

1 A bill to be entitled
2 An act relating to fish and wildlife activities;
3 amending s. 379.105, F.S.; prohibiting certain
4 harassment of hunters, trappers, and fishers within or
5 on public lands or publicly or privately owned
6 wildlife and fish management areas, or in or on public
7 waters; amending s. 379.354, F.S.; authorizing the
8 Fish and Wildlife Conservation Commission to designate
9 additional annual free freshwater and saltwater
10 fishing days; amending s. 379.372, F.S.; prohibiting
11 the keeping, possessing, importing, selling,
12 bartering, trading, or breeding of certain species
13 except for educational or research purposes; providing
14 an exemption from the sales and use tax for the retail
15 sale of certain hunting, fishing, and camping supplies
16 during a specified period; providing definitions;
17 specifying locations where the exemptions do not
18 apply; authorizing certain dealers to opt out of
19 participating in the exemptions, subject to certain
20 conditions; authorizing the Department of Revenue to
21 adopt emergency rules; providing an appropriation;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
25

26 Section 1. Subsection (1) of section 379.105, Florida
 27 Statutes, is amended to read:

28 379.105 Harassment of hunters, trappers, or fishers.—

29 (1) A person may not intentionally, within or on any
 30 public lands or a publicly or privately owned wildlife
 31 management and ~~or~~ fish management areas, ~~area~~ or in or on any
 32 public waters ~~state-owned water body~~:

33 (a) Interfere with or attempt to prevent the lawful taking
 34 of fish, game, or nongame animals by another within or on such
 35 lands or areas, or in or on such waters.

36 (b) Attempt to disturb fish, game, or nongame animals or
 37 attempt to affect their behavior with the intent to prevent
 38 their lawful taking by another within or on such lands or areas,
 39 or in or on such waters.

40 Section 2. Subsection (15) of section 379.354, Florida
 41 Statutes, is amended to read:

42 379.354 Recreational licenses, permits, and authorization
 43 numbers; fees established.—

44 (15) FREE FISHING DAYS.—The commission may designate by
 45 rule no more than 6 ~~4~~ consecutive or nonconsecutive days in each
 46 year as free freshwater fishing days and no more than 6 ~~4~~
 47 consecutive or nonconsecutive days in each year as free
 48 saltwater fishing days. Notwithstanding any other provision of
 49 this chapter, a ~~any~~ person may take freshwater fish for
 50 noncommercial purposes on a free freshwater fishing day and may

51 take saltwater fish for noncommercial purposes on a free
52 saltwater fishing day, without obtaining or possessing a license
53 or permit or paying a license or permit fee as set forth
54 ~~prescribed~~ in this section. A person who takes freshwater or
55 saltwater fish on a free fishing day must comply with all laws,
56 rules, and regulations governing the holders of a fishing
57 license or permit and all other conditions and limitations
58 regulating the taking of freshwater or saltwater fish as are
59 imposed by law or rule.

60 Section 3. Paragraph (a) of subsection (2) of section
61 379.372, Florida Statutes, is amended to read:

62 379.372 Capturing, keeping, possessing, transporting, or
63 exhibiting venomous reptiles, reptiles of concern, conditional
64 reptiles, or prohibited reptiles; license required.—

65 (2) (a) A ~~No~~ person, party, firm, association, or
66 corporation may not ~~shall~~ keep, possess, import into the state,
67 sell, barter, trade, or breed the following species except for
68 educational or research purposes ~~personal use or for sale for~~
69 ~~personal use~~:

- 70 1. Burmese or Indian python (*Python molurus*).
- 71 2. Reticulated python (*Python reticulatus*).
- 72 3. Northern African python (*Python sebae*).
- 73 4. Southern African python (*Python natalensis*).
- 74 5. Amethystine or scrub python (*Morelia amethystinus*).
- 75 6. Green Anaconda (*Eunectes murinus*).

76 | 7. Nile monitor (*Varanus niloticus*).

77 | 8. Green iguana (*Iguana iguana*).

78 | 9. Black and white tegu (*Salvator merianae*).

79 | ~~10.8.~~ Any other reptile designated as a conditional or
80 | prohibited species by the commission.

81 | Section 4. Hunting, fishing, and camping supplies; sales
82 | tax holiday.—

83 | (1) The tax levied under chapter 212, Florida Statutes,
84 | may not be collected during the period from 12:01 a.m. on
85 | September 5, 2020, through 11:59 p.m. on September 5, 2020, on
86 | the retail sale, as defined in s. 212.02(14), Florida Statutes,
87 | of:

88 | (a) Firearms. As used in this section, the term "firearms"
89 | means rifles, shotguns, spearguns, crossbows, and bows. The term
90 | does not include destructive devices as defined in s.
91 | 790.001(4), Florida Statutes.

92 | (b) Ammunition for firearms.

93 | (c) Fishing supplies. As used in this section, the term
94 | "fishing supplies" means rods, reels, bait, and fishing tackle.
95 | The term does not include supplies used for commercial fishing
96 | purposes.

97 | (d) Camping tents.

98 | (2) The tax exemption provided in this section does not
99 | apply to sales within a theme park or entertainment complex as
100 | defined in s. 509.013(9), Florida Statutes, within a public

101 lodging establishment as defined in s. 509.013(4), Florida
102 Statutes, or within an airport as defined in s. 330.27(2),
103 Florida Statutes.

104 (3) The tax exemptions provided in this section may apply
105 at the option of a dealer if less than 5 percent of the dealer's
106 gross sales of tangible personal property in the prior calendar
107 year are comprised of items that would be exempt under this
108 section. If a qualifying dealer chooses not to participate in
109 the tax holiday, by September 1, 2020, the dealer must notify
110 the Department of Revenue in writing of its election to collect
111 sales tax during the holiday and must post a copy of that notice
112 in a conspicuous location at its place of business.

113 (4) The Department of Revenue may, and all conditions are
114 deemed to be met to, adopt emergency rules to administer this
115 section. Notwithstanding any other law, emergency rules adopted
116 pursuant to this subsection are effective for 6 months after
117 adoption and may be renewed during the pendency of procedures to
118 adopt permanent rules addressing the subject of the emergency
119 rules.

120 (5) For the 2020-2021 fiscal year, the sum of \$237,000 in
121 nonrecurring funds is appropriated from the General Revenue Fund
122 to the Department of Revenue for the purpose of implementing
123 this section. Funds remaining unexpended or unencumbered from
124 this appropriation as of June 30, 2021, shall revert and be
125 reappropriated for the same purpose in the 2021-2022 fiscal

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126 | year.

127 | Section 5. This act shall take effect July 1, 2020.