

Amendment No.

CHAMBER ACTION

Senate

House

.

---

1 Representative Diamond offered the following:

2  
3 **Amendment to Amendment (642481) (with title amendment)**

4 Remove lines 5-93 of the amendment and insert:

5  
6 Section 6. Subsection (3) of section 327.4107, Florida  
7 Statutes, is amended to read:

8 327.4107 Vessels at risk of becoming derelict on waters of  
9 this state.-

10 (3) (a) A person who anchors or moors a vessel at risk of  
11 becoming derelict on the waters of this state or allows such a  
12 vessel to occupy such waters commits a noncriminal infraction,  
13 punishable as provided in s. 327.73.

384357

Approved For Filing: 4/24/2019 7:02:52 PM

Amendment No.

14        (b) If a vessel is not relocated by the vessel owner or  
15 operator within 60 days after a third offense under s.  
16 327.73(1)(aa), the vessel may be removed and relocated to a safe  
17 storage area and impounded by a local government law enforcement  
18 agency. The local government law enforcement agency is  
19 responsible for costs relating to the removal and relocation of  
20 the vessel to a safe storage area and for the disposal of the  
21 vessel if the vessel is not claimed by the vessel owner or  
22 operator within 60 days after such removal and relocation.

23        Section 7. Paragraphs (aa) and (bb) of subsection (1) of  
24 section 327.73, Florida Statutes, are amended, to read:

25        327.73 Noncriminal infractions.—

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

28        (aa) Section 327.4107, relating to vessels at risk of  
29 becoming derelict on waters of this state, for which the civil  
30 penalty is:

31            1. For a first offense, \$50.

32            2. For a second offense occurring 30 days or more after a  
33 first offense, \$250 ~~\$100~~.

34            3. For a third or subsequent offense in the same county  
35 occurring 30 days or more after a previous offense, and within 6  
36 months after a first offense, \$500 ~~\$250~~.

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

384357

Approved For Filing: 4/24/2019 7:02:52 PM

Amendment No.

- 39 1. For a first offense, up to a maximum of \$50.  
40 2. For a second offense, up to a maximum of \$250 ~~\$100~~.  
41 3. For a third or subsequent offense, up to a maximum of  
42 \$500 ~~\$250~~.  
43 4. For a fourth or subsequent offense occurring within 72  
44 months after a previous offense, \$1,000.

45  
46 Any person cited for a violation of any provision of this  
47 subsection shall be deemed to be charged with a noncriminal  
48 infraction, shall be cited for such an infraction, and shall be  
49 cited to appear before the county court. The civil penalty for  
50 any such infraction is \$50, except as otherwise provided in this  
51 section. Any person who fails to appear or otherwise properly  
52 respond to a uniform boating citation shall, in addition to the  
53 charge relating to the violation of the boating laws of this  
54 state, be charged with the offense of failing to respond to such  
55 citation and, upon conviction, be guilty of a misdemeanor of the  
56 second degree, punishable as provided in s. 775.082 or s.  
57 775.083. A written warning to this effect shall be provided at  
58 the time such uniform boating citation is issued.

59  
60  
61 -----

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

62  
63 Remove lines 98-111 of the amendment and insert:

384357

Approved For Filing: 4/24/2019 7:02:52 PM

Amendment No.

64 vessels until certain conditions are met; amending s.  
65 327.4107, F.S.; providing that local government law  
66 enforcement agencies are responsible for costs  
67 relating to removal, relocation, and disposal of such  
68 vessels; amending s. 327.73, F.S.; revising civil  
69 penalties relating to certain at-risk vessels and  
70 prohibited anchoring or mooring; providing an  
71

384357

Approved For Filing: 4/24/2019 7:02:52 PM