

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 (2nd degree misdemeanor for a first offense) to a Level Three violation (1st 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, 3rd 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 3rd 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