CS/SB 688 – Illegal Taking, Possession, and Sale of Bears
(Identical CS/HB 327)

This bill creates s. 379.4041, F.S., increasing the Level Two violation (2\textsuperscript{nd} degree misdemeanor for a first offense) to a Level Three violation (1\textsuperscript{st} degree misdemeanor for a first offense) when “a person…takes a bear or possesses a freshly killed bear during the closed season prescribed by law or rules of the commission.” It also adds a Level 4 violation (Level 1, 3\textsuperscript{rd} degree felony) for “a person who possesses for sale or sells a bear taken in violation of this section or rules of the commission.”

Level 4 violations contain a wide range of 3\textsuperscript{rd} degree felonies, with one that is similar to the felony created above. S. 379.404(5), F.S. states that “whoever possesses for sale or sells deer or wild turkey taken in violation of this chapter or the rules and regulations of the commission commits a Level Four violation under s. 379.401, F.S.” Per DOC, in FY 18-19, there were no new commitments to prison for this violation.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: Senate