

Amendment No. 1

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WITHDRAWN	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: Water Quality, Supply &  
 2 Treatment Subcommittee  
 3 Representative Stark offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Paragraph (s) of subsection (1) of section  
403.813, Florida Statutes, is amended to read:

403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter  
 373, chapter 61-691, Laws of Florida, or chapter 25214 or  
 chapter 25270, 1949, Laws of Florida, and a local government may  
 not require a person claiming this exception to provide further  
 department verification, for activities associated with the  
 following types of projects; however, except as otherwise  
 provided in this subsection, this subsection does not relieve an

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17 applicant from any requirement to obtain permission to use or  
18 occupy lands owned by the Board of Trustees of the Internal  
19 Improvement Trust Fund or a water management district in its  
20 governmental or proprietary capacity or from complying with  
21 applicable local pollution control programs authorized under  
22 this chapter or other requirements of county and municipal  
23 governments:

24 (s) The construction, installation, operation, or  
25 maintenance of floating vessel platforms or floating boat  
26 lifts, ~~provided that such structures:~~

27 1. To qualify for an exemption under this paragraph, the  
28 structure must:

29 a. Float at all times in the water for the sole purpose of  
30 supporting a vessel so that the vessel is out of the water when  
31 not in use;

32 ~~b.2.~~ Be ~~Are~~ wholly contained within a boat slip previously  
33 permitted under ss. 403.91-403.929, 1984 Supplement to the  
34 Florida Statutes 1983, as amended, or part IV of chapter 373, or  
35 ~~do~~ not exceed a combined total of 500 square feet, or 200 square  
36 feet in an Outstanding Florida Water, when associated with a  
37 dock that is exempt under this subsection or associated with a  
38 permitted dock with no defined boat slip or attached to a  
39 bulkhead on a parcel of land where there is no other docking  
40 structure;

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41 ~~c.3.~~ Not be ~~Are not~~ used for any commercial purpose or for  
42 mooring vessels that remain in the water when not in use, and ~~do~~  
43 not substantially impede the flow of water, create a  
44 navigational hazard, or unreasonably infringe upon the riparian  
45 rights of adjacent property owners, as defined in s. 253.141;

46 ~~d.4.~~ Be ~~Are~~ constructed and used so as to minimize adverse  
47 impacts to submerged lands, wetlands, shellfish areas, aquatic  
48 plant and animal species, and other biological communities,  
49 including locating such structures in areas where seagrasses are  
50 least dense adjacent to the dock or bulkhead; and

51 ~~e.5.~~ Are Not be constructed in areas specifically  
52 prohibited for boat mooring under conditions of a permit issued  
53 in accordance with ss. 403.91-403.929, 1984 Supplement to the  
54 Florida Statutes 1983, as amended, or part IV of chapter 373, or  
55 other form of authorization issued by a local government.

56 2. The owner of a structure ~~Structures~~ that qualifies  
57 ~~qualify~~ for an ~~this~~ exemption under this paragraph is not  
58 required ~~are relieved from any requirement~~ to obtain permission  
59 to use or occupy lands owned by the Board of Trustees of the  
60 Internal Improvement Trust Fund, and, with the exception of  
61 those structures attached to a bulkhead on a parcel of land  
62 where there is no docking structure, the structure may not be  
63 subject to any more stringent permitting requirements,  
64 registration requirements, or other regulation by any local  
65 government. For a floating vessel platform to be attached to a

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66 bulkhead on a parcel of land where there is no docking  
67 structure, a local government ~~governments~~ may require the  
68 platform owner to obtain a permit ~~either permitting~~ or one-time  
69 registration of the floating vessel platform ~~platforms to be~~  
70 ~~attached to a bulkhead on a parcel of land where there is no~~  
71 ~~other docking structure~~ as necessary to ensure compliance with  
72 local ordinances, codes, or regulations. A local government  
73 ~~governments~~ may require only a ~~either permitting or~~ one-time  
74 registration of all other floating vessel platforms where the  
75 platform owner self-certifies ~~as necessary to ensure~~ compliance  
76 with the exemption criteria in this section; to ensure  
77 compliance with ~~local~~ ordinances, codes, state-delegated or  
78 state-mandated plans or programs, or regulations relating to  
79 building or zoning, which may not be applied more stringently  
80 ~~are no more stringent than,~~ or inconsistent with, the exemption  
81 criteria in this section and ~~or~~ address subjects other than  
82 subjects addressed by the exemption criteria in this section;  
83 and to ensure proper installation, maintenance, and  
84 precautionary or evacuation action following a tropical storm or  
85 hurricane watch of a floating vessel platform or floating boat  
86 lift that is proposed to be attached to a bulkhead or parcel of  
87 land where there is no other docking structure.

88 3. The exemption provided in this paragraph is ~~shall be~~ in  
89 addition to the exemption provided in paragraph (b). The  
90 department shall adopt a general permit by rule for the

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91 construction, installation, operation, or maintenance of those  
92 floating vessel platforms or floating boat lifts that do not  
93 qualify for the exemption provided in this paragraph but do not  
94 cause significant adverse impacts to occur individually or  
95 cumulatively. The issuance of such general permit constitutes  
96 ~~shall also constitute~~ permission to use or occupy lands owned by  
97 the Board of Trustees of the Internal Improvement Trust Fund. A  
98 local government ~~governments~~ may not impose a more stringent  
99 regulation, permitting requirement, registration requirement, or  
100 other regulation covered by such general permit. A local  
101 government ~~governments~~ may require a structure owner to obtain  
102 either a permit ~~permitting~~ or one-time registration of floating  
103 vessel platforms as necessary to ensure compliance with the  
104 general permit in this section; to ensure compliance with local  
105 ordinances, codes, or regulations relating to building or zoning  
106 that are no more stringent than the general permit in this  
107 section; and to ensure proper installation and maintenance of a  
108 floating vessel platform or floating boat lift that is proposed  
109 to be attached to a bulkhead or parcel of land where there is no  
110 other docking structure.

111 Section 2. This act shall take effect July 1, 2023.

112  
113 -----  
114 **T I T L E A M E N D M E N T**

115 Remove everything before the enacting clause and insert:

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116           An act relating to floating vessel platforms; amending s.  
117 403.813, F.S.; removing a provision authorizing local  
118 governments to require permitting for certain floating vessel  
119 platforms; revising conditions under which local governments may  
120 require one-time registrations of floating vessel platforms;  
121 making technical changes; providing an effective date.