

By Senator Garcia

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A bill to be entitled
An act relating to taking and exporting aquatic animal
species; providing a short title; creating s.
379.24312, F.S.; defining terms; prohibiting the
taking, possession, transportation, or exportation of
endangered, threatened, or vulnerable aquatic animal
species from state waters for certain purposes;
prohibiting the Fish and Wildlife Conservation
Commission from issuing, renewing, or approving
certain licenses; providing penalties; providing
construction; amending s. 379.401, F.S.; conforming a
provision to changes made by the act; providing an
effective date.

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

Section 1. This act may be cited as the "Marine and Aquatic
Native Threatened Animal Protection Act."

Section 2. Section 379.24312, Florida Statutes, is created
to read:

379.24312 Marine and aquatic native threatened animal
protections.—

(1) As used in this section, the term:

(a) "Aquatic animal" means any vertebrate or invertebrate
animal species, subspecies, or distinct population segment that
inhabits state waters.

(b) "Endangered, threatened, or vulnerable species" means
any species included on the official Florida list of endangered
and threatened species maintained by the commission or

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30 classified as endangered or vulnerable in the International
31 Union for Conservation of Nature's Red List of Threatened
32 Species.

33 (c) "Exhibition or educational purposes" means the holding,
34 displaying, transporting, or maintaining of specimens for public
35 display, exhibition, research, or education, including
36 activities authorized under a special activity license issued by
37 the commission.

38 (2) A person may not take, attempt to take, possess,
39 transport, or export any endangered, threatened, or vulnerable
40 aquatic animal species from state waters for exhibition or
41 educational purposes.

42 (3) The commission may not issue, renew, or approve a
43 special activity license or other authorization that would allow
44 the taking of any endangered, threatened, or vulnerable aquatic
45 animal species from state waters for purposes prohibited in
46 subsection (2).

47 (4) A person who violates this section commits a Level Four
48 violation under s. 379.401. Each individual animal taken or
49 exported in violation of this section constitutes a separate
50 offense.

51 (5)(a) This section does not prohibit or restrict the
52 rescue, rehabilitation, or scientific study of aquatic animal
53 species when such activities are conducted under state or
54 federal authorization consistent with the Endangered Species Act
55 and applicable commission rules.

56 (b) Nothing in this section shall be construed to limit
57 federal authority under the Endangered Species Act, the
58 Magnuson-Stevens Fishery Conservation and Management Act, or the

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Convention on International Trade in Endangered Species of Wild
Fauna and Flora.

Section 3. Paragraph (a) of subsection (4) of section
379.401, Florida Statutes, is amended to read:

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

(4) LEVEL FOUR VIOLATIONS.—

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

1. Section 379.24312, prohibiting the taking, attempted
taking, possession, transport, or export of certain aquatic
animals for exhibition or educational purposes.

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

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

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

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

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

7.6. Section 379.404(5), prohibiting the sale of illegally
taken deer or wild turkey.

8.7. Section 379.4041(2), prohibiting the sale of illegally
taken bears.

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88 9.8. Section 379.405, prohibiting the molestation or theft
89 of freshwater fishing gear.

90 10.9. Section 379.409, prohibiting the unlawful killing,
91 injuring, possessing, or capturing of alligators or other
92 crocodilia or their eggs.

93 11.10. Section 379.411, prohibiting the intentional killing
94 or wounding of any species designated as endangered, threatened,
95 or of special concern.

96 12.11. Section 379.4115, prohibiting the killing of any
97 Florida or wild panther.

98 Section 4. This act shall take effect July 1, 2026.