

1                   A bill to be entitled  
2           An act relating to vessel accountability; amending s.  
3           327.02, F.S.; deleting the term "owner"; defining the  
4           term "vessel owner"; reenacting and amending s.  
5           327.4107, F.S.; providing a penalty for a person  
6           anchoring, mooring, or allowing certain vessels to  
7           occupy the waters of this state if an officer of the  
8           Fish and Wildlife Conservation Commission or a law  
9           enforcement agency finds that specified conditions  
10          exist; revising the manner and timeframe for vessel  
11          owners or operators to demonstrate a vessel's  
12          effective means of propulsion for safe navigation;  
13          deleting provisions providing a penalty for a person  
14          who anchors or moors certain vessels on the waters of  
15          this state; creating s. 327.4111, F.S.; defining the  
16          term "long-term anchoring"; requiring the commission  
17          to issue, at no cost, a permit for the long-term  
18          anchoring of a vessel which includes specified  
19          information; providing construction; providing a  
20          penalty for long-term anchoring without a permit;  
21          providing applicability; providing that a permit is  
22          not required under certain circumstances; authorizing  
23          the commission to adopt rules; amending s. 327.70,  
24          F.S.; authorizing the enforcement of certain  
25          noncriminal violations by citation mailed or issued to

26 | the owner of certain vessels; amending s. 327.73,  
27 | F.S.; requiring that a vessel subject to a specified  
28 | number of violations within a 24-month period which  
29 | result in certain dispositions be declared a public  
30 | nuisance; providing that failure to appear at a  
31 | hearing or failure to pay civil penalties constitutes  
32 | a certain disposition; providing penalties related to  
33 | long-term anchoring; requiring that a vessel subject  
34 | to a specified number of violations relating to long-  
35 | term anchoring within a 24-month period which result  
36 | in certain dispositions be declared a public nuisance;  
37 | providing that failure to appear at a hearing or  
38 | failure to pay a certain civil penalty constitutes a  
39 | disposition other than acquittal or dismissal;  
40 | providing an exception; authorizing certain persons to  
41 | relocate, remove, or cause to be relocated or removed  
42 | certain vessels; requiring that certain persons be  
43 | held harmless for all damages to a vessel resulting  
44 | from such relocation or removal; providing exceptions;  
45 | amending s. 705.103, F.S.; revising the notice placed  
46 | upon a derelict vessel declared a public nuisance  
47 | which is present upon the waters of this state;  
48 | deleting a provision specifying that a party  
49 | responsible for a derelict vessel or a vessel declared  
50 | a public nuisance has the right to a certain hearing;

51 deleting provisions assigning liability to a party  
52 deemed legally responsible for a derelict vessel or  
53 vessel declared a public nuisance; deleting provisions  
54 allowing a law enforcement officer or a representative  
55 of a law enforcement agency or other governmental  
56 entity to notify a party deemed legally responsible  
57 for a derelict vessel or a vessel declared a public  
58 nuisance of the final disposition of the derelict  
59 vessel; reenacting and amending s. 823.11, F.S.;  
60 prohibiting a vessel owner from leaving a derelict  
61 vessel upon the waters of this state; deleting  
62 provisions related to a party responsible for a  
63 derelict vessel; providing prima facie evidence of  
64 ownership or control of a derelict vessel left upon  
65 the waters of this state; providing a means of  
66 exonerating an owner of a vessel or derelict vessel of  
67 responsibility if such owner attempts to transfer  
68 ownership or control of such vessel; providing that  
69 the owner of a derelict vessel is exclusively  
70 responsible for all costs associated with the  
71 relocation, removal, storage, destruction, or disposal  
72 of the derelict vessel; authorizing the commission to  
73 use grant funds allocated for the removal, storage,  
74 destruction, and disposal of derelict vessels from the  
75 waters of this state for the derelict vessel

76 prevention program; providing penalties; prohibiting a  
77 person from dwelling or residing on a derelict vessel;  
78 providing penalties; authorizing law enforcement  
79 officers to enforce such provisions; authorizing a  
80 person to reside on a vessel if the vessel is in a  
81 state or condition that is no longer derelict;  
82 authorizing the commission to adopt rules; reenacting  
83 ss. 327.04 and 327.4108(6)(d), F.S., relating to rules  
84 and the anchoring of vessels in anchoring limitation  
85 areas, respectively, to incorporate the amendment made  
86 to s. 832.11, F.S., in references thereto; reenacting  
87 s. 327.54(3)(d), F.S., relating to liveries, safety  
88 regulations, and penalties, to incorporate the  
89 amendments made to ss. 327.4107 and 823.11, F.S., in  
90 references thereto; reenacting s. 705.101(1), F.S.,  
91 relating to definitions, to incorporate the amendment  
92 made to s. 327.73, F.S., in a reference thereto;  
93 reenacting ss. 705.104(1) and 713.585(8), F.S.,  
94 relating to the title to lost or abandoned property  
95 and the enforcement of a lien by sale of motor  
96 vehicle, respectively, to incorporate the amendment  
97 made to s. 705.103, F.S., in references thereto;  
98 providing effective dates.

100 Be It Enacted by the Legislature of the State of Florida:

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**Section 1. Subsections (35) through (47) of section 327.02, Florida Statutes, are amended to read:**

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

~~(35) "Owner" means a person, other than a lienholder, having the property in or title to a vessel. The term includes a person entitled to the use or possession of a vessel subject to an interest in another person which is reserved or created by agreement and securing payment of performance of an obligation. The term does not include a lessee under a lease not intended as security.~~

~~(36)~~ "Person" means an individual, partnership, firm, corporation, association, or other entity.

(36)~~(37)~~ "Personal watercraft" means a vessel less than 16 feet in length which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

(37)~~(38)~~ "Portable toilet" means a device consisting of a lid, seat, containment vessel, and support structure which is specifically designed to receive, retain, and discharge human waste and which is capable of being removed from a vessel by

126 hand.

127 ~~(38)~~(39) "Prohibited activity" means activity that will  
128 impede or disturb navigation or creates a safety hazard on  
129 waterways of this state.

130 ~~(39)~~(40) "Racing shell," "rowing scull," or "racing kayak"  
131 means a manually propelled vessel that is recognized by national  
132 or international racing associations for use in competitive  
133 racing and in which all occupants, with the exception of a  
134 coxswain, if one is provided, row, scull, or paddle and that is  
135 not designed to carry and does not carry any equipment not  
136 solely for competitive racing.

137 ~~(40)~~(41) "Recreational vessel" means a vessel:

138 (a) Manufactured and used primarily for noncommercial  
139 purposes; or

140 (b) Leased, rented, or chartered to a person for his or  
141 her noncommercial use.

142 ~~(41)~~(42) "Registration" means a state operating license on  
143 a vessel which is issued with an identifying number, an annual  
144 certificate of registration, and a decal designating the year  
145 for which a registration fee is paid.

146 ~~(42)~~(43) "Resident" means a citizen of the United States  
147 who has established residence in this state and has continuously  
148 resided in this state for 1 year and in one county for the 6  
149 months immediately preceding the initiation of a vessel titling  
150 or registration action.

151        ~~(43)-(44)~~ "Sailboat" means a vessel whose sole source of  
152 propulsion is the wind.

153        ~~(44)-(45)~~ "Sustained wind speed" means a wind speed  
154 determined by averaging the observed wind speed rounded up to  
155 the nearest mile per hour over a 2-minute period.

156        ~~(45)-(46)~~ "Unclaimed vessel" means an undocumented vessel,  
157 including its machinery, rigging, and accessories, which is in  
158 the physical possession of a marina, garage, or repair shop for  
159 repairs, improvements, or other work with the knowledge of the  
160 vessel owner and for which the costs of such services have been  
161 unpaid for more than 90 days after the date written notice of  
162 the completed work is given by the marina, garage, or repair  
163 shop to the vessel owner.

164        ~~(46)-(47)~~ "Vessel" is synonymous with boat as referenced in  
165 s. 1(b), Art. VII of the State Constitution and includes every  
166 description of watercraft, barge, and airboat, other than a  
167 seaplane on the water, used or capable of being used as a means  
168 of transportation on water.

169        (47) "Vessel owner" means a person, other than a  
170 lienholder or lessee under a lease that is not intended as  
171 security, having the property in or title to a vessel. The term  
172 includes all of the following:

173        (a) A person entitled to the use or possession of a vessel  
174 subject to an interest in another person which is reserved or  
175 created by agreement and securing payment of performance of an

176 obligation. The term does not include a lessee under a lease not  
177 intended as security.

178 (b) A person identified in the records of the Department  
179 of Highway Safety and Motor Vehicles, or other state equivalent,  
180 as the title certificate holder of the vessel.

181 (c) A person identified as the buyer, transferee, or new  
182 owner in a notice filed pursuant to s. 328.64(1).

183 (d) A person who has signed a written agreement for the  
184 purchase and sale of the vessel and paid the consideration, if  
185 any, required under the agreement.

186 (e) A person who has provided a written, signed receipt to  
187 the seller or transferor of the vessel acknowledging actual  
188 receipt and possession of the vessel.

189 **Section 2. Subsections (2) and (3) of section 327.4107,**  
190 **Florida Statutes, are amended, and paragraph (a) of present**  
191 **subsection (7) of that section is reenacted, to read:**

192 327.4107 Vessels at risk of becoming derelict on waters of  
193 this state.—

194 (2) It is a noncriminal infraction punishable as provided  
195 in s. 327.73 for a person to anchor or moor ~~an officer of the~~  
196 ~~commission or of a law enforcement agency specified in s. 327.70~~  
197 ~~may determine that~~ a vessel ~~is~~ at risk of becoming derelict on  
198 the waters of this state or to allow such vessel to occupy such  
199 waters. A vessel is at risk of becoming derelict if, as  
200 determined by an officer of the commission or a law enforcement



201 agency, if any of the following conditions exist:

202 (a) The vessel is taking on or has taken on water without  
203 an effective means to dewater.

204 (b) Spaces on the vessel which ~~that~~ are designed to be  
205 enclosed are incapable of being sealed off or remain open to the  
206 elements for extended periods of time.

207 (c) The vessel has broken loose or is in danger of  
208 breaking loose from its anchor.

209 (d) The vessel is listing due to water intrusion.

210 (e) The vessel does not have an effective means of  
211 propulsion, and the vessel owner or operator is unable to  
212 provide a receipt, proof of purchase, or other documentation of  
213 having ordered necessary parts for repair. If the owner or  
214 operator is present on the vessel, a law enforcement officer may  
215 require a test of the vessel's effective means of propulsion for  
216 safe navigation, to be conducted immediately. If the owner or  
217 operator is not present on the vessel, the owner or operator  
218 must, in the presence of law enforcement, conduct the test for  
219 effective means of propulsion for safe navigation within 48 72  
220 hours after the vessel owner or operator receives telephonic  
221 notice from a law enforcement officer, ~~in-person notice recorded~~  
222 ~~on an agency-approved body camera, or written notice, which may~~  
223 ~~be provided by facsimile, electronic mail, or other electronic~~  
224 ~~means, stating such from an officer, and the vessel owner or~~  
225 ~~operator is unable to provide a receipt, proof of purchase, or~~

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226 ~~other documentation of having ordered necessary parts for vessel~~  
227 ~~repair.~~ The commission may adopt rules to implement this  
228 paragraph.

229 (f) The vessel is tied to an unlawful or unpermitted  
230 structure or mooring.

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

235 (6)~~(7)~~ The commission may establish a derelict vessel  
236 prevention program to address vessels at risk of becoming  
237 derelict. Such program may, but is not required to, include:

238 (a) Removal, relocation, and destruction of vessels  
239 declared a public nuisance, derelict or at risk of becoming  
240 derelict, or lost or abandoned in accordance with s. 327.53(7),  
241 s. 327.73(1)(aa), s. 705.103(2) and (4), or s. 823.11(3).

242  
243 The commission may adopt rules to implement this subsection.  
244 Implementation of the derelict vessel prevention program shall  
245 be subject to appropriation by the Legislature and shall be  
246 funded by the Marine Resources Conservation Trust Fund or the  
247 Florida Coastal Protection Trust Fund.

248 **Section 3. Effective January 1, 2026, section 327.4111,**  
249 **Florida Statutes, is created to read:**

250 327.4111 Long-term anchoring.—

251       (1) As used in this section, the term "long-term  
252 anchoring" means anchoring a vessel within 1 linear nautical  
253 mile of a documented anchorage point for 14 days or more within  
254 a 30-day period.

255       (2) The commission shall, at no cost to the applicant,  
256 issue a permit for the long-term anchoring of a vessel within  
257 the waters of this state upon receiving an application that  
258 includes, but is not limited to, all of the following  
259 information:

260       (a) For the vessel owner or operator:

- 261       1. Name.
- 262       2. Mailing address.
- 263       3. Telephone number.
- 264       4. E-mail address.
- 265       5. Birthdate.
- 266       6. Driver license number, if applicable.

267       (b) For the vessel:

- 268       1. Make.
- 269       2. Model.
- 270       3. Year.
- 271       4. Style.
- 272       5. Hull identification number.
- 273       6. Registration number or United States Coast Guard  
274 documentation, if applicable.
- 275       7. Vessel name, if applicable.

276 (c) Location where the vessel will be anchored.

277 (d) Notice that the long-term anchoring permit may be  
278 revoked if the vessel is a derelict vessel as defined in s.  
279 823.11, or is at risk of becoming derelict as provided in s.  
280 327.4107, or is in violation of marine sanitation provisions in  
281 s. 327.53.

282 (3) The long-term anchoring permit established under this  
283 section is specific to one vessel only. However, a person may  
284 obtain more than one permit. A permit must be renewed or updated  
285 for each long-term anchoring location. Long-term anchoring  
286 permits expire 1 year from the date of issuance and may be  
287 revoked if the permitted vessel is a derelict vessel as defined  
288 in s. 823.11, is at risk of becoming derelict, or is operated or  
289 occupied on waters of this state in violation of s. 327.53.

290 (4) A person who engages in long-term anchoring of a  
291 vessel within the waters of this state without a valid long-term  
292 anchoring permit commits a noncriminal infraction, punishable as  
293 provided is s. 327.73.

294 (5) This section does not apply to any of the following:

295 (a) Vessels owned or operated by a governmental entity for  
296 law enforcement, firefighting, military, or rescue purposes.

297 (b) Construction or dredging vessels on an active job  
298 site.

299 (c) Vessels actively engaged in commercial fishing.

300 (d) Vessels engaged in recreational fishing if the persons

301 onboard are actively tending hook and line fishing gear or nets.

302 (6) A permit under this section is not required if a  
 303 vessel is docked at a public or private dock or moored to a  
 304 mooring buoy permitted as provided in s. 327.40.

305 (7) The commission may adopt rules to implement this  
 306 section.

307 **Section 4. Paragraph (a) of subsection (3) of section**  
 308 **327.70, Florida Statutes, is amended, and paragraph (e) is added**  
 309 **to that subsection, to read:**

310 327.70 Enforcement of this chapter and chapter 328.—

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

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

316 2. Section 327.44, relating to interference with  
 317 navigation.

318 3. Section 327.50(2), relating to required lights and  
 319 shapes.

320 4. Section 327.53, relating to marine sanitation.

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

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

323 7. Section 327.4107, relating to vessels at risk of  
 324 becoming derelict.

325 8. Section 327.4109, relating to prohibited anchoring or

326 mooring.

327 9. Section 328.72(13), relating to expired registration.

328 10. Section 327.4111, relating to long-term anchoring.

329 (e) A noncriminal violation of s. 327.4111 may be enforced  
 330 by a uniform boating citation issued to the owner or operator of  
 331 a vessel engaged in unlawful long-term anchoring.

332 **Section 5. Subsection (1) of section 327.73, Florida**  
 333 **Statutes, is amended to read:**

334 327.73 Noncriminal infractions.—

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

337 (a) Section 328.46, relating to operation of unregistered  
 338 and unnumbered vessels.

339 (b) Section 328.48(4), relating to display of number and  
 340 possession of registration certificate.

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

342 (d) Section 328.52(2), relating to display of number.

343 (e) Section 328.54, relating to spacing of digits and  
 344 letters of identification number.

345 (f) Section 328.60, relating to military personnel and  
 346 registration of vessels.

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

349 1. For a first or subsequent offense of s. 328.72(13)(a),  
 350 up to a maximum of \$100.

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

353           3. For a second or subsequent offense of s. 328.72(13)(b),  
354 up to a maximum of \$500. A ~~Any~~ person cited for a noncriminal  
355 infraction under this subparagraph may not have the provisions  
356 of paragraph (4)(a) available to him or her but must appear  
357 before the designated official at the time and location of the  
358 scheduled hearing.

359           (h) Section 327.33(2), relating to careless operation.

360           (i) Section 327.37, relating to water skiing, aquaplaning,  
361 parasailing, and similar activities.

362           (j) Section 327.44, relating to interference with  
363 navigation.

364           (k) Violations relating to boating-restricted areas and  
365 speed limits:

366           1. Established by the commission or by local governmental  
367 authorities pursuant to s. 327.46.

368           2. Speed limits established pursuant to s. 379.2431(2).

369           (l) Section 327.48, relating to regattas and races.

370           (m) Section 327.50(1) and (2), relating to required safety  
371 equipment, lights, and shapes.

372           (n) Section 327.65, relating to muffling devices.

373           (o) Section 327.33(3)(b), relating to a violation of  
374 navigation rules:

375           1. That does not result in an accident; or

376           2. That results in an accident not causing serious bodily  
377 injury or death, for which the penalty is:

378           a. For a first offense, up to a maximum of \$500.

379           b. For a second offense, up to a maximum of \$1,000.

380           c. For a third or subsequent offense, up to a maximum of  
381 \$1,500.

382           (p) Section 327.39(1), (2), (3), and (5), relating to  
383 personal watercraft.

384           (q) Section 327.53(1), (2), (3), and (8), relating to  
385 marine sanitation.

386           (r) Section 327.53(4), (5), and (7), relating to marine  
387 sanitation, and s. 327.60, relating to no-discharge zones, for  
388 which the civil penalty is \$250.

389           (s) Section 327.395, relating to boater safety education.  
390 However, a person cited for violating the requirements of s.  
391 327.395 relating to failure to have required proof of boating  
392 safety education in his or her possession may not be convicted  
393 if, before or at the time of a county court hearing, the person  
394 produces proof of the boating safety education identification  
395 card or temporary certificate for verification by the hearing  
396 officer or the court clerk and the identification card or  
397 temporary certificate was valid at the time the person was  
398 cited.

399           (t) Section 327.52(3), relating to operation of overloaded  
400 or overpowered vessels.



401 (u) Section 327.331, relating to divers-down warning  
 402 devices, except for violations meeting the requirements of s.  
 403 327.33.

404 (v) Section 327.391(1), relating to the requirement for an  
 405 adequate muffler on an airboat.

406 (w) Section 327.391(3), relating to the display of a flag  
 407 on an airboat.

408 (x) Section 253.04(3)(a), relating to carelessly causing  
 409 seagrass scarring, for which the civil penalty upon conviction  
 410 is:

- 411 1. For a first offense, \$100.
- 412 2. For a second offense occurring within 12 months after a  
 413 prior conviction, \$250.
- 414 3. For a third offense occurring within 36 months after a  
 415 prior conviction, \$500.
- 416 4. For a fourth or subsequent offense occurring within 72  
 417 months after a prior conviction, \$1,000.

418 (y) Section 327.45, relating to protection zones for  
 419 springs, for which the penalty is:

- 420 1. For a first offense, \$100.
- 421 2. For a second offense occurring within 12 months after a  
 422 prior conviction, \$250.
- 423 3. For a third offense occurring within 36 months after a  
 424 prior conviction, \$500.
- 425 4. For a fourth or subsequent offense occurring within 72

426 months after a prior conviction, \$1,000.

427 (z) Section 327.4108, relating to the anchoring of vessels  
 428 in anchoring limitation areas, for which the penalty is:

- 429 1. For a first offense, up to a maximum of \$100.
- 430 2. For a second offense, up to a maximum of \$250.
- 431 3. For a third or subsequent offense, up to a maximum of  
 432 \$500.

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

- 436 1. For a first offense, \$100.
- 437 2. For a second offense occurring 30 days or more after a  
 438 first offense, \$250.
- 439 3. For a third or subsequent offense occurring 30 days or  
 440 more after a previous offense, \$500.

441  
 442 A vessel that is the subject of three or more violations ~~issued~~  
 443 ~~pursuant to the same paragraph~~ of s. 327.4107(2) which occur  
 444 within a 24-month an 18-month period and which result in  
 445 dispositions other than acquittal or dismissal must ~~shall~~ be  
 446 declared ~~to be~~ a public nuisance and subject to ss. 705.103(2)  
 447 and (4) and 823.11(3). For purposes of this paragraph, failure  
 448 to appear at a hearing or failure to pay the civil penalty  
 449 constitutes a disposition other than acquittal or dismissal  
 450 unless such failure to appear or such nonpayment is excused or

451 set aside by the court for good cause shown. The commission, an  
452 officer of the commission, or a law enforcement agency or  
453 officer specified in s. 327.70 may relocate, remove, or cause to  
454 be relocated or removed such public nuisance vessels from waters  
455 of this state. The commission, an officer of the commission, or  
456 a law enforcement agency or officer acting pursuant to this  
457 paragraph upon waters of this state shall be held harmless for  
458 all damages to the vessel resulting from such relocation or  
459 removal unless the damage results from gross negligence or  
460 willful misconduct as these terms are defined in s. 823.11.

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

- 463 1. For a first offense, up to a maximum of \$100.
- 464 2. For a second offense, up to a maximum of \$250.
- 465 3. For a third or subsequent offense, up to a maximum of  
466 \$500.

467 (cc) Section 327.463(4) (a) and (b), relating to vessels  
468 creating special hazards, for which the penalty is:

- 469 1. For a first offense, \$100.
- 470 2. For a second offense occurring within 12 months after a  
471 prior offense, \$250.
- 472 3. For a third offense occurring within 36 months after a  
473 prior offense, \$500.

474 (dd) Section 327.371, relating to the regulation of human-  
475 powered vessels.

476 (ee) Section 328.03, relating to an improper transfer of  
477 title, for which the penalty is up to a maximum of \$500.

478 (ff) Section 328.48(9), relating to the failure to update  
479 vessel registration information, for which the penalty is up to  
480 a maximum of \$500.

481 (gg) Section 327.4111, relating to long-term anchoring,  
482 for which the penalty is:

483 1. For a first offense, up to a maximum of \$100.

484 2. For a second offense, up to a maximum of \$250.

485 3. For a third or subsequent offense, up to a maximum of  
486 \$500.

487  
488 A vessel that is the subject of three or more violations of s.  
489 327.4111 that occur within a 24-month period and that result in  
490 dispositions other than acquittal or dismissal must be declared  
491 a public nuisance and subject to ss. 705.103(2) and (4) and  
492 823.11(3). For purposes of this paragraph, failure to appear at  
493 a hearing or failure to pay the civil penalty required by s.  
494 327.72 constitutes a disposition other than acquittal or  
495 dismissal, unless such failure to appear or such nonpayment is  
496 excused or set aside by the court for good cause shown. The  
497 commission, an officer of the commission, or a law enforcement  
498 agency or officer specified in s. 327.70 may relocate, remove,  
499 or cause to be relocated or removed such public nuisance vessels  
500 from waters of this state. The commission, an officer of the

501 commission, or a law enforcement agency or officer acting  
 502 pursuant to this paragraph shall be held harmless for all  
 503 damages to the vessel resulting from such relocation or removal  
 504 unless the damage results from gross negligence or willful  
 505 misconduct as those terms are defined in s. 823.11.

506  
 507 A ~~Any~~ person cited for a violation of this subsection is ~~shall~~  
 508 ~~be~~ deemed to be charged with a noncriminal infraction, must  
 509 ~~shall~~ be cited for such an infraction, and must ~~shall~~ be cited  
 510 to appear before the county court. The civil penalty for any  
 511 such infraction is \$100, except as otherwise provided in this  
 512 section. A ~~Any~~ person who fails to appear or otherwise properly  
 513 respond to a uniform boating citation, in addition to the charge  
 514 relating to the violation of the boating laws of this state,  
 515 must be charged with the offense of failing to respond to such  
 516 citation and, upon conviction, be guilty of a misdemeanor of the  
 517 second degree, punishable as provided in s. 775.082 or s.  
 518 775.083. A written warning to this effect must ~~shall~~ be provided  
 519 at the time such uniform boating citation is issued.

520 **Section 6. Subsection (1), paragraph (a) of subsection**  
 521 **(2), and subsection (4) of section 705.103, Florida Statutes,**  
 522 **are amended to read:**

523 705.103 Procedure for abandoned or lost property.—

524 (1) Whenever a law enforcement officer ascertains that an  
 525 article of lost or abandoned property is present on public

526 | property and is of such nature that it can be easily removed,  
 527 | the officer shall take such article into custody and shall make  
 528 | a reasonable attempt to ascertain the rightful owner or  
 529 | lienholder pursuant to the provisions of this section. For the  
 530 | purposes of this section, the term "owner" has the same meaning  
 531 | as "vessel owner" as defined in s. 327.02.

532 | (2) (a) 1. Whenever a law enforcement officer ascertains  
 533 | that:

534 | a. An article of lost or abandoned property other than a  
 535 | derelict vessel or a vessel declared a public nuisance pursuant  
 536 | to s. 327.73(1) (aa) is present on public property and is of such  
 537 | nature that it cannot be easily removed, the officer shall cause  
 538 | a notice to be placed upon such article in substantially the  
 539 | following form:

540 |  
 541 | NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
 542 | PROPERTY. This property, to wit: ...(setting forth brief  
 543 | description)... is unlawfully upon public property known as  
 544 | ...(setting forth brief description of location)... and must be  
 545 | removed within 5 days; otherwise, it will be removed and  
 546 | disposed of pursuant to chapter 705, Florida Statutes. The owner  
 547 | will be liable for the costs of removal, storage, and  
 548 | publication of notice. Dated this: ...(setting forth the date of  
 549 | posting of notice)..., signed: ...(setting forth name, title,  
 550 | address, and telephone number of law enforcement officer)....

551  
 552           b. A derelict vessel or a vessel declared a public  
 553 nuisance pursuant to s. 327.73(1)(aa) is present on the waters  
 554 of this state, the officer shall cause a notice to be placed  
 555 upon such vessel in substantially the following form:  
 556  
 557 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
 558 VESSEL. This vessel, to wit: ...(setting forth brief description  
 559 of location)... has been determined to be ...(derelict or a  
 560 public nuisance)... and is unlawfully upon the waters of this  
 561 state ...(setting forth brief description of location)... and  
 562 must be removed within 21 days; otherwise, it will be removed  
 563 and disposed of pursuant to chapter 705, Florida Statutes. The  
 564 owner and other interested parties have the right to a hearing  
 565 to challenge the determination that this vessel is derelict or  
 566 otherwise in violation of the law. Please contact ...(contact  
 567 information for person who can arrange for a hearing in  
 568 accordance with this section).... The owner of ~~or the party~~  
 569 ~~determined to be legally responsible for~~ the vessel on being  
 570 ~~upon~~ the waters of this state in a derelict condition or as a  
 571 public nuisance will be liable for the costs of removal,  
 572 destruction, and disposal if this vessel is not removed by the  
 573 owner. Dated this: ...(setting forth the date of posting of  
 574 notice)..., signed: ...(setting forth name, title, address, and  
 575 telephone number of law enforcement officer)....

576  
577           2. The notices required under subparagraph 1. may not be  
578 less than 8 inches by 10 inches and must be sufficiently  
579 weatherproof to withstand normal exposure to the elements. In  
580 addition to posting, the law enforcement officer shall make a  
581 reasonable effort to ascertain the name and address of the  
582 owner. If such is reasonably available to the officer, he or she  
583 must ~~or he shall~~ mail a copy of such notice to the owner on the  
584 date of posting or as soon thereafter as is practical. If the  
585 property is a motor vehicle as defined in s. 320.01(1) or a  
586 vessel as defined in s. 327.02, the law enforcement agency must  
587 ~~shall~~ contact the Department of Highway Safety and Motor  
588 Vehicles in order to determine the name and address of the owner  
589 and any person who has filed a lien on the vehicle or vessel as  
590 provided in s. 319.27(2) or (3) or s. 328.15. On receipt of this  
591 information, the law enforcement agency shall mail a copy of the  
592 notice by certified mail, return receipt requested, to the owner  
593 and to the lienholder, if any, except that a law enforcement  
594 officer who has issued a citation for a violation of s. 823.11  
595 to the owner of a derelict vessel is not required to mail a copy  
596 of the notice by certified mail, return receipt requested, to  
597 the owner. For a derelict vessel or a vessel declared a public  
598 nuisance pursuant to s. 327.73(1)(aa), the mailed notice must  
599 inform the owner ~~or responsible party~~ that he or she has a right  
600 to a hearing to dispute the determination that the vessel is



601 derelict or otherwise in violation of the law. If a request for  
602 a hearing is made, a state agency must ~~shall~~ follow the  
603 processes as set forth in s. 120.569. Local governmental  
604 entities shall follow the processes set forth in s. 120.569,  
605 except that a local judge, magistrate, or code enforcement  
606 officer may be designated to conduct such a hearing. If, at the  
607 end of 5 days after posting the notice in sub-subparagraph 1.a.,  
608 or at the end of 21 days after posting the notice in sub-  
609 subparagraph 1.b., and mailing such notice, if required, the  
610 owner or any person interested in the lost or abandoned article  
611 or articles described has not removed the article or articles  
612 from public property or shown reasonable cause for failure to do  
613 so, and, in the case of a derelict vessel or a vessel declared a  
614 public nuisance pursuant to s. 327.73(1)(aa), has not requested  
615 a hearing in accordance with this section, the following applies  
616 ~~shall apply~~:

617 a. For abandoned property other than a derelict vessel or  
618 a vessel declared a public nuisance pursuant to s.  
619 327.73(1)(aa), the law enforcement agency may retain any ~~or all~~  
620 of the property for its own use or for use by the state or unit  
621 of local government, trade such property to another unit of  
622 local government or state agency, donate the property to a  
623 charitable organization, sell the property, or notify the  
624 appropriate refuse removal service.

625 b. For a derelict vessel or a vessel declared a public

626 nuisance pursuant to s. 327.73(1)(aa), the law enforcement  
627 agency or its designee may:

628 (I) Remove the vessel from the waters of this state and  
629 destroy and dispose of the vessel or authorize another  
630 governmental entity or its designee to do so; or

631 (II) Authorize the vessel's use as an artificial reef in  
632 accordance with s. 379.249 if all necessary federal, state, and  
633 local authorizations are received.

634

635 A law enforcement agency or its designee may also take action as  
636 described in this sub-subparagraph if, following a hearing  
637 pursuant to this section, the judge, magistrate, administrative  
638 law judge, or hearing officer has determined the vessel to be  
639 derelict as provided in s. 823.11 or otherwise in violation of  
640 the law in accordance with s. 327.73(1)(aa) and a final order  
641 has been entered or the case is otherwise closed.

642 (4) The owner of any abandoned or lost property, or in the  
643 case of a derelict vessel or a vessel declared a public nuisance  
644 pursuant to s. 327.73(1)(aa), the owner of ~~or other party~~  
645 ~~determined to be legally responsible for~~ the vessel on being  
646 ~~upon~~ the waters of this state in a derelict condition or as a  
647 public nuisance, who, after notice as provided in this section,  
648 does not remove such property within the specified period is  
649 liable to the law enforcement agency, other governmental entity,  
650 or the agency's or entity's designee for all costs of removal,

651 storage, destruction, and disposal of such property, less any  
652 salvage value obtained by disposal of the property. Upon final  
653 disposition of the property, the law enforcement officer or  
654 representative of the law enforcement agency or other  
655 governmental entity shall notify the owner, or in the case of a  
656 derelict vessel or vessel declared a public nuisance pursuant to  
657 s. 327.73(1)(aa), the owner ~~or other party determined to be~~  
658 ~~legally responsible~~, if known, of the amount owed. In the case  
659 of an abandoned vessel or motor vehicle, a ~~any~~ person who  
660 neglects or refuses to pay such amount is not entitled to be  
661 issued a certificate of registration for such vessel or motor  
662 vehicle, or any other vessel or motor vehicle, until such costs  
663 have been paid. A person who has neglected or refused to pay all  
664 costs of removal, storage, disposal, and destruction of a vessel  
665 or motor vehicle as provided in this section, after having been  
666 provided written notice via certified mail that such costs are  
667 owed, and who applies for and is issued a registration for a  
668 vessel or motor vehicle before such costs have been paid in full  
669 commits a misdemeanor of the first degree, punishable as  
670 provided in s. 775.082 or s. 775.083. The law enforcement  
671 officer or representative of the law enforcement agency or other  
672 governmental entity shall supply the Department of Highway  
673 Safety and Motor Vehicles with a list of persons whose vessel  
674 registration privileges and motor vehicle privileges have been  
675 revoked under this subsection. The department or a person acting

676 as an agent of the department may not issue a certificate of  
 677 registration to a person whose vessel and motor vehicle  
 678 registration privileges have been revoked, as provided by this  
 679 subsection, until such costs have been paid.

680 **Section 7. Paragraphs (a), (c), and (d) of subsection (2),**  
 681 **paragraph (a) of subsection (3), paragraph (c) of subsection**  
 682 **(4), and subsections (6) and (7) of section 823.11, Florida**  
 683 **Statutes, are amended, paragraph (e) is added to subsection (2)**  
 684 **of that section, and paragraph (b) of subsection (1) of that**  
 685 **section is reenacted, to read:**

686 823.11 Derelict vessels; relocation or removal; penalty.-

687 (1) As used in this section, the term:

688 (b) "Derelict vessel" means a vessel, as defined in s.  
 689 327.02, that is:

690 1. In a wrecked, junked, or substantially dismantled  
 691 condition upon any waters of this state.

692 a. A vessel is wrecked if it is sunken or sinking; aground  
 693 without the ability to extricate itself absent mechanical  
 694 assistance; or remaining after a marine casualty, including, but  
 695 not limited to, a boating accident, extreme weather, or a fire.

696 b. A vessel is junked if it has been substantially  
 697 stripped of vessel components, if vessel components have  
 698 substantially degraded or been destroyed, or if the vessel has  
 699 been discarded by the owner or operator. Attaching an outboard  
 700 motor to a vessel that is otherwise junked will not cause the

701 vessel to no longer be junked if such motor is not an effective  
 702 means of propulsion as required by s. 327.4107(2) (e) and  
 703 associated rules.

704 c. A vessel is substantially dismantled if at least two of  
 705 the three following vessel systems or components are missing,  
 706 compromised, incomplete, inoperable, or broken:

- 707 (I) The steering system;
- 708 (II) The propulsion system; or
- 709 (III) The exterior hull integrity.

710  
 711 Attaching an outboard motor to a vessel that is otherwise  
 712 substantially dismantled will not cause the vessel to no longer  
 713 be substantially dismantled if such motor is not an effective  
 714 means of propulsion as required by s. 327.4107(2) (e) and  
 715 associated rules.

716 2. At a port in this state without the consent of the  
 717 agency having jurisdiction thereof.

718 3. Docked, grounded, or beached upon the property of  
 719 another without the consent of the owner of the property.

720 (2) (a) A vessel owner as defined in s. 327.02 ~~person,~~  
 721 ~~firm, or corporation~~ may not leave any derelict vessel upon  
 722 waters of this state. For purposes of this paragraph, the term  
 723 "leave" means to allow a vessel to remain occupied or unoccupied  
 724 on the waters of this state for more than 24 hours.

725 (c) The additional time provided in subparagraph (b)2. for

726 an owner ~~or responsible party~~ to remove a derelict vessel from  
727 the waters of this state or to repair and remedy the vessel's  
728 derelict condition does not apply to a vessel that was derelict  
729 upon the waters of this state before the stated accident or  
730 event.

731 (d) Notwithstanding the additional 45 days provided in  
732 sub-subparagraph (b)2.b. during which an owner ~~or a responsible~~  
733 ~~party~~ may not be charged for a violation of this section, the  
734 commission, an officer of the commission, a law enforcement  
735 agency or officer specified in s. 327.70, or, during a state of  
736 emergency declared by the Governor, the Division of Emergency  
737 Management or its designee, may immediately begin the process  
738 set forth in s. 705.103(2)(a) and, once that process has been  
739 completed and the 45 days provided herein have passed, any  
740 vessel that has not been removed or repaired such that it is no  
741 longer derelict upon the waters of this state may be removed and  
742 destroyed as provided therein.

743 (e) The title of a derelict vessel is prima facie evidence  
744 of ownership for any derelict vessel left upon the waters of  
745 this state. An owner who attempts to transfer ownership of a  
746 vessel or derelict vessel through means other than the process  
747 outlined in s. 328.22 or s. 328.64 will not be exonerated from  
748 the responsibility of having a derelict vessel upon the waters  
749 of this state without a written agreement of ownership by the  
750 transferee or evidence of agreement to transfer ownership to the

751 transferee and the exchange of consideration between the  
752 parties.

753 (3) The commission, an officer of the commission, or a law  
754 enforcement agency or officer specified in s. 327.70 may  
755 relocate, remove, and store or cause to be relocated, removed,  
756 and stored a derelict vessel from waters of this state as  
757 defined in s. 327.02 if the derelict vessel obstructs or  
758 threatens to obstruct navigation or in any way constitutes a  
759 danger to the environment, property, or persons. The commission,  
760 an officer of the commission, or any other law enforcement  
761 agency or officer acting pursuant to this subsection to  
762 relocate, remove, and store or cause to be relocated, removed,  
763 and stored a derelict vessel from waters of this state shall be  
764 held harmless for all damages to the derelict vessel resulting  
765 from such action unless the damage results from gross negligence  
766 or willful misconduct.

767 (a) All costs, including costs owed to a third party,  
768 incurred by the commission, another law enforcement agency, or a  
769 governmental subdivision, when the governmental subdivision has  
770 received authorization from a law enforcement officer or agency,  
771 in the relocation, removal, storage, destruction, or disposal of  
772 a derelict vessel are recoverable against the ~~vessel~~ owner of ~~or~~  
773 ~~the party determined to be legally responsible for~~ the vessel on  
774 ~~being upon~~ the waters of this state in a derelict condition. The  
775 Department of Legal Affairs shall represent the commission in

776 actions to recover such costs. As provided in s. 705.103(4), a  
777 person who neglects or refuses to pay such costs may not be  
778 issued a certificate of registration for such vessel or for any  
779 other vessel or motor vehicle until such costs have been paid. A  
780 person who has neglected or refused to pay all costs of removal,  
781 storage, destruction, or disposal of a derelict vessel as  
782 provided in this section, after having been provided written  
783 notice via certified mail that such costs are owed, and who  
784 applies for and is issued a registration for a vessel or motor  
785 vehicle before such costs have been paid in full commits a  
786 misdemeanor of the first degree, punishable as provided in s.  
787 775.082 or s. 775.083.

788 (4)

789 (c) The commission may establish a program to provide  
790 grants to local governments for the removal, storage,  
791 destruction, and disposal of derelict vessels from the waters of  
792 this state. This grant funding may also be used for the removal,  
793 storage, destruction, and disposal of vessels declared a public  
794 nuisance pursuant to s. 327.73(1)(aa) or the derelict vessel  
795 prevention program established pursuant to s. 327.4107(7). The  
796 program must be funded from the Marine Resources Conservation  
797 Trust Fund or the Florida Coastal Protection Trust Fund.  
798 Notwithstanding s. 216.181(11), funds available for these grants  
799 may only be authorized by appropriations acts of the  
800 Legislature. In a given fiscal year, if all funds appropriated



801 pursuant to this paragraph are not requested by and granted to  
802 local governments for the removal, storage, destruction, and  
803 disposal of derelict vessels or vessels declared a public  
804 nuisance pursuant to s. 327.73(1)(aa) by the end of the third  
805 quarter, the Fish and Wildlife Conservation Commission may use  
806 the remainder of the funds to remove, store, destroy, and  
807 dispose of, or to pay private contractors to remove, store,  
808 destroy, and dispose of, derelict vessels or vessels declared a  
809 public nuisance pursuant to s. 327.73(1)(aa). The commission  
810 shall adopt by rule procedures for local governments to submit a  
811 grant application and criteria for allocating available funds.  
812 Such criteria must include, at a minimum, all of the following:

- 813 1. The number of derelict vessels within the jurisdiction  
814 of the applicant.
- 815 2. The threat posed by such vessels to public health or  
816 safety, the environment, navigation, or the aesthetic condition  
817 of the general vicinity.
- 818 3. The degree of commitment of the local government to  
819 maintain waters free of abandoned and derelict vessels and to  
820 seek legal action against those who abandon vessels in the  
821 waters of this state as defined in s. 327.02.

822 (6) (a) For a first offense, a person, firm, or corporation  
823 violating this section commits a misdemeanor of the first degree  
824 and shall be punished as provided by law. ~~A conviction under~~  
825 ~~this section does not bar the assessment and collection of a~~

826 ~~civil penalty.~~ The court having jurisdiction over the criminal  
827 offense, notwithstanding any jurisdictional limitations on the  
828 amount in controversy, may order the imposition of such civil  
829 penalty in addition to any sentence imposed for the first  
830 criminal offense.

831 (b) For a second offense, a person, firm, or corporation  
832 violating this section commits a felony of the third degree,  
833 punishable as provided by law.

834 (c) For a third and subsequent offenses, a person, firm,  
835 or corporation violating this section commits a felony of the  
836 second degree, punishable as provided by law.

837  
838 A conviction under this section does not bar the assessment and  
839 collection of a civil penalty.

840 (7) A person may not reside or dwell on a vessel  
841 determined to be derelict by disposition of a court or  
842 administrative order, or where the vessel owner does not  
843 challenge the derelict determination pursuant to chapter 120.  
844 Violation of this provision constitutes a misdemeanor of the  
845 first degree, punishable as provided in s. 775.082. Law  
846 enforcement has the power and duty to issue orders, perform  
847 investigations, complete reports, and perform arrests in  
848 connection with such violations to enforce this provision. If a  
849 vessel is returned to the waters of this state in a condition  
850 that is no longer derelict, a person may reside or dwell on such

851 vessel. The commission may adopt rules to implement this section  
 852 ~~If an owner or a responsible party of a vessel determined to be~~  
 853 ~~derelict through an administrative or criminal proceeding has~~  
 854 ~~been charged by an officer of the commission or any law~~  
 855 ~~enforcement agency or officer as specified in s. 327.70 under~~  
 856 ~~subsection (6) for a violation of subsection (2), a person may~~  
 857 ~~not reside or dwell on such vessel until the vessel is removed~~  
 858 ~~from the waters of the state permanently or returned to the~~  
 859 ~~waters of the state in a condition that is no longer derelict.~~

860 **Section 8. For the purpose of incorporating the amendment**  
 861 **made by this act to section 823.11, Florida Statutes, in a**  
 862 **reference thereto, section 327.04, Florida Statutes, is**  
 863 **reenacted to read:**

864 327.04 Rules.—The commission may adopt rules pursuant to  
 865 ss. 120.536(1) and 120.54 to implement this chapter, the  
 866 provisions of chapter 705 relating to vessels, and s. 823.11  
 867 conferring powers or duties upon it.

868 **Section 9. For the purpose of incorporating the amendment**  
 869 **made by this act to section 823.11, Florida Statutes, in a**  
 870 **reference thereto, paragraph (d) of subsection (6) of section**  
 871 **327.4108, Florida Statutes, is reenacted to read:**

872 327.4108 Anchoring of vessels in anchoring limitation  
 873 areas.—

874 (6)

875 (d) A vessel that is the subject of more than three

876 violations within 12 months which result in dispositions other  
877 than acquittal or dismissal shall be declared to be a public  
878 nuisance and subject to s. 705.103 or, for a derelict vessel,  
879 subject to s. 823.11.

880 **Section 10. For the purpose of incorporating the**  
881 **amendments made by this act to sections 327.4107 and 823.11,**  
882 **Florida Statutes, in references thereto, paragraph (d) of**  
883 **subsection (3) of section 327.54, Florida Statutes, is reenacted**  
884 **to read:**

885 327.54 Liveries; safety regulations; penalty.—

886 (3) A livery may not knowingly lease or rent a vessel to  
887 any person:

888 (d) When the vessel is not seaworthy, is a derelict vessel  
889 as defined in s. 823.11, or is at risk of becoming derelict as  
890 provided in s. 327.4107.

891 **Section 11. For the purpose of incorporating the amendment**  
892 **made by this act to section 327.73, Florida Statutes, in a**  
893 **reference thereto, subsection (1) of section 705.101, Florida**  
894 **Statutes, is reenacted to read:**

895 705.101 Definitions.—As used in this chapter:

896 (1) "Abandoned property" means all tangible personal  
897 property that does not have an identifiable owner and that has  
898 been disposed on public property in a wrecked, inoperative, or  
899 partially dismantled condition or has no apparent intrinsic  
900 value to the rightful owner. The term includes derelict vessels

901 as defined in s. 823.11 and vessels declared a public nuisance  
902 pursuant to s. 327.73(1)(aa).

903 **Section 12. For the purpose of incorporating the amendment**  
904 **made by this act to section 705.103, Florida Statutes, in a**  
905 **reference thereto, subsection (1) of section 705.104, Florida**  
906 **Statutes, is reenacted to read:**

907 705.104 Title to lost or abandoned property.—

908 (1) Title to lost or abandoned property is hereby vested  
909 in the finder upon the expiration of the 90-day custodial time  
910 period specified in s. 705.103(2)(b), provided the notice  
911 requirements of s. 705.103 have been met, unless the rightful  
912 owner or a lienholder claims the property within that time.

913 **Section 13. For the purpose of incorporating the amendment**  
914 **made by this act to section 705.103, Florida Statutes, in a**  
915 **reference thereto, subsection (8) of section 713.585, Florida**  
916 **Statutes, is reenacted to read:**

917 713.585 Enforcement of lien by sale of motor vehicle.—A  
918 person claiming a lien under s. 713.58 for performing labor or  
919 services on a motor vehicle may enforce such lien by sale of the  
920 vehicle in accordance with the following procedures:

921 (8) A vehicle subject to lien enforcement pursuant to this  
922 section must be sold by the lienor at public sale. Immediately  
923 upon the sale of the vehicle and payment in cash of the purchase  
924 price, the lienor shall deposit with the clerk of the circuit  
925 court the proceeds of the sale less the amount claimed by the

926 | lienor for work done and storage, if any, and all reasonable  
927 | costs and expenses incurred in conducting the sale, including  
928 | any attorney's fees and costs ordered by the court.  
929 | Simultaneously with depositing the proceeds of sale remaining  
930 | after payment to the lienor, the lienor shall file with the  
931 | clerk a verified report of the sale stating a description of the  
932 | vehicle sold, including the vehicle identification number; the  
933 | name and address of the purchaser; the date of the sale; and the  
934 | selling price. The report shall also itemize the amount retained  
935 | by the lienor pursuant to this section and shall indicate  
936 | whether a hearing was demanded and held. All proceeds held by  
937 | the court shall be held for the benefit of the owner of the  
938 | vehicle or any lienholder whose lien is discharged by the sale  
939 | and shall be disbursed only upon order of the court. Unless a  
940 | proceeding is initiated to validate a claim to such proceeds  
941 | within 1 year and a day from the date of the sale, the proceeds  
942 | shall be deemed abandoned property and disposition thereof shall  
943 | be governed by s. 705.103. The clerk shall receive 5 percent of  
944 | the proceeds deposited with her or him, not to exceed \$25, for  
945 | her or his services under this section.

946 |       **Section 14.** Except as otherwise provided in this act, this  
947 | act shall take effect July 1, 2025.