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1  
2 An act relating to the Fish and Wildlife Conservation  
3 Commission; amending ss. 327.37, 327.39, and 327.50,  
4 F.S.; requiring that personal floatation devices be  
5 used in accordance with the United States Coast Guard  
6 approval label during operation of certain vessels or  
7 personal watercraft or while engaged in water skiing,  
8 parasailing, aquaplaning, and similar activities;  
9 reenacting s. 327.50(1)(a), F.S., relating to vessel  
10 safety equipment, to incorporate changes to federal  
11 regulations; amending s. 379.223, F.S.; authorizing  
12 citizen support organizations to receive funds from  
13 the commission if the organization provides services  
14 by contract under certain circumstances; amending s.  
15 379.3012, F.S.; conforming provisions relating to  
16 implementation of the alligator management and  
17 trapping program to changes made by the act; amending  
18 s. 379.357, F.S.; revising the time period for which  
19 tarpon tags are valid; removing provisions requiring  
20 tax collectors to submit unissued tarpon tags and  
21 audit reports to the commission; removing provisions  
22 requiring individuals to submit information regarding  
23 landed tarpon to the commission; amending s. 379.361,  
24 F.S.; removing criteria for issuance of restricted  
25 species endorsements on saltwater products licenses;  
26 amending s. 379.364, F.S.; removing provisions



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27 requiring dealers and buyers of certain hides and furs  
28 to submit reports to the commission; removing  
29 provisions prohibiting the shipment of hides or furs  
30 without specified information; amending s. 379.3751,  
31 F.S.; removing provisions authorizing the commission  
32 to limit the number of participants engaged in the  
33 taking of alligators or their eggs; exempting certain  
34 persons from alligator trapping license requirements  
35 and fees; providing that certain permitholders engaged  
36 in the taking of alligators are not required to  
37 possess management area permits; amending s. 379.3752,  
38 F.S.; removing provisions requiring alligator hide  
39 validation tags to be affixed to the hide of any  
40 alligator taken from the wild; revising provisions  
41 requiring the commission to transfer certain revenues  
42 for alligator husbandry research; requiring the  
43 commission to transfer funds, contingent upon certain  
44 appropriations, from the alligator management program  
45 to the General Inspection Trust Fund for the purpose  
46 of providing marketing and education services  
47 regarding alligator products produced in this state;  
48 removing provisions authorizing the commission to  
49 limit the number of tags available for alligators  
50 taken pursuant to a collection permit; amending s.  
51 379.401, F.S.; conforming provisions to changes made  
52 by the act; creating s. 379.412, F.S.; providing



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53 penalties for the feeding of wildlife and freshwater  
 54 fish; providing applicability; defining the term  
 55 "violation"; repealing s. 379.3011, F.S., relating to  
 56 the alligator trapping program; repealing s. 379.3013,  
 57 F.S., relating to alligator study requirements;  
 58 repealing s. 379.3016, F.S., relating to the unlawful  
 59 sale of alligator products; repealing s. 379.3017,  
 60 F.S., relating to products derived or made from the  
 61 skins of other crocodilia; providing an effective  
 62 date.

63

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

65

66 Section 1. Paragraph (b) of subsection (2) of section  
 67 327.37, Florida Statutes, is amended to read:

68 327.37 Water skis, parasails, aquaplanes, kiteboarding,  
 69 kitesurfing, and moored ballooning regulated.—

70 (2)

71 (b) A person may not engage in water skiing, parasailing,  
 72 aquaplaning, or any similar activity unless such person is  
 73 wearing a noninflatable ~~type I, type II, type III, or type V~~  
 74 personal flotation device currently approved by the United  
 75 States Coast Guard and used in accordance with the United States  
 76 Coast Guard approval label.

77 Section 2. Subsection (1) of section 327.39, Florida  
 78 Statutes, is amended to read:



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79 | 327.39 Personal watercraft regulated.—

80 | (1) A person may not operate a personal watercraft unless  
 81 | each person riding on or being towed behind such vessel is  
 82 | wearing a ~~type I, type II, type III, or type V~~ personal  
 83 | flotation device, other than an inflatable device, currently  
 84 | approved by the United States Coast Guard and used in accordance  
 85 | with the United States Coast Guard approval label.

86 | Section 3. Paragraph (b) of subsection (1) of section  
 87 | 327.50, Florida Statutes, is amended, and paragraph (a) of that  
 88 | subsection is reenacted, to read:

89 | 327.50 Vessel safety regulations; equipment and lighting  
 90 | requirements.—

91 | (1) (a) The owner and operator of every vessel on the  
 92 | waters of this state shall carry, store, maintain, and use  
 93 | safety equipment in accordance with current United States Coast  
 94 | Guard safety equipment requirements as specified in the Code of  
 95 | Federal Regulations, unless expressly exempted by the  
 96 | department.

97 | (b) A ~~No~~ person may not ~~shall~~ operate a vessel less than  
 98 | 26 feet in length on the waters of this state unless every  
 99 | person under 6 years of age on board the vessel is wearing a  
 100 | ~~type I, type II, or type III Coast Guard approved~~ personal  
 101 | flotation device currently approved by the United States Coast  
 102 | Guard and used in accordance with the United States Coast Guard  
 103 | approval label while such vessel is underway. For the purpose of  
 104 | this section, "underway" means ~~shall mean~~ at all times except



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105 | when a vessel is anchored, moored, made fast to the shore, or  
106 | aground.

107 |       Section 4. Paragraph (b) of subsection (1) of section  
108 | 379.223, Florida Statutes, is amended to read:

109 |       379.223 Citizen support organizations; use of state  
110 | property; audit.—

111 |       (1) The Fish and Wildlife Conservation Commission may  
112 | authorize the establishment of citizen support organizations to  
113 | provide assistance, funding, and promotional support for the  
114 | programs of the commission. For purposes of this section, the  
115 | term "citizen support organization" means an organization which:

116 |       (b) Is organized and operated to conduct programs and  
117 | activities; raise funds; request and receive grants, gifts, and  
118 | bequests of money; acquire, receive, hold, invest, and  
119 | administer in its own name securities, funds, or real or  
120 | personal property; and make expenditures for the benefit of the  
121 | commission or an individual program unit of the commission;  
122 | except that such organization may not receive funds from the  
123 | commission or the Fish and Wildlife Research Institute by grant  
124 | ~~or, gift, or contract~~ unless specifically authorized by the  
125 | Legislature. If the citizen support organization by contract  
126 | provides fiscal and administrative services to the commission  
127 | for a grant or program that benefits the commission, the  
128 | organization may be reimbursed or compensated for such services  
129 | by the commission if the services are a direct benefit to the  
130 | commission.



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131 Section 5. Section 379.3012, Florida Statutes, is amended  
132 to read:

133 379.3012 Alligator management ~~and trapping~~ program  
134 implementation; commission authority.—

135 ~~(1) In any alligator management and trapping program that~~  
136 ~~the Fish and Wildlife Conservation Commission shall establish,~~  
137 ~~the commission shall have the authority to adopt all rules~~  
138 ~~necessary for full and complete implementation of such alligator~~  
139 ~~management and trapping program, and, in order to ensure its~~  
140 ~~lawful, safe, and efficient operation in accordance therewith,~~  
141 ~~may:~~

142 ~~(a) Regulate the marketing and sale of alligators, their~~  
143 ~~hides, eggs, meat, and byproducts, including the development and~~  
144 ~~maintenance of a state-sanctioned sale.~~

145 ~~(b) Regulate the handling and processing of alligators,~~  
146 ~~their eggs, hides, meat, and byproducts, for the lawful, safe,~~  
147 ~~and sanitary handling and processing of same.~~

148 ~~(c) Regulate commercial alligator farming facilities and~~  
149 ~~operations for the captive propagation and rearing of alligators~~  
150 ~~and their eggs.~~

151 ~~(d) Provide hide-grading services by two or more~~  
152 ~~individuals pursuant to state-sanctioned sales if rules are~~  
153 ~~first promulgated by the commission governing:~~

154 1. ~~All grading-related services to be provided pursuant to~~  
155 ~~this section;~~

156 2. ~~Criteria for qualifications of persons to serve as~~



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157 ~~hide graders for grading services to be provided pursuant to~~  
 158 ~~this section; and~~

159 ~~3. The certification process by which hide graders~~  
 160 ~~providing services pursuant to this section will be certified.~~

161 ~~(c) Provide sales-related services by contract pursuant to~~  
 162 ~~state-sanctioned sales if rules governing such services are~~  
 163 ~~first promulgated by the commission.~~

164 ~~(2) All contractors of the commission for the grading,~~  
 165 ~~marketing, and sale of alligators and their hides, eggs, meat,~~  
 166 ~~and byproducts shall not engage in any act constituting a~~  
 167 ~~conflict of interest under part III of chapter 112.~~

168 ~~(3) The powers and duties of the commission to implement~~  
 169 ~~the alligator management program do hereunder shall not be~~  
 170 ~~construed so as to supersede the regulatory authority or lawful~~  
 171 ~~responsibility of the Department of Agriculture and Consumer~~  
 172 ~~Services, the Department of Health, or any local governmental~~  
 173 ~~entity regarding the processing or handling of food products,~~  
 174 ~~but are shall be deemed supplemental thereto.~~

175 Section 6. Subsections (1) and (3) of section 379.357,  
 176 Florida Statutes, are amended to read:

177 379.357 Fish and Wildlife Conservation Commission license  
 178 program for tarpon; fees; penalties.—

179 (1) The commission shall establish a license program for  
 180 the purpose of issuing tags to individuals desiring to harvest  
 181 fish of the species *Megalops atlanticus*, commonly known as  
 182 tarpon, ~~(megalops atlantica)~~ from the waters of the state. The



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183 tags shall be nontransferable, except that the commission may  
184 allow for a limited number of tags to be purchased by  
185 professional fishing guides for transfer to individuals, and  
186 issued by the commission in order of receipt of a properly  
187 completed application for a nonrefundable fee of \$50 per tag.  
188 The commission and any tax collector may sell the tags and  
189 collect the fees therefor. Tarpon tags are valid from January  
190 July 1 through December 31 ~~June 30. Before August 15 of each~~  
191 ~~year, each tax collector shall submit to the commission all~~  
192 ~~unissued tags for the previous fiscal year along with a written~~  
193 ~~audit report, on forms prescribed or approved by the commission,~~  
194 ~~as to the numbers of the unissued tags.~~ To defray the cost of  
195 issuing any tag, the issuing tax collector shall collect and  
196 retain as his or her costs, in addition to the tag fee  
197 collected, the amount allowed under s. 379.352(6) for the  
198 issuance of licenses.

199 (3) An ~~No~~ individual may not ~~shall~~ take, kill, or possess  
200 any fish of the species Megalops atlanticus ~~megalops atlantica~~,  
201 commonly known as tarpon, unless the ~~such~~ individual has  
202 purchased a tarpon tag and securely attached it through the  
203 lower jaw of the fish. ~~Said individual shall within 5 days after~~  
204 ~~the landing of the fish submit a form to the commission which~~  
205 ~~indicates the length, weight, and physical condition of the~~  
206 ~~tarpon when caught; the date and location of where the fish was~~  
207 ~~caught; and any other pertinent information which may be~~  
208 ~~required by the commission. The commission may refuse to issue~~





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209 ~~new tags to individuals or guides who fail to provide the~~  
210 ~~required information.~~

211 Section 7. Paragraph (b) of subsection (2) of section  
212 379.361, Florida Statutes, is amended to read:

213 379.361 Licenses.—

214 (2) SALTWATER PRODUCTS LICENSE.—

215 (b)~~1~~. A restricted species endorsement on the saltwater  
216 products license is required to sell to a licensed wholesale  
217 dealer those species which the state, by law or rule, has  
218 designated as "restricted species." ~~This endorsement may be~~  
219 ~~issued only to a person who is at least 16 years of age, or to a~~  
220 ~~firm certifying that over 25 percent of its income or \$5,000 of~~  
221 ~~its income, whichever is less, is attributable to the sale of~~  
222 ~~saltwater products pursuant to a saltwater products license~~  
223 ~~issued under this paragraph or a similar license from another~~  
224 ~~state. This endorsement may also be issued to a for-profit~~  
225 ~~corporation if it certifies that at least \$5,000 of its income~~  
226 ~~is attributable to the sale of saltwater products pursuant to a~~  
227 ~~saltwater products license issued under this paragraph or a~~  
228 ~~similar license from another state. However, if at least 50~~  
229 ~~percent of the annual income of a person, firm, or for-profit~~  
230 ~~corporation is derived from charter fishing, the person, firm,~~  
231 ~~or for-profit corporation must certify that at least \$2,500 of~~  
232 ~~the income of the person, firm, or corporation is attributable~~  
233 ~~to the sale of saltwater products pursuant to a saltwater~~  
234 ~~products license issued under this paragraph or a similar~~



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235 ~~license from another state, in order to be issued the~~  
236 ~~endorsement. Such income attribution must apply to at least 1 of~~  
237 ~~the last 3 years. For the purpose of this section, "income"~~  
238 ~~means that income that is attributable to work, employment,~~  
239 ~~entrepreneurship, pensions, retirement benefits, and social~~  
240 ~~security benefits.~~

241 ~~2. To renew an existing restricted species endorsement, a~~  
242 ~~marine aquaculture producer possessing a valid saltwater~~  
243 ~~products license with a restricted species endorsement may apply~~  
244 ~~income from the sale of marine aquaculture products to licensed~~  
245 ~~wholesale dealers.~~

246 ~~3. The commission may require verification of such income~~  
247 ~~for all restricted species endorsements issued pursuant to this~~  
248 ~~paragraph. Acceptable proof of income earned from the sale of~~  
249 ~~saltwater products shall be:~~

250 ~~a. Copies of trip ticket records generated pursuant to~~  
251 ~~this subsection (marine fisheries information system),~~  
252 ~~documenting qualifying sale of saltwater products;~~

253 ~~b. Copies of sales records from locales other than Florida~~  
254 ~~documenting qualifying sale of saltwater products;~~

255 ~~e. A copy of the applicable federal income tax return,~~  
256 ~~including Form 1099 attachments, verifying income earned from~~  
257 ~~the sale of saltwater products;~~

258 ~~d. Crew share statements verifying income earned from the~~  
259 ~~sale of saltwater products; or~~

260 ~~e. A certified public accountant's notarized statement~~



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261 ~~attesting to qualifying source and amount of income.~~

262 ~~4. Notwithstanding any other provision of law, any person~~  
 263 ~~who owns a retail seafood market or restaurant at a fixed~~  
 264 ~~location for at least 3 years, who has had an occupational~~  
 265 ~~license for 3 years before January 1, 1990, who harvests~~  
 266 ~~saltwater products to supply his or her retail store, and who~~  
 267 ~~has had a saltwater products license for 1 of the past 3 license~~  
 268 ~~years before January 1, 1990, may provide proof of his or her~~  
 269 ~~verification of income and sales value at the person's retail~~  
 270 ~~seafood market or restaurant and in his or her saltwater~~  
 271 ~~products enterprise by affidavit and shall thereupon be issued a~~  
 272 ~~restricted species endorsement.~~

273 ~~5. Exceptions from income requirements shall be as~~  
 274 ~~follows:~~

275 ~~a. A permanent restricted species endorsement shall be~~  
 276 ~~available to those persons age 62 and older who have qualified~~  
 277 ~~for such endorsement for at least 3 of the last 5 years.~~

278 ~~b. Active military duty time shall be excluded from~~  
 279 ~~consideration of time necessary to qualify and shall not be~~  
 280 ~~counted against the applicant for purposes of qualifying.~~

281 ~~e. Upon the sale of a used commercial fishing vessel owned~~  
 282 ~~by a person, firm, or corporation possessing or eligible for a~~  
 283 ~~restricted species endorsement, the purchaser of such vessel~~  
 284 ~~shall be exempted from the qualifying income requirement for the~~  
 285 ~~purpose of obtaining a restricted species endorsement for a~~  
 286 ~~complete license year after purchase of the vessel.~~



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287 ~~d. Upon the death or permanent disablement of a person~~  
288 ~~possessing a restricted species endorsement, an immediate family~~  
289 ~~member wishing to carry on the fishing operation shall be~~  
290 ~~exempted from the qualifying income requirement for the purpose~~  
291 ~~of obtaining a restricted species endorsement for a complete~~  
292 ~~license year after the death or disablement.~~

293 ~~e. A restricted species endorsement may be issued on an~~  
294 ~~individual saltwater products license to a person age 62 or~~  
295 ~~older who documents that at least \$2,500 of such person's income~~  
296 ~~is attributable to the sale of saltwater products.~~

297 ~~f. A permanent restricted species endorsement may also be~~  
298 ~~issued on an individual saltwater products license to a person~~  
299 ~~age 70 or older who has held a saltwater products license for at~~  
300 ~~least 3 of the last 5 license years.~~

301 ~~g. Any resident who is certified to be totally and~~  
302 ~~permanently disabled by the Railroad Retirement Board, by the~~  
303 ~~United States Department of Veterans Affairs or its predecessor,~~  
304 ~~or by any branch of the United States Armed Forces, or who holds~~  
305 ~~a valid identification card issued by the Department of~~  
306 ~~Veterans' Affairs pursuant to s. 295.17, upon proof of the same,~~  
307 ~~or any resident certified to be disabled by the United States~~  
308 ~~Social Security Administration or a licensed physician, upon~~  
309 ~~proof of the same, shall be exempted from the income~~  
310 ~~requirements if he or she also has held a saltwater products~~  
311 ~~license for at least 3 of the last 5 license years before the~~  
312 ~~date of the disability. A restricted species endorsement issued~~



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313 ~~under this paragraph may be issued only on an individual~~  
314 ~~saltwater products license.~~

315 ~~h. An honorably discharged, resident military veteran~~  
316 ~~certified by the United States Department of Veterans Affairs or~~  
317 ~~its predecessor or by any branch of the United States Armed~~  
318 ~~Forces to have a service-connected permanent disability rating~~  
319 ~~of 10 percent or higher, upon providing proof of such disability~~  
320 ~~rating, is not required to provide documentation for the income~~  
321 ~~requirement with his or her initial application for a restricted~~  
322 ~~species endorsement. Documentation for the income requirement is~~  
323 ~~required beginning with the renewal of the restricted species~~  
324 ~~endorsement after such veteran has possessed a valid restricted~~  
325 ~~species endorsement for a complete license year. This exemption~~  
326 ~~applies only to issuance of the endorsement on an individual~~  
327 ~~saltwater products license and is a one-time exemption. In order~~  
328 ~~to renew the restricted species endorsement on an individual~~  
329 ~~saltwater products license, the veteran must document that at~~  
330 ~~least \$2,500 of his or her income is attributable to the sale of~~  
331 ~~saltwater products.~~

332 ~~i. Beginning July 1, 2014, a resident military veteran who~~  
333 ~~applies to the commission within 48 months after receiving an~~  
334 ~~honorable discharge from any branch of the United States Armed~~  
335 ~~Forces, the United States Coast Guard, the military reserves,~~  
336 ~~the Florida National Guard, or the United States Coast Guard~~  
337 ~~Reserve is not required to provide documentation for the income~~  
338 ~~requirement with his or her initial application for a restricted~~



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339 ~~species endorsement. Documentation for the income requirement is~~  
340 ~~required beginning with the renewal of the restricted species~~  
341 ~~endorsement after such veteran has possessed a valid restricted~~  
342 ~~species endorsement for a complete license year. This exemption~~  
343 ~~applies only to issuance of the endorsement on an individual~~  
344 ~~saltwater products license and may only be applied one time per~~  
345 ~~military enlistment.~~

346 ~~j. Until June 30, 2014, a resident military veteran who~~  
347 ~~applies to the commission and who received an honorable~~  
348 ~~discharge from any branch of the United States Armed Forces, the~~  
349 ~~United States Coast Guard, the military reserves, the Florida~~  
350 ~~National Guard, or the United States Coast Guard Reserve between~~  
351 ~~September 11, 2001, and June 30, 2014, is not required to~~  
352 ~~provide documentation for the income requirement with his or her~~  
353 ~~initial application for a restricted species endorsement.~~

354 ~~Documentation for the income requirement is required beginning~~  
355 ~~with the renewal of the restricted species endorsement after~~  
356 ~~such veteran has possessed a valid restricted species~~  
357 ~~endorsement for a complete license year. This exemption applies~~  
358 ~~only to issuance of the endorsement on an individual saltwater~~  
359 ~~products license.~~

360 Section 8. Section 379.364, Florida Statutes, is amended  
361 to read:

362 379.364 License required for fur and hide dealers.—

363 (1) A ~~It is unlawful for any person may not to~~ engage in  
364 the business of a dealer or buyer in green or dried alligator



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365 | hides ~~skins~~ or green or dried furs in the state or purchase such  
 366 | hides or furs ~~skins~~ within the state until the ~~such~~ person has  
 367 | been licensed as ~~herein~~ provided in this section.

368 |       (2) A person ~~Any resident dealer or buyer~~ who solicits  
 369 | business through the mail ~~mails~~, or by advertising, or who  
 370 | travels to buy or employs or has other agents or buyers, shall  
 371 | be deemed a dealer.

372 |       (3) A resident ~~state~~ dealer ~~and~~ must pay a license fee of  
 373 | \$100 per annum.

374 |       (4) ~~(3)~~ A nonresident dealer ~~or buyer~~ must pay a license  
 375 | fee of \$500 per annum.

376 |       (4) ~~All dealers and buyers shall forward to the Fish and~~  
 377 | ~~Wildlife Conservation Commission each 2 weeks during open season~~  
 378 | ~~a report showing number and kind of hides bought and name of~~  
 379 | ~~trapper from whom bought and the trapper's license number, or if~~  
 380 | ~~trapper is exempt from license under any of the provisions of~~  
 381 | ~~this chapter, such report shall show the nature of such~~  
 382 | ~~exemption. A common carrier may not knowingly ship or transport~~  
 383 | ~~or receive for transportation any hides or furs unless such~~  
 384 | ~~shipments have marked thereon name of shipper and the number of~~  
 385 | ~~her or his fur animal license or fur dealer's license.~~

386 |       Section 9. Subsections (1), (4), and (5) of section  
 387 | 379.3751, Florida Statutes, are amended to read:

388 |       379.3751 Taking and possession of alligators; trapping  
 389 | licenses; fees.—

390 |       (1) (a) A ~~No~~ person may not ~~shall~~ take or possess any



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391 alligator or the eggs thereof without having been issued an  
392 alligator ~~first obtained from the commission a trapping~~ license  
393 ~~and paid the fee~~ as provided in this section. The ~~Such~~ license  
394 shall be dated when issued and remain valid for 12 months after  
395 the date of issuance and shall authorize the person to whom it  
396 is issued to take or possess alligators and their eggs, and to  
397 sell, possess, and process alligators and their hides and meat,  
398 in accordance with law and commission rules. The ~~Such~~ license is  
399 ~~shall~~ not be transferable and is ~~shall~~ not be valid unless it  
400 bears on its face in indelible ink the name of the person to  
401 whom it is issued. The ~~Such~~ license shall be in the personal  
402 possession of the licensee while the licensee ~~such person~~ is  
403 taking alligators or their eggs or is selling, possessing, or  
404 processing alligators or their eggs, hides, or meat. The failure  
405 of the licensee to exhibit the ~~such~~ license to a ~~the~~ commission  
406 law enforcement officer ~~or its wildlife officers~~, when the  
407 licensee ~~such person~~ is found taking alligators or their eggs or  
408 is found selling, possessing, or processing alligators or their  
409 eggs, hides, or meat, is ~~shall be~~ a violation of law.

410 ~~(b) In order to assure the optimal utilization of the~~  
411 ~~estimated available alligator resource and to ensure adequate~~  
412 ~~control of the alligator management and harvest program, the~~  
413 ~~commission may by rule limit the number of participants engaged~~  
414 ~~in the taking of alligators or their eggs from the wild.~~

415 (b)-(e) A ~~No~~ person who has been convicted of any violation  
416 of s. 379.3015 or s. 379.409 or ~~the~~ rules of the commission





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417 relating to the illegal taking of crocodilian species may not  
418 shall be issued ~~eligible for issuance of~~ a license for a period  
419 of 5 years subsequent to such conviction. If a ~~In the event such~~  
420 violation involves the unauthorized taking of an endangered  
421 crocodilian species, a ~~no~~ license may not ~~shall~~ be issued for 10  
422 years subsequent to the conviction.

423 (c) An alligator trapping license is not required for a  
424 person taking nuisance alligators pursuant to a contract with  
425 the commission. A person assisting contracted nuisance alligator  
426 trappers, unless otherwise exempt under paragraph (d) or  
427 paragraph (e), must possess an alligator trapping license or an  
428 alligator trapping agent license as provided in subsection (2).

429 (d) An alligator trapping agent license is not required  
430 for a child under 16 years of age taking alligators under an  
431 alligator harvest program implemented by commission rule.

432 (e) An alligator trapping license or alligator trapping  
433 agent license is not required for a person taking alligators  
434 under a military or disabled veterans event permit issued by the  
435 commission pursuant to s. 379.353(2)(q).

436 (f) An alligator trapping license or alligator trapping  
437 agent license shall be issued without fee to any disabled  
438 resident who meets the requirements of s. 379.353(1).

439 (g) A person engaged in the taking of alligators under any  
440 permit issued by the commission which authorizes the take of  
441 alligators is not required to possess a management area permit  
442 under s. 379.354(8).



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443           (4) A ~~No~~ person may not ~~shall~~ take any alligator egg  
 444 occurring in the wild or possess any such egg unless the ~~such~~  
 445 person has obtained, or is a licensed agent of another person  
 446 who has obtained, an alligator egg collection permit. The  
 447 alligator egg collection permit shall be required in addition to  
 448 the alligator farming license provided in paragraph (2) (d). The  
 449 commission may ~~is authorized to~~ assess a fee for issuance of the  
 450 alligator egg collection permit of up to \$5 per egg authorized  
 451 to be taken or possessed pursuant to such permit. Contingent  
 452 upon an annual appropriation for alligator marketing and  
 453 education activities ~~Irrespective of whether a fee is assessed,~~  
 454 \$1 per egg collected and retained, excluding eggs collected on  
 455 private wetland management areas, shall be transferred from the  
 456 alligator management program to the General Inspection Trust  
 457 Fund, to be administered by the Department of Agriculture and  
 458 Consumer Services for the purpose of providing marketing and  
 459 education services with respect to alligator products produced  
 460 in this state, notwithstanding other provisions in this chapter.

461           ~~(5) The commission shall adopt criteria by rule to~~  
 462 ~~establish appropriate qualifications for alligator collectors~~  
 463 ~~who may receive permits pursuant to this section.~~

464           Section 10. Section 379.3752, Florida Statutes, is amended  
 465 to read:

466           379.3752 Required tagging of alligators and hides; fees;  
 467 revenues.—The tags provided in this section shall be required in  
 468 addition to any license required under s. 379.3751.



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469 (1) ~~A~~ No person may not ~~shall~~ take any alligator occurring  
470 in the wild or possess any such alligator unless such alligator  
471 is subsequently tagged in the manner required by commission  
472 rule. For the tag required for an alligator hatchling, the  
473 commission is authorized to assess a fee of not more than \$15  
474 for each alligator hatchling tag issued. ~~The commission shall~~  
475 ~~expend one-third of the revenue generated from the issuance of~~  
476 ~~the alligator hatchling tag for alligator husbandry research.~~

477 (2) ~~The commission may require that an alligator hide~~  
478 ~~validation tag (CITES tag) be affixed to the hide of any~~  
479 ~~alligator taken from the wild and that such hide be possessed,~~  
480 ~~purchased, sold, offered for sale, or transported in accordance~~  
481 ~~with commission rule.~~ The commission may ~~is authorized to~~ assess  
482 a fee of up to \$30 for each alligator hide validation tag  
483 issued. Contingent upon an annual appropriation for alligator  
484 marketing and education activities ~~Irrespective of whether a fee~~  
485 ~~is assessed,~~ \$5 per validated hide, excluding those validated  
486 from public hunt programs and alligator farms, shall be  
487 transferred from the alligator management program to the General  
488 Inspection Trust Fund, to be administered by the Department of  
489 Agriculture and Consumer Services for the purpose of providing  
490 marketing and education services with respect to alligator  
491 products produced in this state, notwithstanding other  
492 provisions in this chapter.

493 ~~(3) The number of tags available for alligators taken~~  
494 ~~pursuant to a collection permit shall be limited to the number~~



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495 ~~of tags determined by the commission to equal the safe yield of~~  
496 ~~alligators as determined pursuant to s. 379.3013.~~

497 Section 11. Paragraph (a) of subsection (2) of section  
498 379.401, Florida Statutes, is amended to read:

499 379.401 Penalties and violations; civil penalties for  
500 noncriminal infractions; criminal penalties; suspension and  
501 forfeiture of licenses and permits.—

502 (2) (a) LEVEL TWO VIOLATIONS.—A person commits a Level Two  
503 violation if he or she violates any of the following provisions:

504 1. Rules or orders of the commission relating to seasons  
505 or time periods for the taking of wildlife, freshwater fish, or  
506 saltwater fish.

507 2. Rules or orders of the commission establishing bag,  
508 possession, or size limits or restricting methods of taking  
509 wildlife, freshwater fish, or saltwater fish.

510 3. Rules or orders of the commission prohibiting access or  
511 otherwise relating to access to wildlife management areas or  
512 other areas managed by the commission.

513 4. Rules or orders of the commission relating to the  
514 feeding of ~~wildlife, freshwater fish, or~~ saltwater fish.

515 5. Rules or orders of the commission relating to landing  
516 requirements for freshwater fish or saltwater fish.

517 6. Rules or orders of the commission relating to  
518 restricted hunting areas, critical wildlife areas, or bird  
519 sanctuaries.

520 7. Rules or orders of the commission relating to tagging



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521 requirements for wildlife and fur-bearing animals.

522       8. Rules or orders of the commission relating to the use  
523 of dogs for the taking of wildlife.

524       9. Rules or orders of the commission which are not  
525 otherwise classified.

526       10. Rules or orders of the commission prohibiting the  
527 unlawful use of finfish traps.

528       11. All prohibitions in this chapter which are not  
529 otherwise classified.

530       12. Section 379.33, prohibiting the violation of or  
531 noncompliance with commission rules.

532       13. Section 379.407(7), prohibiting the sale, purchase,  
533 harvest, or attempted harvest of any saltwater product with  
534 intent to sell.

535       14. Section 379.2421, prohibiting the obstruction of  
536 waterways with net gear.

537       15. Section 379.413, prohibiting the unlawful taking of  
538 bonefish.

539       16. Section 379.365(2)(a) and (b), prohibiting the  
540 possession or use of stone crab traps without trap tags and  
541 theft of trap contents or gear.

542       17. Section 379.366(4)(b), prohibiting the theft of blue  
543 crab trap contents or trap gear.

544       18. Section 379.3671(2)(c), prohibiting the possession or  
545 use of spiny lobster traps without trap tags or certificates and  
546 theft of trap contents or trap gear.



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547 | 19. Section 379.357, prohibiting the possession of tarpon  
548 | without purchasing a tarpon tag.

549 | ~~20. Rules or orders of the commission prohibiting the~~  
550 | ~~feeding or enticement of alligators or crocodiles.~~

551 | 20.21. Section 379.105, prohibiting the intentional  
552 | harassment of hunters, fishers, or trappers.

553 | Section 12. Section 379.412, Florida Statutes, is created  
554 | to read:

555 | 379.412 Penalties for feeding wildlife and freshwater  
556 | fish.—

557 | (1) (a) The penalties in this section apply to a violation  
558 | of any rule or order of the commission that prohibits or  
559 | restricts:

560 | 1. Feeding wildlife or freshwater fish with food or  
561 | garbage;

562 | 2. Attracting or enticing wildlife or freshwater fish with  
563 | food or garbage; or

564 | 3. Allowing the placement of food or garbage in a manner  
565 | that attracts or entices wildlife or freshwater fish.

566 | (b) This section does not apply to rules or orders of the  
567 | commission relating to:

568 | 1. Animals held in captivity;

569 | 2. Restricting the taking or hunting of species over bait  
570 | or intentionally placed or deposited food; or

571 | 3. Restricting the taking or hunting of species in  
572 | proximity to feeding stations.



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573 (2) A person who violates a prohibition or restriction  
574 identified in subsection (1):

575 (a) For a first violation, commits a noncriminal  
576 infraction, punishable by a civil penalty of \$100.

577 1. A person cited for a violation under this paragraph  
578 shall sign and accept a citation to appear before the county  
579 court. The issuing officer may indicate on the citation the time  
580 and location of the scheduled hearing and shall indicate the  
581 applicable civil penalty.

582 2. A person cited for a violation may pay the civil  
583 penalty by mail or in person within 30 days after receipt of the  
584 citation. If the civil penalty is paid, the person is deemed to  
585 have admitted committing the violation and to have waived his or  
586 her right to a hearing before the county court. Such admission  
587 may not be used as evidence in any other proceedings except to  
588 determine the appropriate fine for any subsequent violations.

589 3. A person who refuses to accept a citation, who fails to  
590 pay the civil penalty for a violation, or who fails to appear  
591 before a county court as required commits a misdemeanor of the  
592 second degree, punishable as provided in s. 775.082 or s.  
593 775.083.

594 4. A person who elects to appear before the county court  
595 or who is required to appear before the county court is deemed  
596 to have waived the limitations on civil penalties provided under  
597 this paragraph. After a hearing, the county court shall  
598 determine if a violation has been committed, and if so, may



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599 impose a civil penalty of not less than \$100. A person found  
600 guilty of committing a violation may appeal that finding to the  
601 circuit court. The commission of a violation must be proved  
602 beyond a reasonable doubt.

603 (b) For second and subsequent violations, when all  
604 violations are related to freshwater fish or wildlife other than  
605 bears or alligators or other crocodilians, commits a misdemeanor  
606 of the second degree, punishable as provided in s. 775.082 or s.  
607 775.083.

608 (c) For a second violation, when all violations are  
609 related to bears or alligators or other crocodilians, commits a  
610 misdemeanor of the second degree, punishable as provided in s.  
611 775.082 or s. 775.083.

612 (d) For a third violation, when all violations are related  
613 to bears or alligators or other crocodilians, commits a  
614 misdemeanor of the first degree, punishable as provided in s.  
615 775.082 or s. 775.083.

616 (e) For a fourth or subsequent violation, when all  
617 violations are related to bears or alligators or other  
618 crocodilians, commits a felony of the third degree, punishable  
619 as provided in s. 775.082, s. 775.083, or s. 775.084.

620 (3) As used in this section, the term "violation" means  
621 any judicial disposition other than acquittal or dismissal.

622 Section 13. Sections 379.3011, 379.3013, 379.3016, and  
623 379.3017, Florida Statutes, are repealed.

624 Section 14. This act shall take effect upon becoming a





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625 | law.