



Florida Fish and Wildlife Conservation Commission

Legislative Affairs Office

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Summary of Additional FWC Proposals for 2015 Session

1. Modify Penalties for Violations of Wildlife Feeding Rules

This proposal would modify current penalties for violating wildlife or freshwater fish* feeding rules. The species for which feeding is prohibited by Commission rule are bears, alligators and other crocodilia, foxes, raccoons, sandhill cranes, pelicans, and bald eagles. The proposal also imposes more serious penalties for repeat offenders who feed bears, alligators, and other crocodilia, and greater penalties for feeding bears, alligators, and other crocodilia when injury or death occur. The new penalties would be:

- 1st offense for feeding any wildlife or freshwater fish*, the feeding of which is prohibited by Commission rule – noncriminal infraction, with a \$100 fine
- 2nd and subsequent offense for feeding any wildlife or freshwater fish*, the feeding of which is prohibited by Commission rule, other than bears or alligators/crocodilia – 2nd degree misdemeanor (up to \$500 fine and/or up to 60 days in jail)
- 2nd offense for feeding bears or alligators/crocodilia – 2nd degree misdemeanor (up to \$500 fine and/or up to 60 days in jail)
- 3rd offense for feeding bears or alligators/crocodilia – 1st degree misdemeanor (up to \$1,000 fine and/or up to 1 year in jail)
- 4th and subsequent offenses for feeding bears or alligators/crocodilia – 3rd degree felony (up to \$5,000 fine and/or up to 5 years in jail)
- Any offense involving feeding bears or alligators/crocodilia when feeding results in injury to a human – 1st degree misdemeanor (up to \$1,000 fine and/or up to 1 year in jail)
- Any offense involving feeding bears or alligators/crocodilia when feeding results in serious bodily harm or death to a human – 3rd degree felony (up to \$5,000 fine and/or up to 5 years in jail)

Current law assigns a 2nd degree misdemeanor to the first violation for the illegal feeding of any fish or wildlife species. The proposed penalty structure will reserve a more severe penalty for those violators who continually choose to violate the law and for those who continually feed dangerous bears, alligators, and other crocodilia, despite receiving education, warnings, and a civil penalty. Once issued a civil penalty, first time offenders should better understand the serious nature of the violation, and therefore be less likely to incur a criminal penalty for future violations. While law enforcement will continue to rely heavily on education before issuing a citation, the new penalty structure will provide an effective tool in the form of a civil penalty for

first time offenders, increased criminal penalties for repeat offenders, and criminal penalties when injury or death occur as a result of feeding bears or alligators/crocodilia. *Note – there are no current rules prohibiting the feeding of freshwater fish.

2. **Modify Alligator Statutes**

This proposal makes changes to the alligator statutes to accompany the changes to the alligator management program approved by the Fish and Wildlife Conservation Commissioners in June 2014. It provides exemptions from the alligator trapping license for minors, disabled veteran and military special events, permanently disabled residents, and nuisance alligator trappers. It also modifies certain penalties and repeals sections of statutes that have been incorporated into the alligator rules or that are obsolete. Major components of the proposal include:

- Creating exemptions to alligator license requirements:
 - exempting minors under the age of 16 from having to purchase any alligator-related license
 - exempting disabled veterans and active/reserve duty military (including their immediate family and assistants) from having to obtain any alligator-related license during FWC-permitted special events
 - exempting permanently disabled residents from having to purchase an alligator hunting or hunting assistant license
 - repealing the requirement for contracted nuisance alligator trappers to have to purchase an alligator trapping license when taking nuisance alligators
- Clarifying that the transfer of funding from FWC to the Department of Agriculture and Consumer Services for alligator marketing and education is based on an annual appropriation
- Repealing outdated statutes or those that have been incorporated into Commission rule
- Modifying penalties:
 - Reducing the penalty for selling certain crocodilian products from a 1st degree misdemeanor to a 2nd degree misdemeanor with increased penalties for repeat offenders