

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Overdorf offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 379.2426, Florida Statutes, is amended
6 to read:

7 379.2426 Possession and import of separated shark fins ~~on~~
8 ~~the water~~ prohibited; penalties.-

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

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

12 (b) "Shark" means any species of the orders
13 Carcharhiniformes, Lamniformes, Hexanchiformes,

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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) The import of shark fins to this state is prohibited.

28 (4)~~(3)~~ A person who violates this section is subject to
29 the following penalties:

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

35 (b) For a second violation, a misdemeanor of the second
36 degree, punishable as provided in s. 775.082 or s. 775.083. In
37 addition, the commission shall assess an administrative fine of

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38 \$9,500 and suspend all of the person's license privileges under
39 this chapter for 365 days.

40 (c) For a third and any subsequent violation, a
41 misdemeanor of the first degree, punishable as provided in s.
42 775.082 or s. 775.083. In addition, the commission shall assess
43 an administrative fine of \$9,500 and permanently revoke all of
44 the person's license privileges under this chapter.

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

55 Section 2. (1) The Fish and Wildlife Conservation
56 Commission shall evaluate the potential economic impact to the
57 commercial shark fishing industry associated with the
58 prohibition of the import, export, and sale of shark fins in
59 Florida. Based on any identified negative economic impacts to
60 the commercial shark fishing industry, the commission shall
61 identify actions to lessen or offset impacts on the industry to
62 the extent practicable. The commission also shall review the

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63 potential impact on shark populations associated with the
 64 prohibition of the import, export, and sale of shark fins in
 65 Florida. The commission also may review and include any other
 66 information it believes is relevant to the management of shark
 67 fisheries. The commission shall report its findings to the
 68 Governor, the President of the Senate, and the Speaker of the
 69 House of Representatives by December 31, 2022.

70 (2) After receipt of the report submitted pursuant to
 71 subsection (1), the Legislature may, based upon the findings of
 72 the report, impose a ban on the domestic production of shark
 73 fins.

74 Section 3. This act shall take effect October 1, 2020.

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77 **T I T L E A M E N D M E N T**

78 Remove everything before the enacting clause and insert:

79 A bill to be entitled

80 An act relating to shark fins; amending s. 379.2426,
 81 F.S.; prohibiting the import of shark fins to this
 82 state; requiring the Fish and Wildlife Conservation
 83 Commission to evaluate the potential economic impacts
 84 to the commercial shark fishing industry in this
 85 state; requiring the commission to identify actions to
 86 lessen or offset impacts to the industry; requiring
 87 the commission to review the potential impact on shark

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88 | populations; requiring a report to the Governor and
89 | Legislature by a specified date; authorizing the
90 | Legislature to impose a ban on the domestic production
91 | of shark fins based upon the findings of the report;
92 | providing an effective date.

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