

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Agriculture & Natural
2 Resources Subcommittee

3 Representative Smith, D. offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (a) of subsection (3) and paragraph
8 (a) of subsection (4) of section 379.401, Florida Statutes, are
9 amended to read:

10 379.401 Penalties and violations; civil penalties for
11 noncriminal infractions; criminal penalties; suspension and
12 forfeiture of licenses and permits.—

13 (3) LEVEL THREE VIOLATIONS.—

14 (a) A person commits a Level Three violation if he or she
15 violates any of the following provisions:

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16 1. Rules or orders of the commission prohibiting the sale
17 of saltwater fish.

18 2. Rules or orders of the commission prohibiting the
19 illegal importation or possession of exotic marine plants or
20 animals.

21 3. Section 379.28, prohibiting the importation of
22 freshwater fish.

23 4. Section 379.3014, prohibiting the illegal sale or
24 possession of alligators.

25 5. Section 379.354(17), prohibiting the taking of game,
26 freshwater fish, or saltwater fish while a required license is
27 suspended or revoked.

28 6. Section 379.357(4), prohibiting the sale, transfer, or
29 purchase of tarpon.

30 7. Section 379.404(1), (3), and (6), prohibiting the
31 illegal taking and possession of deer and wild turkey.

32 8. Section 379.4041(1), prohibiting the illegal taking and
33 possession of bears.

34 9.8. Section 379.406, prohibiting the possession and
35 transportation of commercial quantities of freshwater game fish.

36 10.9. Section 379.407(2), establishing major violations.

37 11.10. Section 379.407(4), prohibiting the possession of
38 certain finfish in excess of recreational daily bag limits.

39 (4) LEVEL FOUR VIOLATIONS.-

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40 (a) A person commits a Level Four violation if he or she
41 violates any of the following provisions:

42 1. Section 379.354(16), prohibiting the making, forging,
43 counterfeiting, or reproduction of a recreational license or the
44 possession of same without authorization from the commission.

45 2. Section 379.365(2)(c), prohibiting criminal activities
46 relating to the taking of stone crabs.

47 3. Section 379.366(4)(c), prohibiting criminal activities
48 relating to the taking and harvesting of blue crabs.

49 4. Section 379.367(4), prohibiting the willful molestation
50 of spiny lobster gear.

51 5. Section 379.3671(2)(c)5., prohibiting the unlawful
52 reproduction, possession, sale, trade, or barter of spiny
53 lobster trap tags or certificates.

54 6. Section 379.404(5), prohibiting the sale of illegally-
55 taken deer or wild turkey.

56 7. Section 379.4041(2), prohibiting the sale of illegally-
57 taken bears.

58 8.7. Section 379.405, prohibiting the molestation or theft
59 of freshwater fishing gear.

60 9.8. Section 379.409, prohibiting the unlawful killing,
61 injuring, possessing, or capturing of alligators or other
62 crocodilia or their eggs.

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87 | An act relating to illegal taking and possession of bears;
88 | amending s. 379.401, F.S.; providing that the illegal
89 | taking and possession of bears is a Level Three violation;
90 | providing that the sale of an illegally-taken bear is a
91 | Level Four violation; creating s. 379.4041, F.S.;
92 | prohibiting certain taking and possession of bears;
93 | providing penalties; providing an effective date.