



683830

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/14/2017	.	
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The Committee on Environmental Preservation and Conservation  
(Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 379.2426, Florida Statutes, is created  
to read:

379.2426 Possession of separated shark fins on the water  
prohibited; penalties.-

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

(a) "Land" means the physical act of bringing a harvested



683830

11 organism, or any part thereof, ashore.

12 (b) "Shark" means any of the species from the superorder  
13 *Selachimorpha*.

14 (c) "Shark fin" means the detached fin of a shark,  
15 including the caudal or tail fin, or any portion thereof.

16 (2) A person may not possess in or on the waters of this  
17 state a shark fin that has been separated from a shark or land a  
18 separated shark fin in this state, unless:

19 (a) Such possession is authorized by commission rule; or

20 (b) Such fin has been lawfully obtained on land, prepared  
21 by taxidermy, and is possessed for the purposes of display.

22 (3) A commercial harvester who commits a violation of this  
23 section is subject to the following penalties:

24 (a) For a first violation, a misdemeanor of the second  
25 degree, punishable as provided in s. 775.082 or s. 775.083. In  
26 addition, the commission shall assess an administrative fine of  
27 \$5,000 and suspend all of the harvester's saltwater license  
28 privileges under this chapter for 180 days.

29 (b) For a second violation, a misdemeanor of the second  
30 degree, punishable as provided in s. 775.082 or s. 775.083. In  
31 addition, the commission shall assess an administrative fine of  
32 \$10,000 and suspend all of the harvester's saltwater license  
33 privileges under this chapter for 180 days.

34 (c) For a third and any subsequent violations, a  
35 misdemeanor of the first degree, punishable as provided in s.  
36 775.082 or s. 775.083. In addition, the commission shall assess  
37 an administrative fine of \$10,000 and permanently revoke all of  
38 the harvester's saltwater license privileges under this chapter.

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683830

40 While his or her saltwater license privileges are under  
41 suspension or revocation pursuant to this subsection, a person  
42 may not participate in the taking or harvesting, or attempt the  
43 taking or harvesting, of saltwater products from any vessel  
44 within the waters of the state; be aboard any vessel on which a  
45 commercial quantity of saltwater products is possessed through  
46 an activity requiring a license pursuant to this chapter; or  
47 engage in any other activity requiring a license, permit, or  
48 certificate issued pursuant to this chapter.

49 (4) A person in violation of this section who is not a  
50 commercial harvester is subject to the following penalties:

51 (a) For a first violation, a misdemeanor of the second  
52 degree, punishable as provided in s. 775.082 or s. 775.083. In  
53 addition, the commission shall assess an administrative fine of  
54 up \$5,000.

55 (b) For a second violation, a misdemeanor of the first  
56 degree, punishable as provided in s. 775.082 or s. 775.083. In  
57 addition, the commission shall assess an administrative fine of  
58 up to \$10,000.

59 (c) For a third and any subsequent violations, a  
60 misdemeanor of the first degree, punishable as provided in s.  
61 775.082 or s. 775.083. In addition, the commission shall assess  
62 an administrative fine of no less than \$5,000, but not more than  
63 \$10,000.

64 Section 2. This act shall take effect October 1, 2017.

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

67 And the title is amended as follows:

68 Delete everything before the enacting clause



683830

69 and insert:

70                                   A bill to be entitled  
71           An act relating to shark fins; creating s. 379.2426,  
72           F.S.; defining terms; prohibiting persons from  
73           possessing separated shark fins except under certain  
74           conditions; providing penalties; prohibiting persons  
75           with suspended or revoked saltwater license privileges  
76           from engaging in certain activities; providing an  
77           effective date.