

By the Committee on Environment and Natural Resources; and
Senator Wright

592-03059-20

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1 A bill to be entitled
2 An act relating to the illegal taking, possession, and
3 sale of bears; amending s. 379.401, F.S.; providing
4 that a person commits specified violations for the
5 illegal taking, possession, and sale of bears;
6 creating s. 379.4041, F.S.; prohibiting the illegal
7 taking, possession, and sale of bears; providing
8 penalties; providing an effective date.

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

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

15 379.401 Penalties and violations; civil penalties for
16 noncriminal infractions; criminal penalties; suspension and
17 forfeiture of licenses and permits.—

18 (3) LEVEL THREE VIOLATIONS.—

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

21 1. Rules or orders of the commission prohibiting the sale
22 of saltwater fish.

23 2. Rules or orders of the commission prohibiting the
24 illegal importation or possession of exotic marine plants or
25 animals.

26 3. Section 379.28, prohibiting the importation of
27 freshwater fish.

28 4. Section 379.3014, prohibiting the illegal sale or
29 possession of alligators.

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

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

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

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

39 ~~9.8.~~ Section 379.406, prohibiting the possession and
40 transportation of commercial quantities of freshwater game fish.

41 ~~10.9.~~ Section 379.407(2), establishing major violations.

42 ~~11.10.~~ Section 379.407(4), prohibiting the possession of
43 certain finfish in excess of recreational daily bag limits.

44 (4) LEVEL FOUR VIOLATIONS.—

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

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

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

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

54 4. Section 379.367(4), prohibiting the willful molestation
55 of spiny lobster gear.

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

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

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

64 ~~8.7.~~ Section 379.405, prohibiting the molestation or theft
65 of freshwater fishing gear.

66 ~~9.8.~~ Section 379.409, prohibiting the unlawful killing,
67 injuring, possessing, or capturing of alligators or other
68 crocodilia or their eggs.

69 ~~10.9.~~ Section 379.411, prohibiting the intentional killing
70 or wounding of any species designated as endangered, threatened,
71 or of special concern.

72 ~~11.10.~~ Section 379.4115, prohibiting the killing of any
73 Florida or wild panther.

74 Section 2. Section 379.4041, Florida Statutes, is created
75 to read:

76 379.4041 Illegal taking, possession, and sale of bears.-

77 (1) A person who takes a bear or possesses a freshly killed
78 bear during the closed season prescribed by law or rules of the
79 commission commits a Level Three violation under s. 379.401 and
80 forfeits any license or permit issued to him or her under this
81 chapter for 3 years after the date of the violation. A person
82 who commits a subsequent offense of such taking or possession is
83 permanently ineligible for issuance of any license or permit
84 under this chapter.

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

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