



594170

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2017	.	
	.	
	.	
	.	

---

The Committee on Environmental Preservation and Conservation  
(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



594170

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 exceed the number of  
21 moored boats for the number of units within the private  
22 multifamily development as previously authorized under the  
23 grandfather program.

24 Section 2. Present subsections (3) through (10) and present  
25 subsections (11) through (44) of section 327.02, Florida  
26 Statutes, are renumbered as subsections (4) through (11) and  
27 subsections (13) through (46), respectively, new subsections (3)  
28 and (12) are added to that section, and present subsection (19)  
29 of that section is amended, to read:

30 327.02 Definitions.—As used in this chapter and in chapter  
31 328, unless the context clearly requires a different meaning,  
32 the term:

33 (3) "Barge" means a flat-bottomed vessel used for the  
34 transport of goods on inland waterways which is propelled by its  
35 own power or towed by another vessel.

36 (12) "Effective means of propulsion for safe navigation"  
37 means when a vessel, other than a barge, is equipped with:

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

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



594170

40 order, and a functioning steering system.

41 (21)~~(19)~~ "Live-aboard vessel" means:

42 (a) A vessel used solely as a residence and not for  
43 navigation;

44 ~~(b) A vessel represented as a place of business or a~~  
45 ~~professional or other commercial enterprise; or~~

46 ~~(c) A vessel for which a declaration of domicile has been~~  
47 ~~filed pursuant to s. 222.17; or~~

48 (c) A vessel used as a residence which does not have an  
49 effective means of propulsion for safe navigation.

50

51 A commercial vessel and a barge are ~~fishing boat is~~ expressly  
52 excluded from the term "live-aboard vessel."

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

55 327.391 Airboats regulated.—

56 (1) The exhaust of every internal combustion engine used on  
57 any airboat operated on the waters of this state shall be  
58 provided with an automotive-style factory muffler, underwater  
59 exhaust, or other manufactured device capable of adequately  
60 muffling the sound of the exhaust of the engine as described in  
61 s. 327.02(29) ~~s. 327.02(27)~~. The use of cutouts or flex pipe as  
62 the sole source of muffling is prohibited, except as provided in  
63 subsection (4). Any person who violates this subsection commits  
64 a noncriminal infraction punishable as provided in s. 327.73(1).

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

67 327.4107 Vessels at risk of becoming derelict on waters of  
68 this state.—



594170

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

73 (e) The vessel does not have an effective means of  
74 propulsion for safe navigation within 72 hours after the owner  
75 or operator of the vessel receives written notice, which may  
76 include electronic mail or by other electronic documentation, of  
77 such from an officer, and the vessel owner or operator is unable  
78 to provide a receipt, proof of purchase, or other documentation  
79 of having ordered necessary parts for vessel repair. The  
80 commission may adopt rules to implement this paragraph.

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

83 327.4108 Anchoring of vessels in anchoring limitation  
84 areas.—

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

89 Section 6. Section 327.4109, Florida Statutes, is created  
90 to read:

91 327.4109 Anchoring or mooring prohibited; exceptions;  
92 penalties.—

93 (1) (a) A vessel or floating structure may not anchor or  
94 moor such that the nearest approach of the anchored vessel is:

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

97 2. Within 300 feet of a superyacht repair facility. For



594170

98 purposes of this subparagraph, a "superyacht repair facility"  
99 means a facility that can provide service or repair to a yacht  
100 with a load line of 79 feet or more in length; or

101 3. Within 100 feet of a public mooring field boundary or a  
102 lesser distance if approved by the commission upon request by a  
103 local government within which the mooring field is located. The  
104 commission may adopt rules to implement this subparagraph.

105 (b) Paragraph (a) does not apply to:

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

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

108 3. A vessel actively engaged in commercial fishing.

109 4. A vessel actively engaged in recreational fishing if the  
110 persons onboard are actively tending hook and line fishing gear  
111 or nets.

112 (2) Notwithstanding paragraph (1)(a), an owner or operator  
113 of a vessel may anchor or moor within 150 feet of any marina,  
114 boat ramp, boatyard, or other vessel launching or loading  
115 facility or within 100 feet of public mooring field boundaries  
116 if:

117 (a) The vessel suffers a mechanical failure that poses an  
118 unreasonable risk of harm to the vessel or the persons on board  
119 such vessel. The owner or operator of the vessel may anchor or  
120 moor for 5 business days or until the vessel is repaired,  
121 whichever occurs first; or

122 (b) Imminent or existing weather conditions in the vicinity  
123 of the vessel pose an unreasonable risk of harm to the vessel or  
124 the persons on board. The owner or operator of the vessel may  
125 anchor or moor until weather conditions no longer pose such  
126 risk. During a hurricane or tropical storm, weather conditions



594170

127 are deemed to no longer pose an unreasonable risk of harm when  
128 the hurricane or tropical storm warning affecting the area has  
129 expired.

130 (3) The owner or operator of a vessel or floating structure  
131 may not anchor, moor, tie, or otherwise affix or allow the  
132 vessel or floating structure to remain anchored, moored, tied,  
133 or otherwise affixed to an unpermitted, unauthorized, or  
134 otherwise unlawful object that is on or affixed to the bottom of  
135 the waters of this state. This subsection does not apply to a  
136 private mooring owned by the owner of private submerged lands.

137 (4) A violation of this section is a noncriminal infraction  
138 punishable as provided in s. 327.73(1) (bb).

139 Section 7. Subsection (1) of section 327.46, Florida  
140 Statutes, is amended to read:

141 327.46 Boating-restricted areas.—

142 (1) Boating-restricted areas, including, but not limited  
143 to, restrictions of vessel speeds and vessel traffic, may be  
144 established on the waters of this state for any purpose  
145 necessary to protect the safety of the public if such  
146 restrictions are necessary based on boating accidents,  
147 visibility, hazardous currents or water levels, vessel traffic  
148 congestion, or other navigational hazards or to protect  
149 seagrasses on privately owned submerged lands.

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

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

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



594170

156           a. Within 500 feet of any boat ramp, hoist, marine railway,  
157 or other launching or landing facility available for use by the  
158 general boating public on waterways more than 300 feet in width  
159 or within 300 feet of any boat ramp, hoist, marine railway, or  
160 other launching or landing facility available for use by the  
161 general boating public on waterways not exceeding 300 feet in  
162 width.

163           b. Within 500 feet of fuel pumps or dispensers at any  
164 marine fueling facility that sells motor fuel to the general  
165 boating public on waterways more than 300 feet in width or  
166 within 300 feet of the fuel pumps or dispensers at any licensed  
167 terminal facility that sells motor fuel to the general boating  
168 public on waterways not exceeding 300 feet in width.

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

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

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

173           b. Within 300 feet of any bridge span presenting a vertical  
174 clearance of less than 25 feet or a horizontal clearance of less  
175 than 100 feet.

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

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

181           3. An ordinance establishing a vessel-exclusion zone if the  
182 area is:

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

184           b. Within 300 feet of a dam, spillway, or flood control



594170

185 structure.

186 (c) Municipalities and counties have the authority to  
187 establish by ordinance the following other boating-restricted  
188 areas:

189 1. An ordinance establishing an idle speed, no wake  
190 boating-restricted area, if the area is within 300 feet of a  
191 confluence of water bodies presenting a blind corner, a bend in  
192 a narrow channel or fairway, or such other area if an  
193 intervening obstruction to visibility may obscure other vessels  
194 or other users of the waterway.

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

197 a. Within 300 feet of a confluence of water bodies  
198 presenting a blind corner, a bend in a narrow channel or  
199 fairway, or such other area if an intervening obstruction to  
200 visibility may obscure other vessels or other users of the  
201 waterway.

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

203 c. Subject to hazardous water levels or currents, or  
204 containing other navigational hazards.

205 d. An area that accident reports, uniform boating  
206 citations, vessel traffic studies, or other creditable data  
207 demonstrate to present a significant risk of collision or a  
208 significant threat to boating safety.

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

211 a. As a canoe trail or otherwise limited to vessels under  
212 oars or under sail.

213 b. For a particular activity and user group separation must





594170

214 be imposed to protect the safety of those participating in such  
215 activity.

216

217 Any of the ordinances adopted pursuant to this paragraph shall  
218 not take effect until the commission has reviewed the ordinance  
219 and determined by substantial competent evidence that the  
220 ordinance is necessary to protect public safety pursuant to this  
221 paragraph. Any application for approval of an ordinance shall be  
222 reviewed and acted upon within 90 days after receipt of a  
223 completed application. Within 30 days after a municipality or  
224 county submits an application for approval to the commission,  
225 the commission shall advise the municipality or county as to  
226 what information, if any, is needed to deem the application  
227 complete. An application shall be considered complete upon  
228 receipt of all requested information and correction of any error  
229 or omission for which the applicant was timely notified or when  
230 the time for such notification has expired. The commission's  
231 action on the application shall be subject to review under  
232 chapter 120. The commission shall initiate rulemaking no later  
233 than January 1, 2010, to provide criteria and procedures for  
234 reviewing applications and procedures for providing for public  
235 notice and participation pursuant to this paragraph.

236 (d)1. Owners of private submerged lands that are adjacent  
237 to Outstanding Florida Waters, as defined in s. 403.061(27), or  
238 an aquatic preserve established under ss. 258.39-258.399, may  
239 request that the commission establish boating-restricted areas  
240 for the sole purpose of protecting any seagrass and contiguous  
241 seagrass habitat within their private property boundaries from  
242 seagrass scarring due to propeller dredging. Owners making a



594170

243 request pursuant to this paragraph must demonstrate to the  
244 commission clear ownership of the submerged lands.

245 2. The commission shall adopt rules to implement this  
246 paragraph, including, but not limited to, establishing an  
247 application process and criteria for meeting the requirements of  
248 subparagraph 1.

249 3. Each approved boating-restricted area must be  
250 established by commission rule.

251 4. For marking boating-restricted areas established  
252 pursuant to this paragraph, private property owners must apply  
253 to the commission for a uniform waterway marker permit in  
254 accordance with ss. 327.40 and 327.41.

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

257 Section 8. Subsections (2) and subsection (3) of section  
258 327.60, Florida Statutes, are amended, and subsections (4) and  
259 (5) are added to that section, to read:

260 327.60 Local regulations; limitations.—

261 (2) Nothing in this chapter or chapter 328 shall be  
262 construed to prevent the adoption of any ordinance or local  
263 regulation relating to operation of vessels, except that a  
264 county or municipality may ~~shall~~ not enact, continue in effect,  
265 or enforce any ordinance or local regulation:

266 (a) Establishing a vessel or associated equipment  
267 performance or other safety standard, imposing a requirement for  
268 associated equipment, or regulating the carrying or use of  
269 marine safety articles;

270 (b) Relating to the design, manufacture, or installation,  
271 ~~or use~~ of any marine sanitation device on any vessel, except as



594170

272 authorized in subsection (4);

273 (c) Regulating any vessel upon the Florida Intracoastal  
274 Waterway;

275 (d) Discriminating against personal watercraft;

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

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

282 1. Live-aboard vessels; and

283 2. Vessels represented as a place of business or a  
284 professional or other commercial enterprise. This does not  
285 include commercial vessels or barges;

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

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

290 (3) Nothing in this section shall be construed to prohibit  
291 local governmental authorities from the enactment or enforcement  
292 of regulations that ~~which~~ prohibit or restrict the mooring or  
293 anchoring of floating structures, ~~or~~ live-aboard vessels, or  
294 vessels represented as a place of business or a professional or  
295 other commercial enterprise, other than commercial vessels or  
296 barges, within their jurisdictions or of any vessels within the  
297 marked boundaries of mooring fields permitted as provided in s.  
298 327.40. However, local governmental authorities are prohibited  
299 from regulating the anchoring outside of such mooring fields of  
300 commercial vessels or barges and any vessels other than live-



594170

301 aboard vessels as defined in s. 327.02.

302 (4) (a) A local government may enact and enforce regulations  
303 requiring owners or operators of vessels or floating structures  
304 subject to the marine sanitation requirements of s. 327.53, when  
305 anchored or moored for more than 10 consecutive days within the  
306 following areas, to provide proof of proper sewage disposal by  
307 means of an approved sewage pumpout service, approved sewage  
308 pumpout facility, or approved waste reception facility:

309 1. Marked boundaries of a permitted mooring field under the  
310 jurisdiction of the local government; or

311 2. Designated no-discharge zones pursuant to 40 C.F.R. s.  
312 1700.10, and those provided in Volume 53, No. 13 of the Federal  
313 Register, page 1678 (1988); Volume 64, No. 164 of the Federal  
314 Register, pages 46390-46391 (1999); and Volume 67, No. 98 of the  
315 Federal Register, pages 35735-35743 (2002).

316 (b) Before a local government may adopt an ordinance to  
317 enact and enforce such regulations, the local government must  
318 provide adequate sewage pumpout services. Any ordinance adopted  
319 pursuant to this subsection may not take effect until the  
320 commission has reviewed and approved the ordinance as being  
321 consistent with the requirements of this subsection.

322 (c) The commission may adopt rules to implement this  
323 subsection.

324 (d) This subsection does not prohibit a local government  
325 from enacting or enforcing sewage pumpout requirements for live-  
326 aboard vessels within any areas of its jurisdiction.

327 (5) A local government may enact and enforce regulations  
328 that allow the local government to remove a vessel affixed to a  
329 public dock within its jurisdiction which is abandoned or lost



594170

330 property pursuant to s. 705.103(1).

331 Section 9. Subsection (3) of section 327.70, Florida  
332 Statutes, is amended to read:

333 327.70 Enforcement of this chapter and chapter 328.—

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

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

339 2. Section 327.44, relating to interference with  
340 navigation.

341 3. Section 327.50(2), relating to required lights and  
342 shapes.

343 4. Section 327.53, relating to marine sanitation.

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

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

346 7. Section 327.4107, relating to vessels at risk of  
347 becoming derelict.

348 8. Section 327.4109, relating to prohibited anchoring or  
349 mooring.

350 (b) Citations issued to livery vessels under this  
351 subsection shall be the responsibility of the lessee of the  
352 vessel if the livery has included a warning of this  
353 responsibility as a part of the rental agreement and has  
354 provided to the agency issuing the citation the name, address,  
355 and date of birth of the lessee when requested by that agency.  
356 The livery is not responsible for the payment of citations if  
357 the livery provides the required warning and lessee information.

358 (c) A noncriminal violation of s. 327.4108 may be enforced



594170

359 by a uniform boating citation issued to the operator of a vessel  
360 unlawfully anchored in an anchoring limitation area.

361 (d) A noncriminal violation of s. 327.4109 may be enforced  
362 by a uniform boating citation issued to an owner or operator of  
363 a vessel or floating structure unlawfully anchored, moored,  
364 tied, or otherwise affixed in a prohibited area.

365 Section 10. Paragraph (g) of subsection (1) of section  
366 327.73, Florida Statutes, is amended, and paragraph (bb) is  
367 added to that section, to read:

368 327.73 Noncriminal infractions.—

369 (1) Violations of the following provisions of the vessel  
370 laws of this state are noncriminal infractions:

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

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

375 2. For a first offense of 328.72(13)(b), up to a maximum of  
376 \$250.

377 3. For a second or subsequent offense of 328.72(13)(b), up  
378 to a maximum of \$500, and the violator may not have the  
379 provisions of paragraph (4)(a) available to him or her but must  
380 appear before the designated official at the time and location  
381 of the scheduled hearing.

382 (bb) Section 327.4109, relating to prohibited anchoring or  
383 mooring, for which the penalty is:

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

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

386 3. For a third or subsequent offense, up to a maximum of  
387 \$250.



594170

388  
389 Any person cited for a violation of any provision of this  
390 subsection shall be deemed to be charged with a noncriminal  
391 infraction, shall be cited for such an infraction, and shall be  
392 cited to appear before the county court. The civil penalty for  
393 any such infraction is \$50, except as otherwise provided in this  
394 section. Any person who fails to appear or otherwise properly  
395 respond to a uniform boating citation shall, in addition to the  
396 charge relating to the violation of the boating laws of this  
397 state, be charged with the offense of failing to respond to such  
398 citation and, upon conviction, be guilty of a misdemeanor of the  
399 second degree, punishable as provided in s. 775.082 or s.  
400 775.083. A written warning to this effect shall be provided at  
401 the time such uniform boating citation is issued.

402 Section 11. Subsection (4) is added to section 328.09,  
403 Florida Statutes, to read:

404 328.09 Refusal to issue and authority to cancel a  
405 certificate of title or registration.-

406 (4) The department may not issue a certificate of title to  
407 any applicant for any vessel that has been deemed derelict by a  
408 law enforcement officer under s. 823.11. A law enforcement  
409 officer must inform the department in writing, which may include  
410 facsimile, electronic mail, or other electronic documentation,  
411 of the vessel's derelict status and must supply the vessel title  
412 number or vessel identification number. The department may issue  
413 a certificate of title once a law enforcement officer has  
414 verified in writing, which may include facsimile, electronic  
415 mail, or other electronic documentation, that the vessel is no  
416 longer a derelict vessel.



594170

417 Section 12. Subsection (13) of section 328.72, Florida  
418 Statutes, is amended to read:

419 328.72 Classification; registration; fees and charges;  
420 surcharge; disposition of fees; fines; marine turtle stickers.-

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

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

427 (b) The owner or operator of a vessel with an expired  
428 registration of more than 6 months commits a noncriminal  
429 infraction, punishable as provided in s. 327.73(1)(g)2. and 3  
430 after the expiration of the registration period is a noncriminal  
431 violation, as defined in s. 327.73. This subsection does not  
432 apply to vessels lawfully stored at a dock or in a marina.

433 Section 13. Subsection (2) of section 705.103, Florida  
434 Statutes, is amended to read:

435 705.103 Procedure for abandoned or lost property.-

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

441  
442 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
443 PROPERTY. This property, to wit: ...(setting forth brief  
444 description)... is unlawfully upon public property known as  
445 ...(setting forth brief description of location)... and must be





594170

446 removed within 5 days; otherwise, it will be removed and  
447 disposed of pursuant to chapter 705, Florida Statutes. The owner  
448 will be liable for the costs of removal, storage, and  
449 publication of notice. Dated this: ...(setting forth the date of  
450 posting of notice)..., signed: ...(setting forth name, title,  
451 address, and telephone number of law enforcement officer)....

452

453 Such notice shall be not less than 8 inches by 10 inches and  
454 shall be sufficiently weatherproof to withstand normal exposure  
455 to the elements. In addition to posting, the law enforcement  
456 officer shall make a reasonable effort to ascertain the name and  
457 address of the owner. If such is reasonably available to the  
458 officer, she or he shall mail a copy of such notice to the owner  
459 on or before the date of posting. If the property is a motor  
460 vehicle as defined in s. 320.01(1) or a vessel as defined in s.  
461 327.02, the law enforcement agency shall contact the Department  
462 of Highway Safety and Motor Vehicles in order to determine the  
463 name and address of the owner and any person who has filed a  
464 lien on the vehicle or vessel as provided in s. 319.27(2) or (3)  
465 or s. 328.15(1). On receipt of this information, the law  
466 enforcement agency shall mail a copy of the notice by certified  
467 mail, return receipt requested, to the owner and to the  
468 lienholder, if any, except that when a law enforcement officer  
469 has given the owner of a derelict vessel notice of a violation  
470 of s. 823.11 and issued a citation for the violation, the  
471 officer is not required to send notice by certified mail to the  
472 owner. If, at the end of 5 days after posting the notice and  
473 mailing such notice, if required, the owner or any person  
474 interested in the lost or abandoned article or articles



594170

475 described has not removed the article or articles from public  
476 property or shown reasonable cause for failure to do so, the  
477 following shall apply:

478 (a) For abandoned property, the law enforcement agency may  
479 retain any or all of the property for its own use or for use by  
480 the state or unit of local government, trade such property to  
481 another unit of local government or state agency, donate the  
482 property to a charitable organization, sell the property, or  
483 notify the appropriate refuse removal service.

484 (b) For lost property, the officer shall take custody and  
485 the agency shall retain custody of the property for 90 days. The  
486 agency shall publish notice of the intended disposition of the  
487 property, as provided in this section, during the first 45 days  
488 of this time period.

489 1. If the agency elects to retain the property for use by  
490 the unit of government, donate the property to a charitable  
491 organization, surrender such property to the finder, sell the  
492 property, or trade the property to another unit of local  
493 government or state agency, notice of such election shall be  
494 given by an advertisement published once a week for 2  
495 consecutive weeks in a newspaper of general circulation in the  
496 county where the property was found if the value of the property  
497 is more than \$100. If the value of the property is \$100 or less,  
498 notice shall be given by posting a description of the property  
499 at the law enforcement agency where the property was turned in.  
500 The notice must be posted for not less than 2 consecutive weeks  
501 in a public place designated by the law enforcement agency. The  
502 notice must describe the property in a manner reasonably  
503 adequate to permit the rightful owner of the property to claim



594170

504 it.

505       2. If the agency elects to sell the property, it must do so  
506 at public sale by competitive bidding. Notice of the time and  
507 place of the sale shall be given by an advertisement of the sale  
508 published once a week for 2 consecutive weeks in a newspaper of  
509 general circulation in the county where the sale is to be held.  
510 The notice shall include a statement that the sale shall be  
511 subject to any and all liens. The sale must be held at the  
512 nearest suitable place to that where the lost or abandoned  
513 property is held or stored. The advertisement must include a  
514 description of the goods and the time and place of the sale. The  
515 sale may take place no earlier than 10 days after the final  
516 publication. If there is no newspaper of general circulation in  
517 the county where the sale is to be held, the advertisement shall  
518 be posted at the door of the courthouse and at three other  
519 public places in the county at least 10 days prior to sale.  
520 Notice of the agency's intended disposition shall describe the  
521 property in a manner reasonably adequate to permit the rightful  
522 owner of the property to identify it.

523       Section 14. This act shall take effect July 1, 2017.

524

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

526 And the title is amended as follows:

527       Delete everything before the enacting clause  
528 and insert:

529                   A bill to be entitled  
530       An act relating to vessels; amending s. 253.0347,  
531       F.S.; providing an exemption from sovereignty  
532       submerged lease fees for grandfathered private



594170

533 residential multifamily docks; amending s. 327.02,  
534 F.S.; defining terms; revising the definition of the  
535 term "live-aboard vessel"; amending s. 327.391, F.S.;  
536 conforming a cross-reference; amending s. 327.4107,  
537 F.S.; providing that vessels without an effective  
538 means of propulsion are at risk of becoming derelict  
539 under certain conditions; authorizing the Fish and  
540 Wildlife Conservation Commission to adopt rules;  
541 amending s. 327.4108, F.S.; removing the expiration of  
542 provisions relating to anchoring of vessels in  
543 anchoring limitation areas; creating s. 327.4109,  
544 F.S.; prohibiting anchoring or mooring of vessels and  
545 floating structures in certain areas; providing  
546 exceptions and penalties; authorizing the commission  
547 to adopt rules; amending s. 327.46, F.S.; providing  
548 for boating-restricted areas to protect seagrasses on  
549 privately owned submerged lands upon application by  
550 the owner and commission approval; authorizing the  
551 commission to adopt rules; defining the term  
552 "seagrass"; amending s. 327.60, F.S.; authorizing a  
553 local government to enact and enforce certain  
554 regulations for sewage disposal by certain vessels and  
555 floating structures; requiring local governments with  
556 requirements for sewage disposal to provide adequate  
557 sewage pumpout services; requiring the commission to  
558 review such requirements and make certain  
559 determinations; authorizing the commission to adopt  
560 rules; providing applicability; authorizing local  
561 governments to remove certain abandoned or lost



594170

562 vessels; amending s. 327.70, F.S.; providing for  
563 issuance of uniform boating citations for anchoring or  
564 mooring where prohibited; amending s. 327.73, F.S.;  
565 providing penalties for anchoring or mooring where  
566 prohibited; amending s. 328.09, F.S.; prohibiting the  
567 issuance of certificate of title for derelict vessels;  
568 amending s. 328.72, F.S.; revising the penalties for  
569 operation, use, or storage of a vessel with an expired  
570 registration; amending s. 705.103, F.S.; providing an  
571 exception for certified mail for a derelict vessel;  
572 providing an effective date.