083. In addition, the commission shall assess an
49 administrative fine of \$9,500 and permanently revoke all of the
50 person's license privileges under this chapter.

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52 While his or her license privileges are under suspension or
53 revocation pursuant to this subsection, a person may not
54 participate in the taking or harvesting, or attempt the taking
55 or harvesting, of saltwater products from any vessel within the
56 waters of the state; be aboard any vessel on which a commercial
57 quantity of saltwater products is possessed through an activity
58 requiring a license pursuant to this chapter; or engage in any

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59 other activity requiring a license, permit, or certificate
60 issued pursuant to this chapter.

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