

**Background Report
Draft Rule 68A-12.002
Agenda Item 6
December 11, 2019**

DRAFT RULE

RULE NO: 68A-12.002 **RULE TITLE:** General Methods of Taking Game and Crows; Prohibitions.

PURPOSE AND EFFECT: The proposed rule amendment would clarify restrictions related to the use of semi-automatic rifles for hunting game and for the use of shotguns for hunting migratory game. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would clarify restrictions related to the use of semi-automatic rifles for hunting game and for the use of shotguns for hunting migratory game.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-12.002 General Methods of Taking Game and Crows; Prohibitions.

(1) through (2) No change.

(3) Resident game birds, crows or game mammals may be taken with any of the following:

(a) No change.

(b) Rifle, revolver or pistol, except that:

1. through 3. No change.

4. Use of a No centerfire semi-automatic rifle having a magazine capable of holding capacity of more than five rounds is prohibited, unless the magazine is plugged with a one-piece filler incapable of removal without disassembling the magazine, so its capacity does not exceed 5 rounds may be used.

5. through 6. No change.

(c) through (f) No change.

(4) Migratory game birds may be taken with any of the following:

(a) ~~Shotgun~~— Shotguns used for taking migratory game birds shall be not larger than 10 gauge and incapable of holding more than three shells in magazine and chamber combined, unless plugged with a one-piece filler incapable of removal without disassembling the shotgun, so its capacity does not exceed 3 shells in the magazine and chamber combined.

(b) through (c) No change.

(5) through (9) No change.

PROPOSED EFFECTIVE DATE: July 1, 2020

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-12.02, Amended 6-1-86, 4-11-90, 4-14-92, 4-20-93, 3-1-94, 3-30-95, 4-1-96, 12-28-98, Formerly 39-12.002, Amended 7-1-05, 7-1-06, 7-1-08, 10-23-08, 1-1-11, 7-1-13, 12-23-14, 7-29-15, 7-1-18, 7-1-19, 7-1-20.