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LEGISLATIVE ACTION

Senate

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House

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The Committee on Environment and Natural Resources (Wright) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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



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11 (3) LEVEL THREE VIOLATIONS.—

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

14 1. Rules or orders of the commission prohibiting the sale  
15 of saltwater fish.

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

19 3. Section 379.28, prohibiting the importation of  
20 freshwater fish.

21 4. Section 379.3014, prohibiting the illegal sale or  
22 possession of alligators.

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

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

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

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

32 9.8. Section 379.406, prohibiting the possession and  
33 transportation of commercial quantities of freshwater game fish.

34 10.9. Section 379.407(2), establishing major violations.

35 11.10. Section 379.407(4), prohibiting the possession of  
36 certain finfish in excess of recreational daily bag limits.

37 (4) LEVEL FOUR VIOLATIONS.—

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



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

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

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

47           4. Section 379.367(4), prohibiting the willful molestation  
48 of spiny lobster gear.

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

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

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

56           ~~8.7.~~ Section 379.405, prohibiting the molestation or theft  
57 of freshwater fishing gear.

58           ~~9.8.~~ Section 379.409, prohibiting the unlawful killing,  
59 injuring, possessing, or capturing of alligators or other  
60 crocodilia or their eggs.

61           ~~10.9.~~ Section 379.411, prohibiting the intentional killing  
62 or wounding of any species designated as endangered, threatened,  
63 or of special concern.

64           ~~11.10.~~ Section 379.4115, prohibiting the killing of any  
65 Florida or wild panther.

66           Section 2. Section 379.4041, Florida Statutes, is created  
67 to read:

68           379.4041 Illegal taking, possession, and sale of bears.-



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69       (1) A person who takes a bear or possesses a freshly killed  
70 bear during the closed season prescribed by law or rules of the  
71 commission commits a Level Three violation under s. 379.401 and  
72 forfeits any license or permit issued to him or her under this  
73 chapter for 3 years after the date of the violation. A person  
74 who commits a subsequent offense of such taking or possession is  
75 permanently ineligible for issuance of any license or permit  
76 under this chapter.

77       (2) A person who possesses for sale or sells a bear taken  
78 in violation of this section or rules of the commission commits  
79 a Level Four violation under s. 379.401.

80           Section 3. This act shall take effect July 1, 2020.

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82 ===== T I T L E   A M E N D M E N T =====

83 And the title is amended as follows:

84       Delete everything before the enacting clause  
85 and insert:

86                           A bill to be entitled  
87       An act relating to the illegal taking, possession, and  
88       sale of bears; amending s. 379.401, F.S.; providing  
89       that a person commits specified violations for the  
90       illegal taking, possession, and sale of bears;  
91       creating s. 379.4041, F.S.; prohibiting the illegal  
92       taking, possession, and sale of bears; providing  
93       penalties; providing an effective date.