

By the Committee on Environment and Natural Resources; and
Senators Hutson, Gruters, Stewart, Berman, and Book

592-03056-20

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

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

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

10 379.2426 Regulation ~~Possession~~ of ~~separated~~ shark fins ~~on~~
11 ~~the water prohibited~~; penalties.—

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

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

15 (b) "Shark" means any species of the orders
16 *Carcharhiniformes*, *Lamniformes*, *Hexanchiformes*,
17 *Orectolobiformes*, *Pristiophoriformes*, *Squaliformes*,
18 *Squatiniiformes*, or any part thereof.

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

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

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

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

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

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30 (3) The import to and export from this state of shark fins
31 is prohibited.

32 ~~(4)(3)~~ A person who violates this section is subject to the
33 following penalties:

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

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

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

49
50 While his or her license privileges are under suspension or
51 revocation pursuant to this subsection, a person may not
52 participate in the taking or harvesting, or attempt the taking
53 or harvesting, of saltwater products from any vessel within the
54 waters of the state; be aboard any vessel on which a commercial
55 quantity of saltwater products is possessed through an activity
56 requiring a license pursuant to this chapter; or engage in any
57 other activity requiring a license, permit, or certificate
58 issued pursuant to this chapter.

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