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LEGISLATIVE ACTION

Senate

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House

The Committee on Environment and Natural Resources (Mayfield)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) of section 327.59, Florida
Statutes, is amended, and subsection (5) is added to that
section, to read:

327.59 Marina evacuations.—

(1) Except as provided in this section ~~After June 1, 1994,~~
marinas may not adopt, maintain, or enforce policies pertaining



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to evacuation of vessels which require vessels to be removed from marinas following the issuance of a hurricane watch or warning, in order to ensure that protecting the lives and safety of vessel owners is placed before interests of protecting property.

(5) Upon the issuance of a hurricane watch affecting the waters of marinas located in a deepwater seaport, vessels under 500 gross tons may not remain in the waters of such marinas that have been deemed not suitable for refuge during a hurricane. Vessel owners shall promptly remove their vessels from the waterways upon issuance of an evacuation order by the deepwater seaport. If the United States Coast Guard captain of the port sets the port condition to "Yankee" and a vessel owner has failed to remove a vessel from the waterway, the marina owner, operator, employee, or agent, regardless of any existing contractual provisions between the marina owner and the vessel owner, shall remove the vessel, or cause the vessel to be removed, if reasonable, from its slip and may charge the vessel owner a reasonable fee for any such services rendered. A marina owner, operator, employee, or agent may not be held liable for any damage incurred to a vessel from a hurricane and is held harmless as a result of such actions to remove the vessel from the waterways. Nothing in this section may be construed to provide immunity to a marina owner, operator, employee, or agent for any damage caused by intentional acts or negligence when removing a vessel pursuant to under this section. After the hurricane watch has been issued, the owner or operator of any vessel that has not been removed from the waterway of the marina, pursuant to an order from the deepwater seaport, may be



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subject to the penalties under s. 313.22(3).

Section 2. This act shall take effect July 1, 2020.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to marina evacuations; amending s.
327.59, F.S.; prohibiting vessels under a specified
weight from remaining in certain marinas that have
been deemed unsuitable for refuge during a hurricane
after the issuance of a hurricane watch; requiring a
marina owner, operator, employee, or agent to remove
specified vessels under certain circumstances;
providing that such owner, operator, employee, or
agent may charge the vessel owner a reasonable fee for
such removal and may not be held liable for any
damages as a result of such removal; providing
construction; authorizing certain penalty fees;
providing an effective date.