

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~~

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" includes a "vessel
 531 | 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 vessel owner who violates
 823 ~~person, firm, or corporation violating~~ this section commits a
 824 misdemeanor of the first degree, punishable as provided in s.
 825 775.082 or s. 775.083 ~~and shall be punished as provided by law.~~

826 ~~A conviction under this section does not bar the assessment and~~
827 ~~collection of a civil penalty.~~ The court having jurisdiction
828 over the criminal offense, notwithstanding any jurisdictional
829 limitations on the amount in controversy, may order the
830 imposition of such civil penalty in addition to any sentence
831 imposed for the first criminal offense.

832 (b) For a second offense, a vessel owner who violates this
833 section commits a felony of the third degree, punishable as
834 provided in s. 775.082, s. 775.083, or s. 775.084.

835 (c) For a third or subsequent offense, a vessel owner who
836 violates this section commits a felony of the second degree,
837 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

841 (7) A person may not reside or dwell on a vessel
842 determined to be derelict by disposition of a court or
843 administrative order, or where the vessel owner does not
844 challenge the derelict determination pursuant to chapter 120. A
845 person who violates this subsection commits a misdemeanor of the
846 first degree, punishable as provided in s. 775.082 or s.
847 775.083. Law enforcement has the power and duty to issue orders,
848 perform investigations, complete reports, and perform arrests in
849 connection with such violations to enforce this provision. If a
850 vessel is returned to the waters of this state in a condition

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

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

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

869 **Section 9. For the purpose of incorporating the amendment**
870 **made by this act to section 823.11, Florida Statutes, in a**
871 **reference thereto, paragraph (d) of subsection (6) of section**
872 **327.4108, Florida Statutes, is reenacted to read:**

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

875 (6)

876 (d) A vessel that is the subject of more than three
877 violations within 12 months which result in dispositions other
878 than acquittal or dismissal shall be declared to be a public
879 nuisance and subject to s. 705.103 or, for a derelict vessel,
880 subject to s. 823.11.

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

886 327.54 Liveries; safety regulations; penalty.—

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

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

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

896 705.101 Definitions.—As used in this chapter:

897 (1) "Abandoned property" means all tangible personal
898 property that does not have an identifiable owner and that has
899 been disposed on public property in a wrecked, inoperative, or
900 partially dismantled condition or has no apparent intrinsic

901 value to the rightful owner. The term includes derelict vessels
902 as defined in s. 823.11 and vessels declared a public nuisance
903 pursuant to s. 327.73(1)(aa).

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

908 705.104 Title to lost or abandoned property.—

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

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

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

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

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

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