



265472

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2017	.	
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The Committee on Appropriations (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (f) of subsection (2) of section
253.0347, Florida Statutes, is amended to read:

253.0347 Lease of sovereignty submerged lands for private
residential docks and piers.—

(2)

(f) A lessee of sovereignty submerged lands for a private



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11 residential multifamily dock designed to moor boats up to the
12 number of units within the multifamily development is not
13 required to pay lease fees for a preempted area equal to or less
14 than 10 times the riparian shoreline along sovereignty submerged
15 land on the affected waterbody times the number of units with
16 docks in the private multifamily development. Private
17 residential multifamily docks grandfathered-in to use
18 sovereignty submerged lands by January 1, 1998, pursuant to
19 former rule 18-21.00405, Florida Administrative Code, as it
20 existed in rule on March 15, 1990, may moor a number of boats
21 that exceed the number of units within the private multifamily
22 development as previously authorized under such rule.

23 Section 2. Present subsections (3), (4), and (5) of section
24 327.02, Florida Statutes, are renumbered as subsections (4),
25 (5), and (6), respectively, present subsections (6), (7), (8),
26 (9), and (10) are renumbered as subsections (7), (9), (10),
27 (11), and (12), respectively, present subsections (11) through
28 (15) are renumbered as subsections (14) through (18),
29 respectively, present subsections (16) through (44) are
30 renumbered as subsections (19) through (47), respectively,
31 present subsections (6) and (19) are amended, and new
32 subsections (3), (8), and (13) are added to that section, to
33 read:

34 327.02 Definitions.—As used in this chapter and in chapter
35 328, unless the context clearly requires a different meaning,
36 the term:

37 (3) "Barge" means a vessel that does not have living
38 quarters, is not propelled by its own power, and is designed to
39 be pushed or pulled by another vessel.



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40 (7)~~(6)~~ "Commercial fishing vessel" means:

41 ~~(a)~~ a vessel primarily engaged in the taking or landing of

42 saltwater fish or saltwater products or freshwater fish or

43 freshwater products, or a vessel licensed pursuant to s. 379.361

44 from which commercial quantities of saltwater products are

45 harvested, from within and without the waters of this state for

46 sale to the consumer or to a retail or wholesale dealer.

47 ~~(b) Any other vessel, except a recreational vessel as~~

48 ~~defined in this section.~~

49 (8) "Commercial vessel" means a vessel represented as a

50 place of business or a professional or other commercial

51 enterprise.

52 (13) "Effective means of propulsion for safe navigation"

53 means a vessel, other than a barge, that is equipped with:

54 (a) A functioning motor, controls, and steering system; or

55 (b) Rigging and sails that are present and in good working

56 order, and a functioning steering system.

57 (22)~~(19)~~ "Live-aboard vessel" means:

58 (a) A vessel used solely as a residence and not for

59 navigation;

60 ~~(b) A vessel represented as a place of business or a~~

61 ~~professional or other commercial enterprise; or~~

62 (b)~~(c)~~ A vessel for which a declaration of domicile has

63 been filed pursuant to s. 222.17; or

64 (c) A vessel used as a residence that does not have an

65 effective means of propulsion for safe navigation.

66

67 A commercial fishing vessel ~~boat~~ is expressly excluded from the

68 term "live-aboard vessel."



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69 Section 3. Subsection (1) of section 327.391, Florida
70 Statutes, is amended to read:

71 327.391 Airboats regulated.—

72 (1) The exhaust of every internal combustion engine used on
73 any airboat operated on the waters of this state shall be
74 provided with an automotive-style factory muffler, underwater
75 exhaust, or other manufactured device capable of adequately
76 muffling the sound of the exhaust of the engine as described in
77 s. 327.02(30) ~~s. 327.02(27)~~. The use of cutouts or flex pipe as
78 the sole source of muffling is prohibited, except as provided in
79 subsection (4). Any person who violates this subsection commits
80 a noncriminal infraction punishable as provided in s. 327.73(1).

81 Section 4. Paragraph (e) is added to subsection (2) of
82 section 327.4107, Florida Statutes, to read:

83 327.4107 Vessels at risk of becoming derelict on waters of
84 this state.—

85 (2) An officer of the commission or of a law enforcement
86 agency specified in s. 327.70 may determine that a vessel is at
87 risk of becoming derelict if any of the following conditions
88 exist:

89 (e) The vessel does not have an effective means of
90 propulsion for safe navigation within 72 hours after the vessel
91 owner or operator receives telephonic or written notice, which
92 may be provided by facsimile, electronic mail, or other
93 electronic means, stating such from an officer, and the vessel
94 owner or operator is unable to provide a receipt, proof of
95 purchase, or other documentation of having ordered necessary
96 parts for vessel repair. The commission may adopt rules to
97 implement this paragraph.



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98 Section 5. Subsection (7) of section 327.4108, Florida
99 Statutes, is amended to read:

100 327.4108 Anchoring of vessels in anchoring limitation
101 areas.—

102 (7) This section shall remain in effect notwithstanding
103 ~~expires upon~~ the Legislature's adoption of the commission's
104 recommendations for the regulation of mooring vessels outside of
105 public mooring fields pursuant to s. 327.4105.

106 Section 6. Section 327.4109, Florida Statutes, is created
107 to read:

108 327.4109 Anchoring or mooring prohibited; exceptions;
109 penalties.—

110 (1) (a) An owner or operator of a vessel or floating
111 structure may not anchor or moor such that the nearest approach
112 of the anchored or moored vessel or floating structure is:

113 1. Within 150 feet of any marina, boat ramp, boatyard, or
114 other vessel launching or loading facility;

115 2. Within 300 feet of a superyacht repair facility. For
116 purposes of this subparagraph, the term "superyacht repair
117 facility" means a facility that services or repairs a yacht of
118 120 feet or more in length; or

119 3. Within 100 feet outward from the marked boundary of a
120 public mooring field or a lesser distance if approved by the
121 commission upon request of a local government within which the
122 mooring field is located. The commission may adopt rules to
123 implement this subparagraph.

124 (b) This subsection does not apply to:

125 1. A vessel owned or operated by a governmental entity.

126 2. A construction or dredging vessel on an active job site.



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127 3. A commercial fishing vessel actively engaged in
128 commercial fishing.

129 4. A vessel actively engaged in recreational fishing if the
130 persons onboard are actively tending hook and line fishing gear
131 or nets.

132 (2) Notwithstanding subsection (1), an owner or operator of
133 a vessel may anchor or moor within 150 feet of any marina, boat
134 ramp, boatyard, or other vessel launching or loading facility,
135 within 300 feet of a superyacht repair facility, or within 100
136 feet outward from the marked boundary of a public mooring field
137 if:

138 (a) The vessel suffers a mechanical failure that poses an
139 unreasonable risk of harm to the vessel or the persons onboard
140 such vessel. The owner or operator of the vessel may anchor or
141 moor for 5 business days or until the vessel is repaired,
142 whichever occurs first.

143 (b) Imminent or existing weather conditions in the vicinity
144 of the vessel pose an unreasonable risk of harm to the vessel or
145 the persons onboard such vessel. The owner or operator of the
146 vessel may anchor or moor until weather conditions no longer
147 pose such risk. During a hurricane or tropical storm, weather
148 conditions are deemed to no longer pose an unreasonable risk of
149 harm when the hurricane or tropical storm warning affecting the
150 area has expired.

151 (3) The owner or operator of a vessel or floating structure
152 may not anchor or moor within the marked boundary of a public
153 mooring field unless the owner or operator has a lawful right to
154 anchor or moor in the mooring field by contractual agreement or
155 other business arrangement.



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156 (4) The owner or operator of a vessel or floating structure
157 may not anchor, moor, tie, or otherwise affix or allow the
158 vessel or floating structure to remain anchored, moored, tied,
159 or otherwise affixed to an unpermitted, unauthorized, or
160 otherwise unlawful object that is on or affixed to the bottom of
161 the waters of this state. This subsection does not apply to a
162 private mooring owned by the owner of privately owned submerged
163 lands.

164 (5) A violation of this section is a noncriminal
165 infraction, punishable as provided in s. 327.73(1)(bb).

166 Section 7. Subsection (2) of section 327.44, Florida
167 Statutes, is amended to read:

168 327.44 Interference with navigation; relocation or removal;
169 recovery of costs.—

170 (2) No person shall anchor, moor ~~operate~~, or permit to be
171 anchored or moored, except in case of emergency, or operate
172 ~~operated~~ a vessel or carry on any prohibited activity in a
173 manner which shall unreasonably or unnecessarily constitute a
174 navigational hazard or interfere with another vessel. Anchoring
175 or mooring under bridges or in or adjacent to heavily traveled
176 channels shall constitute interference if unreasonable under the
177 prevailing circumstances.

178 Section 8. Subsection (1) of section 327.46, Florida
179 Statutes, is amended, and paragraphs (d) and (e) are added to
180 that subsection, to read:

181 327.46 Boating-restricted areas.—

182 (1) Boating-restricted areas, including, but not limited
183 to, restrictions of vessel speeds and vessel traffic, may be
184 established on the waters of this state for any purpose



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185 necessary to protect the safety of the public if such
186 restrictions are necessary based on boating accidents,
187 visibility, hazardous currents or water levels, vessel traffic
188 congestion, or other navigational hazards or to protect
189 seagrasses on privately owned submerged lands.

190 (a) The commission may establish boating-restricted areas
191 by rule pursuant to chapter 120.

192 (b) Municipalities and counties have the authority to
193 establish the following boating-restricted areas by ordinance:

194 1. An ordinance establishing an idle speed, no wake
195 boating-restricted area, if the area is:

196 a. Within 500 feet of any boat ramp, hoist, marine railway,
197 or other launching or landing facility available for use by the
198 general boating public on waterways more than 300 feet in width
199 or within 300 feet of any boat ramp, hoist, marine railway, or
200 other launching or landing facility available for use by the
201 general boating public on waterways not exceeding 300 feet in
202 width.

203 b. Within 500 feet of fuel pumps or dispensers at any
204 marine fueling facility that sells motor fuel to the general
205 boating public on waterways more than 300 feet in width or
206 within 300 feet of the fuel pumps or dispensers at any licensed
207 terminal facility that sells motor fuel to the general boating
208 public on waterways not exceeding 300 feet in width.

209 c. Inside or within 300 feet of any lock structure.

210 2. An ordinance establishing a slow speed, minimum wake
211 boating-restricted area if the area is:

212 a. Within 300 feet of any bridge fender system.

213 b. Within 300 feet of any bridge span presenting a vertical



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214 clearance of less than 25 feet or a horizontal clearance of less
215 than 100 feet.

216 c. On a creek, stream, canal, or similar linear waterway if
217 the waterway is less than 75 feet in width from shoreline to
218 shoreline.

219 d. On a lake or pond of less than 10 acres in total surface
220 area.

221 3. An ordinance establishing a vessel-exclusion zone if the
222 area is:

223 a. Designated as a public bathing beach or swim area.

224 b. Within 300 feet of a dam, spillway, or flood control
225 structure.

226 (c) Municipalities and counties have the authority to
227 establish by ordinance the following other boating-restricted
228 areas:

229 1. An ordinance establishing an idle speed, no wake
230 boating-restricted area, if the area is within 300 feet of a
231 confluence of water bodies presenting a blind corner, a bend in
232 a narrow channel or fairway, or such other area if an
233 intervening obstruction to visibility may obscure other vessels
234 or other users of the waterway.

235 2. An ordinance establishing a slow speed, minimum wake, or
236 numerical speed limit boating-restricted area if the area is:

237 a. Within 300 feet of a confluence of water bodies
238 presenting a blind corner, a bend in a narrow channel or
239 fairway, or such other area if an intervening obstruction to
240 visibility may obscure other vessels or other users of the
241 waterway.

242 b. Subject to unsafe levels of vessel traffic congestion.



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243 c. Subject to hazardous water levels or currents, or
244 containing other navigational hazards.

245 d. An area that accident reports, uniform boating
246 citations, vessel traffic studies, or other creditable data
247 demonstrate to present a significant risk of collision or a
248 significant threat to boating safety.

249 3. An ordinance establishing a vessel-exclusion zone if the
250 area is reserved exclusively:

251 a. As a canoe trail or otherwise limited to vessels under
252 oars or under sail.

253 b. For a particular activity and user group separation must
254 be imposed to protect the safety of those participating in such
255 activity.

256
257 Any of the ordinances adopted pursuant to this paragraph shall
258 not take effect until the commission has reviewed the ordinance
259 and determined by substantial competent evidence that the
260 ordinance is necessary to protect public safety pursuant to this
261 paragraph. Any application for approval of an ordinance shall be
262 reviewed and acted upon within 90 days after receipt of a
263 completed application. Within 30 days after a municipality or
264 county submits an application for approval to the commission,
265 the commission shall advise the municipality or county as to
266 what information, if any, is needed to deem the application
267 complete. An application shall be considered complete upon
268 receipt of all requested information and correction of any error
269 or omission for which the applicant was timely notified or when
270 the time for such notification has expired. The commission's
271 action on the application shall be subject to review under



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272 chapter 120. The commission shall initiate rulemaking no later
273 than January 1, 2010, to provide criteria and procedures for
274 reviewing applications and procedures for providing for public
275 notice and participation pursuant to this paragraph.

276 (d) Owners of private submerged lands that are adjacent to
277 Outstanding Florida Waters, as defined in s. 403.061(27), or an
278 aquatic preserve established under ss. 258.39-258.399 may
279 request that the commission establish boating-restricted areas
280 solely to protect any seagrass and contiguous seagrass habitat
281 within their private property boundaries from seagrass scarring
282 due to propeller dredging. Owners making a request pursuant to
283 this paragraph must demonstrate to the commission clear
284 ownership of the submerged lands. The commission shall adopt
285 rules to implement this paragraph, including, but not limited
286 to, establishing an application process and criteria for meeting
287 the requirements of this paragraph. Each approved boating-
288 restricted area shall be established by commission rule. For
289 marking boating-restricted zones established pursuant to this
290 paragraph, owners of private submerged lands shall apply to the
291 commission for a uniform waterway marker permit in accordance
292 with ss. 327.40 and 327.41, and shall be responsible for marking
293 the boating-restricted zone in accordance with the terms of the
294 permit.

295 (e) As used in this section, the term "seagrass" has the
296 same meaning as in s. 253.04.

297 Section 9. Subsections (2) and (3) of section 327.60,
298 Florida Statutes, are amended, and subsections (4) and (5) are
299 added to that section, to read:

300 327.60 Local regulations; limitations.-



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301 (2) ~~Nothing in~~ This chapter and ~~or~~ chapter 328 do not shall
302 ~~be construed to~~ prevent the adoption of any ordinance or local
303 regulation relating to operation of vessels, except that a
304 county or municipality may shall not enact, continue in effect,
305 or enforce any ordinance or local regulation:

306 (a) Establishing a vessel or associated equipment
307 performance or other safety standard, imposing a requirement for
308 associated equipment, or regulating the carrying or use of
309 marine safety articles;

310 (b) Relating to the design, manufacture, or installation,
311 ~~or use~~ of any marine sanitation device on any vessel, except as
312 authorized in subsection (4);

313 (c) Regulating any vessel upon the Florida Intracoastal
314 Waterway;

315 (d) Discriminating against personal watercraft;

316 (e) Discriminating against airboats, for ordinances adopted
317 after July 1, 2006, unless adopted by a two-thirds vote of the
318 governing body enacting such ordinance;

319 (f) Regulating the anchoring of vessels ~~other than live-~~
320 ~~aboard vessels~~ outside the marked boundaries of mooring fields
321 permitted as provided in s. 327.40, except for:

322 1. Live-aboard vessels; and

323 2. Commercial vessels, excluding commercial fishing
324 vessels;

325 (g) Regulating engine or exhaust noise, except as provided
326 in s. 327.65; or

327 (h) That conflicts with any provisions of this chapter or
328 any amendments thereto or rules adopted thereunder.

329 (3) ~~Nothing in~~ This section does not shall be construed to



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330 prohibit local governments ~~governmental authorities~~ from
331 enacting or enforcing the enactment or enforcement of
332 regulations that ~~which~~ prohibit or restrict the mooring or
333 anchoring of floating structures, ~~or~~ live-aboard vessels, or
334 commercial vessels, excluding commercial fishing vessels, within
335 their jurisdictions or of any vessels within the marked
336 boundaries of mooring fields permitted as provided in s. 327.40.
337 ~~However, local governmental authorities are prohibited from~~
338 ~~regulating the anchoring outside of such mooring fields of~~
339 ~~vessels other than live-aboard vessels as defined in s. 327.02.~~

340 (4) (a) A local government may enact and enforce regulations
341 that require owners or operators of vessels or floating
342 structures subject to the marine sanitation requirements of s.
343 327.53 to provide proof of proper sewage disposal by means of an
344 approved sewage pumpout service, approved sewage pumpout
345 facility, or approved waste reception facility when anchored or
346 moored for more than 10 consecutive days within the following
347 areas:

348 1. Marked boundaries of a permitted mooring field under the
349 jurisdiction of the local government;

350 2. No-discharge zones as published in Volume 53, No. 13 of
351 the Federal Register, page 1678 (1988); Volume 64, No. 164 of
352 the Federal Register, pages 46390-46391 (1999); and Volume 67,
353 No. 98 of the Federal Register, pages 35735-35743 (2002); or

354 3. No-discharge zones established pursuant to 40 C.F.R. s.
355 1700.10.

356 (b) Before a local government may adopt an ordinance to
357 enact and enforce such regulations, the local government must
358 ensure that there are approved sewage pumpout services, approved



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359 sewage pumpout facilities, or approved waste reception
360 facilities available within its jurisdiction. Any ordinance
361 adopted pursuant to this subsection may not take effect until
362 reviewed and approved as consistent with this subsection by the
363 commission.

364 (c) This subsection does not prohibit a local government
365 from enacting or enforcing such sewage pumpout requirements for
366 live-aboard vessels, floating structures, and commercial vessels
367 within any areas of its jurisdiction.

368 (d) The commission may adopt rules to implement this
369 subsection.

370 (5) A local government may enact and enforce regulations to
371 implement the procedures for abandoned or lost property that
372 allow a local government law enforcement agency to remove a
373 vessel affixed to a public dock within its jurisdiction that is
374 abandoned or lost property pursuant to s. 705.103(1). Any
375 regulation enacted by a local government must require a written,
376 posted notice of no less than 24 hours before removal.

377 Section 10. Subsection (3) of section 327.70, Florida
378 Statutes, is amended, and paragraph (d) is added to that
379 subsection, to read:

380 327.70 Enforcement of this chapter and chapter 328.—

381 (3) (a) Noncriminal violations of the following statutes may
382 be enforced by a uniform boating citation mailed to the
383 registered owner of an unattended vessel anchored, aground, or
384 moored on the waters of this state:

385 1. Section 327.33(3) (b), relating to navigation rules.

386 2. Section 327.44, relating to interference with
387 navigation.



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388 3. Section 327.50(2), relating to required lights and
389 shapes.

390 4. Section 327.53, relating to marine sanitation.

391 5. Section 328.48(5), relating to display of decal.

392 6. Section 328.52(2), relating to display of number.

393 7. Section 327.4107, relating to vessels at risk of
394 becoming derelict.

395 8. Section 327.4109, relating to prohibited anchoring or
396 mooring.

397 (b) Citations issued to livery vessels under this
398 subsection are ~~shall be~~ the responsibility of the lessee of the
399 vessel if the livery has included a warning of this
400 responsibility as a part of the rental agreement and has
401 provided to the agency issuing the citation the name, address,
402 and date of birth of the lessee when requested by that agency.
403 The livery is not responsible for the payment of citations if
404 the livery provides the required warning and lessee information.

405 (c) A noncriminal violation of s. 327.4108 may be enforced
406 by a uniform boating citation issued to the operator of a vessel
407 unlawfully anchored in an anchoring limitation area.

408 (d) A noncriminal violation of s. 327.4109 may be enforced
409 by a uniform boating citation issued to an owner or operator of
410 a vessel or floating structure that is anchored or moored where
411 prohibited.

412 Section 11. Paragraph (g) of subsection (1) of section
413 327.73, Florida Statutes, is amended, and paragraph (bb) is
414 added to that subsection, to read:

415 327.73 Noncriminal infractions.—

416 (1) Violations of the following provisions of the vessel



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417 laws of this state are noncriminal infractions:

418 (g) Section 328.72(13), relating to operation with an
419 expired registration, for which the penalty is:

420 1. For a first or subsequent offense of s. 328.72(13)(a),
421 up to a maximum of \$50.

422 2. For a first offense of s. 328.72(13)(b), up to a maximum
423 of \$250.

424 3. For a second or subsequent offense of s. 328.72(13)(b),
425 up to a maximum of \$500. A person cited for a noncriminal
426 infraction under this subparagraph may not have the provisions
427 of paragraph (4)(a) available to him or her and must appear
428 before the designated official at the time and location of the
429 scheduled hearing.

430 (bb) Section 327.4109, relating to anchoring or mooring in
431 a prohibited area, for which the penalty is:

432 1. For a first offense, up to a maximum of \$50.

433 2. For a second offense, up to a maximum of \$100.

434 3. For a third or subsequent offense, up to a maximum of
435 \$250.

436

437 Any person cited for a violation of any provision of this
438 subsection shall be deemed to be charged with a noncriminal
439 infraction, shall be cited for such an infraction, and shall be
440 cited to appear before the county court. The civil penalty for
441 any such infraction is \$50, except as otherwise provided in this
442 section. Any person who fails to appear or otherwise properly
443 respond to a uniform boating citation shall, in addition to the
444 charge relating to the violation of the boating laws of this
445 state, be charged with the offense of failing to respond to such



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446 citation and, upon conviction, be guilty of a misdemeanor of the
447 second degree, punishable as provided in s. 775.082 or s.
448 775.083. A written warning to this effect shall be provided at
449 the time such uniform boating citation is issued.

450 Section 12. Subsection (4) is added to section 328.09,
451 Florida Statutes, to read:

452 328.09 Refusal to issue and authority to cancel a
453 certificate of title or registration.—

454 (4) The department may not issue a certificate of title to
455 any applicant for any vessel that has been deemed derelict by a
456 law enforcement officer under s. 823.11. A law enforcement
457 officer must inform the department in writing, which may be
458 provided by facsimile, electronic mail, or other electronic
459 means, of the vessel's derelict status and supply the department
460 with the vessel title number or vessel identification number.
461 The department may issue a certificate of title once a law
462 enforcement officer has verified in writing, which may be
463 provided by facsimile, electronic mail, or other electronic
464 means, that the vessel is no longer a derelict vessel.

465 Section 13. Subsection (2) of section 328.70, Florida
466 Statutes, is amended to read:

467 328.70 Legislative intent with respect to uniform
468 registration fee, classification of vessels.—

469 (2) Any vessel that ~~which~~ is required to be registered and
470 meets the definition of a commercial fishing vessel or
471 commercial vessel shall be classified and registered as a
472 "commercial vessel."

473 Section 14. Subsection (13) of section 328.72, Florida
474 Statutes, is amended to read:



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475 328.72 Classification; registration; fees and charges;
476 surcharge; disposition of fees; fines; marine turtle stickers.-

477 (13) EXPIRED REGISTRATION.-The operation, use, or storage
478 on the waters of this state of a previously registered vessel is
479 subject to the following penalties:

480 (a) The owner or operator of a vessel with an expired
481 registration of 6 months or less commits a noncriminal
482 infraction, punishable as provided in s. 327.73(1)(g)1.

483 (b) The owner or operator of a vessel with an expired
484 registration of more than 6 months commits a noncriminal
485 infraction, punishable as provided in s. 327.73(1)(g)2. or
486 (1)(g)3. after the expiration of the registration period is a
487 noncriminal violation, as defined in s. 327.73. This subsection
488 does not apply to vessels lawfully stored at a dock or in a
489 marina.

490 Section 15. Subsection (2) of section 705.103, Florida
491 Statutes, is amended to read:

492 705.103 Procedure for abandoned or lost property.-

493 (2) Whenever a law enforcement officer ascertains that an
494 article of lost or abandoned property is present on public
495 property and is of such nature that it cannot be easily removed,
496 the officer shall cause a notice to be placed upon such article
497 in substantially the following form:

498
499 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED
500 PROPERTY. This property, to wit: ...(setting forth brief
501 description)... is unlawfully upon public property known as
502 ...(setting forth brief description of location)... and must be
503 removed within 5 days; otherwise, it will be removed and



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504 disposed of pursuant to chapter 705, Florida Statutes. The owner
505 will be liable for the costs of removal, storage, and
506 publication of notice. Dated this: ...(setting forth the date of
507 posting of notice)..., signed: ...(setting forth name, title,
508 address, and telephone number of law enforcement officer)....

509
510 Such notice shall be not less than 8 inches by 10 inches and
511 shall be sufficiently weatherproof to withstand normal exposure
512 to the elements. In addition to posting, the law enforcement
513 officer shall make a reasonable effort to ascertain the name and
514 address of the owner. If such is reasonably available to the
515 officer, she or he shall mail a copy of such notice to the owner
516 on or before the date of posting. If the property is a motor
517 vehicle as defined in s. 320.01(1) or a vessel as defined in s.
518 327.02, the law enforcement agency shall contact the Department
519 of Highway Safety and Motor Vehicles in order to determine the
520 name and address of the owner and any person who has filed a
521 lien on the vehicle or vessel as provided in s. 319.27(2) or (3)
522 or s. 328.15(1). On receipt of this information, the law
523 enforcement agency shall mail a copy of the notice by certified
524 mail, return receipt requested, to the owner and to the
525 lienholder, if any, except that a law enforcement officer who
526 has issued the owner of a derelict vessel a citation for a
527 violation of s. 823.11 is not required to mail a copy of the
528 notice by certified mail, return receipt requested, to the
529 owner. If, at the end of 5 days after posting the notice and
530 mailing such notice, if required, the owner or any person
531 interested in the lost or abandoned article or articles
532 described has not removed the article or articles from public



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533 property or shown reasonable cause for failure to do so, the
534 following shall apply:

535 (a) For abandoned property, the law enforcement agency may
536 retain any or all of the property for its own use or for use by
537 the state or unit of local government, trade such property to
538 another unit of local government or state agency, donate the
539 property to a charitable organization, sell the property, or
540 notify the appropriate refuse removal service.

541 (b) For lost property, the officer shall take custody and
542 the agency shall retain custody of the property for 90 days. The
543 agency shall publish notice of the intended disposition of the
544 property, as provided in this section, during the first 45 days
545 of this time period.

546 1. If the agency elects to retain the property for use by
547 the unit of government, donate the property to a charitable
548 organization, surrender such property to the finder, sell the
549 property, or trade the property to another unit of local
550 government or state agency, notice of such election shall be
551 given by an advertisement published once a week for 2
552 consecutive weeks in a newspaper of general circulation in the
553 county where the property was found if the value of the property
554 is more than \$100. If the value of the property is \$100 or less,
555 notice shall be given by posting a description of the property
556 at the law enforcement agency where the property was turned in.
557 The notice must be posted for not less than 2 consecutive weeks
558 in a public place designated by the law enforcement agency. The
559 notice must describe the property in a manner reasonably
560 adequate to permit the rightful owner of the property to claim
561 it.



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562 2. If the agency elects to sell the property, it must do so
563 at public sale by competitive bidding. Notice of the time and
564 place of the sale shall be given by an advertisement of the sale
565 published once a week for 2 consecutive weeks in a newspaper of
566 general circulation in the county where the sale is to be held.
567 The notice shall include a statement that the sale shall be
568 subject to any and all liens. The sale must be held at the
569 nearest suitable place to that where the lost or abandoned
570 property is held or stored. The advertisement must include a
571 description of the goods and the time and place of the sale. The
572 sale may take place no earlier than 10 days after the final
573 publication. If there is no newspaper of general circulation in
574 the county where the sale is to be held, the advertisement shall
575 be posted at the door of the courthouse and at three other
576 public places in the county at least 10 days prior to sale.
577 Notice of the agency's intended disposition shall describe the
578 property in a manner reasonably adequate to permit the rightful
579 owner of the property to identify it.

580 Section 16. This act shall take effect July 1, 2017.

581
582 ===== T I T L E A M E N D M E N T =====

583 And the title is amended as follows:

584 Delete everything before the enacting clause
585 and insert:

586 A bill to be entitled
587 An act relating to vessels; amending s. 253.0347,
588 F.S.; authorizing certain grandfathered private
589 residential multifamily docks to exceed the number of
590 moored boats for the number of residential units;



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591 amending s. 327.02, F.S.; providing and revising
592 definitions; amending s. 327.391, F.S.; conforming a
593 cross-reference; amending s. 327.4107, F.S.; providing
594 a condition under which a vessel is at risk of
595 becoming derelict; specifying the means by which an
596 officer may provide notice to a vessel owner or
597 operator; authorizing the Fish and Wildlife
598 Conservation Commission to adopt rules; amending s.
599 327.4108, F.S.; removing the expiration of provisions
600 relating to the anchoring of vessels in anchoring
601 limitation areas; creating s. 327.4109, F.S.;
602 prohibiting the anchoring or mooring of vessels and
603 floating structures in certain areas; providing
604 exceptions and a penalty; amending s. 327.44, F.S.;
605 prohibiting mooring that unreasonably or unnecessarily
606 constitutes a navigational hazard or interference with
607 another vessel; amending s. 327.46, F.S.; authorizing
608 owners of certain private submerged land to request
609 that the commission establish boating-restricted areas
610 to protect certain seagrass; authorizing the
611 commission to adopt rules; providing a definition;
612 amending s. 327.60, F.S.; authorizing a local
613 government to enact and enforce certain regulations
614 that prohibit or restrict mooring or anchoring of
615 certain vessels, that require sewage disposal by
616 certain vessels and floating structures, and that
617 authorize the removal of certain vessels; requiring
618 local governments with requirements for sewage
619 disposal to provide sewage pumpout services; requiring



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620 the commission to review and approve certain
621 ordinances; providing applicability; authorizing the
622 commission to adopt rules; amending s. 327.70, F.S.;
623 providing for issuance of uniform boating citations
624 for anchoring or mooring in prohibited areas; amending
625 s. 327.73, F.S.; providing penalties for operating a
626 vessel with an expired registration and anchoring or
627 mooring in prohibited areas; amending s. 328.09, F.S.;
628 prohibiting the issuance of certificates of title for
629 derelict vessels unless certain documentation is
630 provided; amending s. 328.70, F.S.; providing that a
631 commercial fishing vessel must be classified and
632 registered as a commercial vessel; amending s. 328.72,
633 F.S.; revising the penalties for operation, use, or
634 storage of vessels with an expired registration;
635 amending s. 705.103, F.S.; exempting derelict vessels
636 from certain abandoned or lost property notice
637 requirements; providing an effective date.