

1 A bill to be entitled
 2 An act relating to venomous reptiles; amending s.
 3 379.305, F.S.; revising the penalty for certain
 4 release or escape of venomous reptiles; providing a
 5 penalty for specified activities involving venomous
 6 reptiles without a special permit or license issued by
 7 the Fish and Wildlife Conservation Commission;
 8 amending s. 379.4015, F.S.; conforming provisions to
 9 changes made by the act; providing an effective date.

10

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

12

13 Section 1. Subsection (2) of section 379.305, Florida
 14 Statutes, is amended, and subsections (3) and (4) are added to
 15 that section, to read:

16 379.305 Rules and regulations; penalties.—

17 (2) A person who knowingly releases a nonnative ~~venomous~~
 18 ~~reptile or~~ reptile of concern ~~to the wild~~ or who through gross
 19 negligence allows a nonnative ~~venomous reptile or~~ reptile of
 20 concern to escape commits a Level Three violation, punishable as
 21 provided in s. 379.4015.

22 (3) A person who knowingly releases a venomous reptile or
 23 who through gross negligence allows a venomous reptile to escape
 24 commits a Level Four violation, punishable as provided in s.
 25 379.4015.

26 (4) A person who knowingly purchases, sells, attempts to
 27 sell, offers to sell, conspires to sell, barter, exchanges,
 28 trades, or imports for sale or use, any venomous reptile species
 29 without having first obtained a special permit or license from
 30 the commission as provided in s. 379.372 commits a Level Four
 31 violation, punishable as provided in s. 379.4015.

32 Section 2. Paragraph (a) of subsection (2), paragraph (a)
 33 of subsection (3), and subsection (4) of section 379.4015,
 34 Florida Statutes, are amended to read:

35 379.4015 Nonnative and captive wildlife penalties.—

36 (2) LEVEL TWO.—Unless otherwise provided by law, the
 37 following classifications and penalties apply:

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

40 1. Unless otherwise stated in subsection (1), rules or
 41 orders of the commission that require a person to pay a fee to
 42 obtain a permit to possess captive wildlife or that require the
 43 maintenance of records relating to captive wildlife.

44 2. Rules or orders of the commission relating to captive
 45 wildlife not specified in subsection (1), ~~or~~ subsection (3), or
 46 subsection (4).

47 3. Rules or orders of the commission that require housing
 48 of wildlife in a safe manner when a violation results in an
 49 escape of wildlife other than Class I wildlife or venomous
 50 reptiles.

51 4. Rules or orders of the commission relating to wild
52 animal life identified by commission rule as either conditional
53 species or prohibited species.

54 5. Section 379.372, relating to capturing, keeping,
55 possessing, transporting, or exhibiting venomous reptiles,
56 reptiles of concern, conditional reptiles, or prohibited
57 reptiles.

58 6. Section 379.373, relating to requiring a license or
59 permit for the capturing, keeping, possessing, or exhibiting of
60 venomous reptiles or reptiles of concern.

61 7. Section 379.374, relating to bonding requirements for
62 public exhibits of venomous reptiles.

63 8. Section 379.305, relating to commission rules and
64 regulations to prevent the escape of venomous reptiles or
65 reptiles of concern.

66 9. Section 379.304, relating to exhibition or sale of
67 wildlife.

68 10. Section 379.3761, relating to exhibition or sale of
69 wildlife.

70 11. Section 379.3762, relating to personal possession of
71 wildlife.

72 (3) LEVEL THREE.—Unless otherwise provided by law, the
73 following classifications and penalties apply:

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

HB 1161

2023

76 1. Rules or orders of the commission that require housing
77 of wildlife in a safe manner when a violation results in an
78 escape of Class I wildlife or venomous reptiles.

79 2. Rules or orders of the commission related to captive
80 wildlife when the violation results in serious bodily injury to
81 another person by captive wildlife that consists of a physical
82 condition that creates a substantial risk of death, serious
83 personal disfigurement, or protracted loss or impairment of the
84 function of any bodily member or organ.

85 3. Rules or orders of the commission relating to the use
86 of gasoline or other chemical or gaseous substances on wildlife.

87 4. Rules or orders of the commission prohibiting the
88 release of wildlife for which only conditional possession is
89 allowed.

90 5. Rules or orders of the commission prohibiting knowingly
91 entering false information on an application for a license or
92 permit when the license or permit is to possess wildlife in
93 captivity.

94 6. Rules or orders of the commission relating to the
95 illegal importation and possession of nonnative marine plants
96 and animals.

97 7. Rules or orders of the commission relating to the
98 importation, possession, or release of fish and wildlife for
99 which possession is prohibited.

100 8. Section 379.231, relating to illegal importation or

HB 1161

2023

101 release of nonnative wildlife.

102 9. Section 379.305, relating to release or escape of
103 nonnative ~~venomous reptiles or~~ reptiles of concern.

104 (4) LEVEL FOUR.—Unless otherwise provided by law, the
105 following classifications and penalties apply:

106 (a) A person commits a Level Four violation if he or she
107 violates any Level Three provision after the permanent
108 revocation of a license or permit.

109 (b) A person who commits any offense classified as a Level
110 Four violation commits a felony of the third degree, punishable
111 as provided in s. 775.082 or s. 775.083.

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

114 1. Section 379.305(3), relating to release or escape of
115 venomous reptiles.

116 2. Section 379.305(4), relating to purchase, sale, attempt
117 to sell, offer for sale, conspiracy to sell, barter, exchange,
118 trade, or import for sale or use of any species of venomous
119 reptile.

120 Section 3. This act shall take effect July 1, 2023.