

1                   A bill to be entitled  
 2           An act relating to shark fins; amending s. 379.2426,  
 3           F.S.; prohibiting the import, export, and sale of  
 4           shark fins; providing applicability; providing an  
 5           effective date.

6  
 7   Be It Enacted by the Legislature of the State of Florida:

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 9           Section 1. Section 379.2426, Florida Statutes, is amended  
 10          to read:

11           379.2426 Possession, import, export, and sale of separated  
 12          shark fins ~~on the water~~ prohibited; penalties.—

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

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

16           (b) "Shark" means any species of the orders  
 17          Carcharhiniformes, Lamniformes, Hexanchiformes,  
 18          Orectolobiformes, Pristiophoriformes, Squaliformes,  
 19          Squatiniiformes, or any part thereof.

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

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

25           (2) A person may not possess in or on the waters of this

26 | state a shark fin that has been separated from a shark or land a  
 27 | separated shark fin in this state, unless:

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

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

31 |       (3) Notwithstanding any other law, the import, export, and  
 32 | sale of shark fins is prohibited and nothing in this section  
 33 | authorizes such activities.

34 |       ~~(4)~~ (3) A person who violates this section is subject to  
 35 | the 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  
 47 | misdemeanor of the first degree, punishable as provided in s.  
 48 | 775.082 or s. 775.083. In addition, the commission shall assess  
 49 | an administrative fine of \$9,500 and permanently revoke all of  
 50 | the person's license privileges under this chapter.

51  
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  
59 other activity requiring a license, permit, or certificate  
60 issued pursuant to this chapter.

61 (5) The prohibition of the export and sale of shark fins  
62 under subsection (3) does not apply to commercial fishermen who  
63 hold a valid federal shark fishing permit on January 1, 2020, or  
64 to seafood dealers who harvest and possess sharks, shark fins,  
65 and associated shark products that are legally landed, handled,  
66 processed, and transported. This subsection expires on January  
67 1, 2025.

68 Section 2. This act shall take effect October 1, 2020.