

By Senator Latvala

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1 A bill to be entitled

2 An act relating to sovereignty submerged lands;
3 creating s. 253.0347, F.S.; providing for the lease of
4 sovereignty submerged lands for private residential
5 single-family docks and piers, private residential
6 multifamily docks and piers, and private residential
7 multislip docks; providing for the term of the lease
8 and lease fees; providing for inspection of such
9 docks, piers, and related structures by the Department
10 of Environmental Protection; clarifying the authority
11 of the Board of Trustees of the Internal Improvement
12 Trust Fund and the department to impose additional
13 fees and requirements; providing an appropriation;
14 providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 253.0347, Florida Statutes, is created
19 to read:

20 253.0347 Lease of sovereignty submerged lands for private
21 residential docks and piers.-

22 (1) The maximum initial term of a standard lease of
23 sovereignty submerged lands for a private residential single-
24 family dock or pier, private residential multifamily dock or
25 pier, or private residential multislip dock is 10 years. A lease
26 is renewable for successive terms of up to 10 years if the
27 parties agree and the lessee complies with all terms of the
28 lease and all applicable laws and rules.

29 (2) (a) A standard lease contract for sovereignty submerged

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30 lands for a private residential single-family dock or pier,
31 private residential multifamily dock or pier, or private
32 residential multislip dock must specify the amount of lease fees
33 as established by the Board of Trustees of the Internal
34 Improvement Trust Fund.

35 (b) If private residential multifamily docks or piers,
36 private residential multislip docks, and other private
37 residential structures pertaining to the same upland parcel
38 include a total of no more than one wet slip for each approved
39 upland residential unit, the lessee is not required to pay a
40 lease fee on a preempted area of 10 square feet or less of
41 sovereignty submerged lands for each linear foot of shoreline in
42 which the lessee has a sufficient upland interest as determined
43 by the Board of Trustees of the Internal Improvement Trust Fund.

44 (c) A lessee of sovereignty submerged lands for a private
45 residential single-family dock or pier, private residential
46 multifamily dock or pier, or private residential multislip dock
47 is not required to pay a lease fee on revenue derived from the
48 transfer of fee simple or beneficial ownership of private
49 residential property that is entitled to a homestead exemption
50 pursuant to s. 196.031 at the time of transfer.

51 (d) A lessee of sovereignty submerged lands for a private
52 residential single-family dock or pier, private residential
53 multifamily dock or pier, or private residential multislip dock
54 must pay a lease fee on any income derived from a wet slip,
55 dock, or pier in the preempted area under lease in an amount
56 determined by the Board of Trustees of the Internal Improvement
57 Trust Fund.

58 (3) The Department of Environmental Protection shall

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59 inspect each private residential single-family dock or pier,
60 private residential multifamily dock or pier, private
61 residential multislip dock, or other private residential
62 structure under lease at least once every 10 years to determine
63 compliance with the terms and conditions of the lease.

64 (4) This section does not prohibit the Board of Trustees of
65 the Internal Improvement Trust Fund or the Department of
66 Environmental Protection from imposing additional application
67 fees, regulatory permitting fees, or other lease requirements as
68 otherwise authorized by law.

69 Section 2. Beginning with the 2012-2013 fiscal year, the
70 sum of \$1 million in recurring funds is appropriated from the
71 General Revenue Fund to the Internal Improvement Trust Fund for
72 purposes of administration, management, and disposition of
73 sovereignty submerged lands.

74 Section 3. This act shall take effect July 1, 2012.