

CHAPTER 2017-24

Committee Substitute for Committee Substitute for Senate Bill No. 884

An act relating to shark fins; creating s. 379.2426, F.S.; defining terms; prohibiting persons from possessing separated shark fins except under certain conditions; providing penalties; prohibiting persons with suspended or revoked license privileges from engaging in certain activities; providing an effective date.

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

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

379.2426 Possession 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*, *Squatiniiformes*, 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) 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.

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

Approved by the Governor May 23, 2017.

Filed in Office Secretary of State May 23, 2017.