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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2023	.	
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The Committee on Criminal Justice (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 22 - 114  
and insert:

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

(4) A person who knowingly purchases, sells, attempts to sell, offers to sell, conspires to sell, barter, exchanges,



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11 trades, or imports for sale or use any venomous reptile species  
12 without having first obtained a special permit or license from  
13 the commission as provided in s. 379.372 commits a Level Four  
14 violation, punishable as provided in s. 379.4015.

15 Section 2. Paragraph (a) of subsection (2), paragraph (a)  
16 of subsection (3), and subsection (4) of section 379.4015,  
17 Florida Statutes, are amended to read:

18 379.4015 Nonnative and captive wildlife penalties.—

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

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

23 1. Unless otherwise stated in subsection (1), rules or  
24 orders of the commission that require a person to pay a fee to  
25 obtain a permit to possess captive wildlife or that require the  
26 maintenance of records relating to captive wildlife.

27 2. Rules or orders of the commission relating to captive  
28 wildlife not specified in subsection (1), ~~or~~ subsection (3), or  
29 subsection (4).

30 3. Rules or orders of the commission that require housing  
31 of wildlife in a safe manner when a violation results in an  
32 escape of wildlife other than Class I wildlife or venomous  
33 reptiles.

34 4. Rules or orders of the commission relating to wild  
35 animal life identified by commission rule as either conditional  
36 species or prohibited species.

37 5. Section 379.372, relating to capturing, keeping,  
38 possessing, transporting, or exhibiting venomous reptiles,  
39 reptiles of concern, conditional reptiles, or prohibited



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40 reptiles.

41 6. Section 379.373, relating to requiring a license or  
42 permit for the capturing, keeping, possessing, or exhibiting of  
43 venomous reptiles or reptiles of concern.

44 7. Section 379.374, relating to bonding requirements for  
45 public exhibits of venomous reptiles.

46 8. Section 379.305, relating to commission rules and  
47 regulations to prevent the escape of venomous reptiles or  
48 reptiles of concern.

49 9. Section 379.304, relating to exhibition or sale of  
50 wildlife.

51 10. Section 379.3761, relating to exhibition or sale of  
52 wildlife.

53 11. Section 379.3762, relating to personal possession of  
54 wildlife.

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

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

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

62 2. Rules or orders of the commission related to captive  
63 wildlife when the violation results in serious bodily injury to  
64 another person by captive wildlife that consists of a physical  
65 condition that creates a substantial risk of death, serious  
66 personal disfigurement, or protracted loss or impairment of the  
67 function of any bodily member or organ.

68 3. Rules or orders of the commission relating to the use of



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69 gasoline or other chemical or gaseous substances on wildlife.

70 4. Rules or orders of the commission prohibiting the  
71 release of wildlife for which only conditional possession is  
72 allowed.

73 5. Rules or orders of the commission prohibiting knowingly  
74 entering false information on an application for a license or  
75 permit when the license or permit is to possess wildlife in  
76 captivity.

77 6. Rules or orders of the commission relating to the  
78 illegal importation and possession of nonnative marine plants  
79 and animals.

80 7. Rules or orders of the commission relating to the  
81 importation, possession, or release of fish and wildlife for  
82 which possession is prohibited.

83 8. Section 379.231, relating to illegal importation or  
84 release of nonnative wildlife.

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

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

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

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

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

97 1. Section 379.305(3), relating to release or escape of



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98 nonnative

99

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

101 And the title is amended as follows:

102       Delete line 4

103 and insert:

104       release or escape of nonnative venomous reptiles;

105       providing a