A bill to be entitled
An act relating to shark fins; amending s. 379.2426, F.S.; prohibiting the import, export, and sale of shark fins; providing applicability; providing an effective date.

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

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

379.2426 Possession, import, export, and sale 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 organism, or any part thereof, ashore.

(b) "Shark" means any species of the orders Carcharhiniformes, Lamniformes, Hexanchiformes, Orectolobiformes, Pristiophoriformes, Squaliformes, Squatiniformes, or any part thereof.

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

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

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

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

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

(3) Notwithstanding any other law, the import, export, and
sale of shark fins is prohibited and nothing in this section
authorizes such activities.

(4) A person who violates this section is subject to
the following penalties:

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

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

(c) For a third and any subsequent violation, a
misdemeanor of the first degree, punishable as provided in s.
775.082 or s. 775.083. In addition, the commission shall assess
an administrative fine of $9,500 and permanently revoke all of
the person's license privileges under this chapter.
While his or her license privileges are under suspension or revocation pursuant to this subsection, a person may not participate in the taking or harvesting, or attempt the taking or harvesting, of saltwater products from any vessel within the waters of the state; be aboard any vessel on which a commercial quantity of saltwater products is possessed through an activity requiring a license pursuant to this chapter; or engage in any other activity requiring a license, permit, or certificate issued pursuant to this chapter.

(5) The prohibition of the export and sale of shark fins under subsection (3) does not apply to commercial fishermen who hold a valid federal shark fishing permit on January 1, 2020, or to seafood dealers who harvest and possess sharks, shark fins, and associated shark products that are legally landed, handled, processed, and transported. This subsection expires on January 1, 2025.

Section 2. This act shall take effect October 1, 2020.