1	A bill to be entitled
2	An act relating to floating vessel platforms and
3	floating boat lifts; amending s. 403.813, F.S.;
4	removing a provision authorizing local governments to
5	require permitting for certain floating vessel
6	platforms; revising conditions under which local
7	governments may require one-time registrations of
8	floating vessel platforms; making technical changes;
9	providing an effective date.
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11	Be It Enacted by the Legislature of the State of Florida:
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13	Section 1. Paragraph (s) of subsection (1) of section
14	403.813, Florida Statutes, is amended to read:
15	403.813 Permits issued at district centers; exceptions
16	(1) A permit is not required under this chapter, chapter
17	373, chapter 61-691, Laws of Florida, or chapter 25214 or
18	chapter 25270, 1949, Laws of Florida, and a local government may
19	not require a person claiming this exception to provide further
20	department verification, for activities associated with the
21	following types of projects; however, except as otherwise
22	provided in this subsection, this subsection does not relieve an
23	applicant from any requirement to obtain permission to use or
24	occupy lands owned by the Board of Trustees of the Internal
25	Improvement Trust Fund or a water management district in its
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26 governmental or proprietary capacity or from complying with 27 applicable local pollution control programs authorized under 28 this chapter or other requirements of county and municipal 29 governments:

30 (s) The construction, installation, operation, or 31 maintenance of floating vessel platforms or floating boat 32 lifts., provided that such structures:

33 1. <u>To qualify for an exemption under this paragraph, the</u> 34 <u>structure must:</u>

35 <u>a.</u> Float at all times in the water for the sole purpose of 36 supporting a vessel so that the vessel is out of the water when 37 not in use;

b.2. Be Are wholly contained within a boat slip previously 38 39 permitted under ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of chapter 373, or 40 41 do not exceed a combined total of 500 square feet, or 200 square feet in an Outstanding Florida Water, when associated with a 42 43 dock that is exempt under this subsection or associated with a permitted dock with no defined boat slip or attached to a 44 45 bulkhead on a parcel of land where there is no other docking 46 structure;

47 <u>c.3.</u> Not be Are not used for any commercial purpose or for 48 mooring vessels that remain in the water when not in use, and do 49 not substantially impede the flow of water, create a 50 navigational hazard, or unreasonably infringe upon the riparian

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51 rights of adjacent property owners, as defined in s. 253.141;
52 <u>d.4.</u> <u>Be</u> Are constructed and used so as to minimize adverse
53 impacts to submerged lands, wetlands, shellfish areas, aquatic
54 plant and animal species, and other biological communities,
55 including locating such structures in areas where seagrasses are
56 least dense adjacent to the dock or bulkhead; and

57 <u>e.5.</u> Are Not <u>be</u> constructed in areas specifically 58 prohibited for boat mooring under conditions of a permit issued 59 in accordance with ss. 403.91-403.929, 1984 Supplement to the 60 Florida Statutes 1983, as amended, or part IV of chapter 373, or 61 other form of authorization issued by a local government.

2. The owner of a structure Structures that qualifies 62 63 qualify for an this exemption under this paragraph is not 64 required are relieved from any requirement to obtain permission 65 to use or occupy lands owned by the Board of Trustees of the 66 Internal Improvement Trust Fund, and, with the exception of those structures attached to a bulkhead on a parcel of land 67 68 where there is no docking structure, the structure may not be 69 subject to any more stringent permitting requirements, 70 registration requirements, or other regulation by any local government. For a floating vessel platform to be attached to a 71 72 bulkhead on a parcel of land where there is no docking 73 structure, a local government governments may require the 74 platform owner to obtain a permit either permitting or one-time 75 registration of the floating vessel platform platforms to be

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76 attached to a bulkhead on a parcel of land where there is no 77 other docking structure as necessary to ensure compliance with 78 local ordinances, codes, or regulations. A local government 79 governments may require only a either permitting or one-time 80 registration of all other floating vessel platforms where the 81 platform owner self-certifies as necessary to ensure compliance 82 with the exemption criteria in this section + to ensure 83 compliance with local ordinances, codes, state-delegated or state-mandated plans or programs, or regulations relating to 84 85 building or zoning, which may not be applied more stringently 86 are no more stringent than, or inconsistent with, the exemption criteria in this section and or address subjects other than 87 88 subjects addressed by the exemption criteria in this section; 89 and to ensure proper installation, maintenance, and precautionary or evacuation action following a tropical storm or 90 91 hurricane watch of a floating vessel platform or floating boat 92 lift that is proposed to be attached to a bulkhead or parcel of 93 land where there is no other docking structure. 94 3. The exemption provided in this paragraph is shall be in

95 addition to the exemption provided in paragraph (b). The 96 department shall adopt a general permit by rule for the 97 construction, installation, operation, or maintenance of those 98 floating vessel platforms or floating boat lifts that do not 99 qualify for the exemption provided in this paragraph but do not 100 cause significant adverse impacts to occur individually or

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101 cumulatively. The issuance of such general permit constitutes 102 shall also constitute permission to use or occupy lands owned by 103 the Board of Trustees of the Internal Improvement Trust Fund. A 104 local government governments may not impose a more stringent 105 regulation, permitting requirement, registration requirement, or other regulation covered by such general permit. A local 106 107 government governments may require a structure owner to obtain either a permit permitting or one-time registration of floating 108 109 vessel platforms as necessary to ensure compliance with the general permit in this section; to ensure compliance with local 110 111 ordinances, codes, or regulations relating to building or zoning 112 that are no more stringent than the general permit in this section; and to ensure proper installation and maintenance of a 113 114 floating vessel platform or floating boat lift that is proposed 115 to be attached to a bulkhead or parcel of land where there is no 116 other docking structure.

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

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