

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Moraitis offered the following:

3
 4 **Amendment to Amendment (445541) by Representative Raschein**
 5 **(with title amendment)**

6 Remove lines 6-7 of the amendment and insert:

7 Section 1. Present subsections (9) through (39) are
 8 redesignated as subsections (10) through (40), respectively, and
 9 present subsections (40) through (44) are redesignated as
 10 subsections (42) through (46), respectively, of section 327.02,
 11 Florida Statutes, and new subsections (9) and (41) are added to
 12 that section, to read:

13 327.02 Definitions.—As used in this chapter and in chapter
 14 328, unless the context clearly requires a different meaning,
 15 the term:

16 (9) "Developed waterfront property" means any upland
 17 property bounded on at least one side by the waters of the

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18 state, above the mean high water mark of the shoreline or
19 seawall, upon which a single-family home, multi-family
20 apartment, townhouse, condominium, or other similar residential
21 dwelling exists. The term does not include docks and other
22 infrastructure adjacent thereto or properties with mixed
23 residential and commercial use.

24 (41) "Safe harbor" means taking refuge by temporarily
25 anchoring, mooring, or docking due to a mechanical breakdown or
26 when imminent or existing extreme weather conditions impose an
27 unreasonable risk of harm.

28 Section 2. Section 327.4107, Florida Statutes, is created
29 to read:

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31 Between lines 39 and 40, insert:

32 (6) The anchoring or mooring of a vessel other than live-
33 aboard vessels on the waters of this state may be regulated only
34 as provided in this chapter and chapter 403.

35 (7) (a) An owner, operator, or person in charge of a vessel
36 may not anchor or moor a vessel within 200 feet of the marked
37 boundary of a permitted mooring field, any public boat ramp,
38 hoist, marine railway, or other launching or landing facility
39 available for use by the general public.

40 (b) An owner, operator, or person in charge of a vessel
41 may not anchor or moor a vessel within 200 feet of a dock
42 between the times of one hour past sunset and one hour before
43 sunrise except as follows:

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44 1. Vessels requiring safe harbor, in which case the vessel
45 may remain anchored for 7 business days until repaired, or in
46 the event of extreme weather, until weather conditions improve
47 to the point where it is no longer perilous to operate the
48 vessel.

49 2. Vessels in transit upon which the captain and crew are
50 incapable of safely continuing their journey due to physical
51 exhaustion, provided that anchoring or mooring is limited to one
52 overnight period before continuing toward its destination.

53 3. Vessels owned or operated by a governmental entity for
54 law enforcement, firefighting, or rescue purposes.

55 4. Construction or dredging vessels while on an active job
56 site.

57 5. Vessels actively engaged in commercial fishing.

58 6. Vessels engaged in recreational fishing whereby persons
59 onboard are actively tending hook and line fishing gear or nets.

60 7. Vessels present for the duration of events as described
61 in s. 327.48.

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64 -----
65 **T I T L E A M E N D M E N T**

66 Remove line 88 of the amendment and insert:

67 An act relating to vessels; amending s. 327.02, F.S.; defining
68 the terms "developed waterfront property" and "safe harbor";
69 creating s. 327.4107, F.S.; prohibiting the anchoring and

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Bill No. HB 7123 (2015)

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70 mooring within 200 feet from certain public and private
71 facilities; providing exceptions;