

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Hutson

576-03507-17

2017884c2

1 A bill to be entitled  
2 An act relating to shark fins; creating s. 379.2426,  
3 F.S.; defining terms; prohibiting persons from  
4 possessing separated shark fins except under certain  
5 conditions; providing penalties; prohibiting persons  
6 with suspended or revoked license privileges from  
7 engaging in certain activities; providing an effective  
8 date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Section 379.2426, Florida Statutes, is created  
13 to read:

14 379.2426 Possession of separated shark fins on the water  
15 prohibited; penalties.-

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

17 (a) "Land" means the physical act of bringing a harvested  
18 organism, or any part thereof, ashore.

19 (b) "Shark" means any species of the orders  
20 Carcharhiniiformes, Lamniformes, Hexanchiiformes,  
21 Orectolobiiformes, Pristiophoriiformes, Squaliformes,  
22 Squatiniiformes, or any part thereof.

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

25 (d) "Separated," with respect to a shark fin, means not  
26 naturally attached to the corresponding shark body through some  
27 portion of uncut skin.

28 (2) A person may not possess in or on the waters of this  
29 state a shark fin that has been separated from a shark or land a

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30 separated shark fin in this state, unless:

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

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

34 (3) A person who violates this section is subject to the  
35 following penalties:

36 (a) For a first violation, a misdemeanor of the second  
37 degree, punishable as provided in s. 775.082 or s. 775.083. In  
38 addition, the commission shall assess an administrative fine of  
39 \$4,500 and suspend all of the person's license privileges under  
40 this chapter for 180 days.

41 (b) For a second violation, a misdemeanor of the second  
42 degree, punishable as provided in s. 775.082 or s. 775.083. In  
43 addition, the commission shall assess an administrative fine of  
44 \$9,500 and suspend all of the person's license privileges under  
45 this chapter for 365 days.

46 (c) For a third and any subsequent violation, a misdemeanor  
47 of the first degree, punishable as provided in s. 775.082 or s.  
48 775.083. In addition, the commission shall assess an  
49 administrative fine of \$9,500 and permanently revoke all of the  
50 person's license privileges under this chapter.

51  
52 While his or her license privileges are under suspension or  
53 revocation pursuant to this subsection, a person may not  
54 participate in the taking or harvesting, or attempt the taking  
55 or harvesting, of saltwater products from any vessel within the  
56 waters of the state; be aboard any vessel on which a commercial  
57 quantity of saltwater products is possessed through an activity  
58 requiring a license pursuant to this chapter; or engage in any

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59 other activity requiring a license, permit, or certificate  
60 issued pursuant to this chapter.

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