

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED        (Y/N)  
ADOPTED AS AMENDED        (Y/N)  
ADOPTED W/O OBJECTION        (Y/N)  
FAILED TO ADOPT        (Y/N)  
WITHDRAWN        (Y/N)  
OTHER           

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1 Committee/Subcommittee hearing bill: Natural Resources & Public  
2 Lands Subcommittee

3 Representative Raschein offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 379.2426, Florida Statutes, is created  
8 to read:

9 379.2426 Possession of separated shark fins on the water  
10 prohibited; penalties.-

11 (1) As used in this section:

12 (a) "Shark fin" means any of the fins of a shark  
13 (including the tail), or a portion thereof.

14 (b) "Conviction" means any disposition other than  
15 acquittal or dismissal.

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16           (2) A person may not possess in or on Florida waters a  
17 shark fin that has been separated from a shark or land a  
18 separated shark fin in Florida, unless such possession is  
19 authorized by commission rule.

20           (a) Upon conviction of a violation of this subsection, any  
21 commercial harvester shall be punished as follows:

22           1. A first violation is a misdemeanor of the second  
23 degree, punishable by a mandatory fine of \$5,000 and a term of  
24 imprisonment not exceeding 60 days. In addition, the commission  
25 shall suspend all of the violator's license privileges under  
26 this chapter for a period of 180 days.

27           2. A second violation is a misdemeanor of the first  
28 degree, punishable by a mandatory fine of \$10,000 and a term of  
29 imprisonment not exceeding one year. In addition, the commission  
30 shall suspend all of the violator's license privileges under  
31 this chapter for a period of 12 months.

32           3. A third or subsequent violation is a misdemeanor of  
33 the first degree, punishable by a mandatory fine of \$10,000 and  
34 a mandatory minimum term of imprisonment of no less than 90  
35 days, but not exceeding one year. In addition, the commission  
36 shall permanently revoke all of the violator's license  
37 privileges under this chapter.

38           4. During the period of suspension or revocation of  
39 license privileges imposed under this paragraph, the violator  
40 shall not participate in the taking or harvesting, or attempt

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41 the taking or harvesting, of saltwater products from any vessel  
42 within the waters of the state; be aboard any vessel on which a  
43 commercial quantity of saltwater products is possessed through  
44 an activity requiring a license pursuant to this chapter, or  
45 engage in any other activity requiring a license, permit, or  
46 certificate issued pursuant to this chapter.

47 (b) Upon conviction of a violation of this subsection, any  
48 other person shall be punished as follows:

49 1. A first violation is a misdemeanor of the second  
50 degree, punishable by a fine of up to \$5,000 and a term of  
51 imprisonment not to exceed 60 days. In addition, the commission  
52 shall suspend all of the violator's license privileges under  
53 this chapter for a period of 60 days.

54 2. A second violation is a misdemeanor of the first  
55 degree, punishable by a fine of up to \$10,000 and a term of  
56 imprisonment not to exceed one year. In addition, the commission  
57 shall suspend all of the violator's license privileges under  
58 this chapter for a period of 12 months.

59 3. A third violation is a misdemeanor of the first  
60 degree, punishable by a mandatory fine of no less than \$5,000,  
61 but not more than \$10,000, and a mandatory minimum term of  
62 imprisonment of no less than 90 days, but not to exceed one  
63 year. In addition, the commission shall permanently revoke all  
64 of the violator's license privileges under this chapter.

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

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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:  
An act relating to sharks; creating s. 379.2426, F.S.; providing  
definitions; providing penalties for possession of a separated  
shark fin in or on Florida waters and landing of a separated  
shark fin.