

By Senator Hutson

7-00947-20

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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 an effective date.

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

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

10           379.2426 Possession, import, export, and sale of separated  
11 shark fins ~~on the water~~ prohibited; penalties.-

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

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

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

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

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

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

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

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

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

33       ~~(4)-(3)~~ A person who violates this section is subject to the  
34 following penalties:

35       (a) For a first 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  
38 \$4,500 and suspend all of the person's license privileges under  
39 this chapter for 180 days.

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

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

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

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59 issued pursuant to this chapter.

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