

By the Committee on Criminal Justice; and Senators Rodriguez and Stewart

591-03481-23

20231266c1

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 nonnative venomous reptiles;  
5 providing a penalty for specified activities involving  
6 venomous reptiles without a special permit or license  
7 issued by the Fish and Wildlife Conservation  
8 Commission; amending s. 379.4015, F.S.; conforming  
9 provisions to changes made by the act; providing an  
10 effective date.

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

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

17 379.305 Rules and regulations; penalties.—

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

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

27 (4) A person who knowingly purchases, sells, attempts to  
28 sell, offers to sell, conspires to sell, barter, exchanges,  
29 trades, or imports for sale or use any venomous reptile species

591-03481-23

20231266c1

30 without having first obtained a special permit or license from  
31 the commission as provided in s. 379.372 commits a Level Four  
32 violation, punishable as provided in s. 379.4015.

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

36 379.4015 Nonnative and captive wildlife penalties.—

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

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

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

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

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

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

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

591-03481-23

20231266c1

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

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

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

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

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

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

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

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

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

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

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

591-03481-23

20231266c1

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

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

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

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

101 8. Section 379.231, relating to illegal importation or  
102 release of nonnative wildlife.

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

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

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

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

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

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

591-03481-23

20231266c1

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

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