

20251388e1

1 A bill to be entitled  
2 An act relating to vessels; amending s. 327.02, F.S.;  
3 revising the definition of the term "livery vessel";  
4 deleting the term "owner"; defining the term "vessel  
5 owner"; amending s. 327.30, F.S.; revising and  
6 providing penalties for vessel collisions, accidents,  
7 and casualties; amending s. 327.33, F.S.; revising and  
8 providing penalties for reckless or careless operation  
9 of a vessel; creating s. 327.35105, F.S.; requiring  
10 the suspension of driver licenses for boating under  
11 the influence and reckless or careless operation of a  
12 vessel until certain conditions are met; reenacting  
13 and amending s. 327.4107, F.S.; providing a penalty  
14 for a person anchoring or mooring a vessel at risk of  
15 becoming derelict on the waters of this state;  
16 revising criteria for a vessel to be determined at  
17 risk of becoming derelict; revising the manner and  
18 timeframe for vessel owners or operators to  
19 demonstrate a vessel's effective means of propulsion  
20 for safe navigation; deleting provisions providing a  
21 penalty for a person who anchors or moors certain  
22 vessels on the waters of this state; creating s.  
23 327.4111, F.S.; defining the term "long-term  
24 anchoring"; requiring the Fish and Wildlife  
25 Conservation Commission to issue, at no cost, a permit  
26 for the long-term anchoring of a vessel which includes  
27 specified information; providing specifications of  
28 such permit; providing a penalty for long-term  
29 anchoring without a permit; providing applicability;

20251388e1

30 providing that a permit is not required under certain  
31 circumstances; requiring the commission to use an  
32 electronic application and permitting system;  
33 clarifying that certain provisions do not supersede  
34 any other anchoring limitations established pursuant  
35 to law; authorizing the commission to adopt rules;  
36 amending s. 327.45, F.S.; specifying that the  
37 commission's authorization to establish protection  
38 zones includes modifying the allowable means of  
39 certain vessel positioning to prevent significant harm  
40 to certain springs; revising what constitutes  
41 significant harm; reenacting and amending s. 327.54,  
42 F.S.; revising the definition of the term "livery";  
43 amending s. 327.56, F.S.; prohibiting an officer from  
44 performing a vessel stop or boarding a vessel without  
45 probable cause; prohibiting an officer from performing  
46 a vessel stop or boarding a vessel under certain  
47 circumstances; providing that a violation of safety or  
48 marine sanitation equipment requirements is a  
49 secondary rather than a primary offense; amending s.  
50 327.70, F.S.; requiring the commission, in  
51 coordination with the Department of Highway Safety and  
52 Motor Vehicles, to create the "Florida Freedom Boater"  
53 safety inspection decal for specified purposes;  
54 providing for the award of such decal; providing  
55 requirements for such decal; authorizing an officer to  
56 stop a vessel for a lawful purpose when the officer  
57 has probable cause or knowledge to believe a violation  
58 of certain provisions has occurred or is occurring;

20251388e1

59 authorizing the enforcement of certain noncriminal  
60 violations by citation mailed or issued to the owner  
61 of certain vessels; amending s. 327.73, F.S.;  
62 requiring that a vessel subject to a specified number  
63 of violations within a 24-month period which result in  
64 certain dispositions be declared a public nuisance;  
65 providing that failure to appear at a hearing or  
66 failure to pay civil penalties constitutes a certain  
67 disposition; providing penalties related to long-term  
68 anchoring; requiring that a vessel subject to a  
69 specified number of violations relating to long-term  
70 anchoring within a 24-month period which result in  
71 certain dispositions be declared a public nuisance;  
72 providing that failure to appear at a hearing or  
73 failure to pay a certain civil penalty constitutes a  
74 disposition other than acquittal or dismissal;  
75 providing an exception; authorizing certain entities  
76 and persons to relocate, remove, or cause to be  
77 relocated or removed certain vessels; requiring that  
78 such entities and persons be held harmless for all  
79 damages to a vessel resulting from such relocation or  
80 removal; providing exceptions; amending s. 327.731,  
81 F.S.; requiring a person convicted of a certain  
82 criminal violation or certain noncriminal infractions  
83 within a specified period to complete a boater safety  
84 education course; creating s. 327.75, F.S.; providing  
85 a short title; defining the terms "energy source" and  
86 "watercraft"; prohibiting specified entities from  
87 restricting the use or sale of watercraft based on the

20251388e1

88 energy source used by such watercraft; amending s.  
89 379.226, F.S.; revising provisions prohibiting the  
90 issuance of a license to a vessel owned by certain  
91 alien powers; amending s. 705.103, F.S.; defining the  
92 term "owner"; revising the notice placed upon a  
93 derelict vessel declared a public nuisance which is  
94 present upon the waters of this state; deleting a  
95 provision specifying that a party responsible for a  
96 derelict vessel or a vessel declared a public nuisance  
97 has the right to a certain hearing; deleting  
98 provisions assigning liability to a party deemed  
99 legally responsible for a derelict vessel or vessel  
100 declared a public nuisance; deleting provisions  
101 allowing a law enforcement officer or a representative  
102 of a law enforcement agency or other governmental  
103 entity to notify a party deemed legally responsible  
104 for a derelict vessel or a vessel declared a public  
105 nuisance of the final disposition of the derelict  
106 vessel; amending s. 782.072, F.S.; revising the  
107 definition of the term "vessel homicide"; reenacting  
108 and amending s. 823.11, F.S.; prohibiting a vessel  
109 owner from leaving a derelict vessel upon the waters  
110 of this state; deleting provisions related to a party  
111 responsible for a derelict vessel; providing prima  
112 facie evidence of ownership or control of a derelict  
113 vessel left upon the waters of this state; providing a  
114 means of exonerating an owner of a vessel or derelict  
115 vessel of responsibility if such owner attempts to  
116 transfer ownership or control of such vessel;

20251388e1

117 providing that the owner of a derelict vessel is  
118 exclusively responsible for all costs associated with  
119 the relocation, removal, storage, destruction, or  
120 disposal of the derelict vessel; authorizing the  
121 commission to use grant funds allocated for the  
122 removal, storage, destruction, and disposal of  
123 derelict vessels from the waters of this state for the  
124 derelict vessel prevention program; providing  
125 penalties; prohibiting a person from dwelling or  
126 residing on a derelict vessel; providing penalties;  
127 authorizing law enforcement officers to enforce such  
128 provisions; authorizing a person to reside on a vessel  
129 if the vessel is in a state or condition that is no  
130 longer derelict; authorizing the commission to adopt  
131 rules; reenacting ss. 327.04 and 327.4108(6)(d), F.S.,  
132 relating to rules and the anchoring of vessels in  
133 anchoring limitation areas, respectively, to  
134 incorporate the amendment made to s. 832.11, F.S., in  
135 references thereto; reenacting s. 705.101(1), F.S.,  
136 relating to definitions, to incorporate the amendment  
137 made to s. 327.73, F.S., in a reference thereto;  
138 reenacting ss. 705.104(1) and 713.585(8), F.S.,  
139 relating to the title to lost or abandoned property  
140 and the enforcement of a lien by sale of motor  
141 vehicle, respectively, to incorporate the amendment  
142 made to s. 705.103, F.S., in references thereto;  
143 providing effective dates.

144  
145 Be It Enacted by the Legislature of the State of Florida:

20251388e1

146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174

Section 1. Subsections (24) and (35) through (47) of section 327.02, Florida Statutes, are amended, and a new subsection (47) is added to that section, to read:

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

(24) "Livery vessel" means a leased or rented vessel ~~leased, rented, or chartered to another for consideration.~~

(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 hand.

20251388e1

175        (38)~~(39)~~ "Prohibited activity" means activity that will  
176        impede or disturb navigation or creates a safety hazard on  
177        waterways of this state.

178        (39)~~(40)~~ "Racing shell," "rowing scull," or "racing kayak"  
179        means a manually propelled vessel that is recognized by national  
180        or international racing associations for use in competitive  
181        racing and in which all occupants, with the exception of a  
182        coxswain, if one is provided, row, scull, or paddle and that is  
183        not designed to carry and does not carry any equipment not  
184        solely for competitive racing.

185        (40)~~(41)~~ "Recreational vessel" means a vessel:

186            (a) Manufactured and used primarily for noncommercial  
187            purposes; or

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

190        (41)~~(42)~~ "Registration" means a state operating license on  
191        a vessel which is issued with an identifying number, an annual  
192        certificate of registration, and a decal designating the year  
193        for which a registration fee is paid.

194        (42)~~(43)~~ "Resident" means a citizen of the United States  
195        who has established residence in this state and has continuously  
196        resided in this state for 1 year and in one county for the 6  
197        months immediately preceding the initiation of a vessel titling  
198        or registration action.

199        (43)~~(44)~~ "Sailboat" means a vessel whose sole source of  
200        propulsion is the wind.

201        (44)~~(45)~~ "Sustained wind speed" means a wind speed  
202        determined by averaging the observed wind speed rounded up to  
203        the nearest mile per hour over a 2-minute period.

20251388e1

204        ~~(45)-(46)~~ "Unclaimed vessel" means an undocumented vessel,  
205 including its machinery, rigging, and accessories, which is in  
206 the physical possession of a marina, garage, or repair shop for  
207 repairs, improvements, or other work with the knowledge of the  
208 vessel owner and for which the costs of such services have been  
209 unpaid for more than 90 days after the date written notice of  
210 the completed work is given by the marina, garage, or repair  
211 shop to the vessel owner.

212        ~~(46)-(47)~~ "Vessel" is synonymous with boat as referenced in  
213 s. 1(b), Art. VII of the State Constitution and includes every  
214 description of watercraft, barge, and airboat, other than a  
215 seaplane on the water, used or capable of being used as a means  
216 of transportation on water.

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

221        (a) A person entitled to the use or possession of a vessel  
222 subject to an interest in another person which is reserved or  
223 created by agreement and securing payment of performance of an  
224 obligation. The term does not include a lessee under a lease not  
225 intended as security.

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

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

231        (d) A person who has signed a written agreement for the  
232 purchase and sale of the vessel and paid the consideration, if



20251388e1

233 any, required under the agreement.

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

237 Section 2. Subsection (5) of section 327.30, Florida  
238 Statutes, is amended to read:

239 327.30 Collisions, accidents, and casualties.—

240 (5) It is unlawful for a person operating a vessel involved  
241 in an accident or injury to leave the scene of the accident or  
242 injury without giving all possible aid to all persons involved  
243 and making a reasonable effort to locate the owner or persons  
244 affected and subsequently complying with and notifying the  
245 appropriate law enforcement official as required under this  
246 section.

247 (a) If a Any person who violates this subsection and the  
248 with respect to an accident results resulting in:

249 1. Property damage only, the person commits a misdemeanor  
250 of the first degree, punishable as provided in s. 775.082 or s.  
251 775.083.

252 2. Injury to a person other than serious bodily injury, the  
253 person commits a felony of the third degree, punishable as  
254 provided in s. 775.082, s. 775.083, or s. 775.084.

255 3. Serious bodily injury, the person commits a felony of  
256 the second degree, punishable as provided in s. 775.082, s.  
257 775.083, or s. 775.084.

258 4. The death of another person or an unborn child, the  
259 person commits a felony of the first degree, punishable as  
260 provided in s. 775.082, s. 775.083, or s. 775.084.

261 (b) If a person operating a vessel involved in an accident

20251388e1

262 that results in the death of another person or an unborn child  
263 provides a false statement to an investigating law enforcement  
264 officer, the person ~~personal-injury~~ commits a felony of the  
265 third degree, punishable as provided in ~~s. 775.082, s. 775.083,~~  
266 ~~or s. 775.084. Any person who violates this subsection with~~  
267 ~~respect to an accident resulting in property damage only commits~~  
268 ~~a misdemeanor of the second degree, punishable as provided in s.~~  
269 ~~775.082 or s. 775.083.~~

270 Section 3. Subsection (1) of section 327.33, Florida  
271 Statutes, is amended to read:

272 327.33 Reckless or careless operation of vessel.-

273 (1) It is unlawful to operate a vessel in a reckless  
274 manner. A person who operates any vessel, or manipulates any  
275 water skis, aquaplane, or similar device, in willful or wanton  
276 disregard for the safety of persons or property at a speed or in  
277 a manner as to endanger, or likely to endanger, life or limb, or  
278 damage the property of, or injure a person is guilty of reckless  
279 operation of a vessel. Reckless operation of a vessel includes,  
280 but is not limited to, a violation of s. 327.331(6). If a person  
281 ~~who~~ violates this subsection and the violation:

282 (a) Does not result in an accident, the person commits a  
283 misdemeanor of the second degree, punishable as provided in s.  
284 775.082 or s. 775.083.

285 (b) Results in an accident that causes damage to the  
286 property or person of another, the person commits a misdemeanor  
287 of the first degree, punishable as provided in s. 775.082 or s.  
288 775.083.

289 (c) Results in an accident that causes serious bodily  
290 injury as defined in s. 316.192, the person commits a felony of

20251388e1

291 the third degree, punishable as provided in s. 775.082, s.  
292 775.083, or s. 775.084.

293 Section 4. Section 327.35105, Florida Statutes, is created  
294 to read:

295 327.35105 Additional penalty for boating under the  
296 influence or reckless operation of vessel.—The driver license of  
297 a person convicted of a violation of s. 327.33(1)(b), (c), or  
298 (d) or s. 327.35 must be suspended until all orders of the court  
299 have been satisfied.

300 Section 5. Subsections (2) and (3) of section 327.4107,  
301 Florida Statutes, are amended, and paragraph (a) of subsection  
302 (7) of that section is reenacted and amended, to read:

303 327.4107 Vessels at risk of becoming derelict on waters of  
304 this state.—

305 (2) It is a noncriminal infraction punishable as provided  
306 in s. 327.73 for a person to anchor or moor ~~an officer of the~~  
307 ~~commission or of a law enforcement agency specified in s. 327.70~~  
308 ~~may determine that~~ a vessel ~~is~~ at risk of becoming derelict on  
309 the waters of this state or to allow such vessel to occupy such  
310 waters. A vessel is at risk of becoming derelict if, as  
311 determined by an officer of the commission or a law enforcement  
312 agency, ~~if~~ any of the following conditions exist:

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

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

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

20251388e1

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

321 (e) The vessel does not have an effective means of  
322 propulsion, and the vessel owner or operator is unable to  
323 provide a receipt, proof of purchase, or other documentation of  
324 having ordered necessary parts for repair. If the owner or  
325 operator is present on the vessel, a law enforcement officer may  
326 require a test of the vessel's effective means of propulsion for  
327 safe navigation, to be conducted immediately. If the owner or  
328 operator is not present on the vessel, the owner or operator  
329 must, in the presence of law enforcement, conduct the test for  
330 effective means of propulsion for safe navigation within 48 72  
331 hours after the vessel owner or operator receives telephonic  
332 notice from a law enforcement officer, in-person notice recorded  
333 on an agency-approved body camera, or written notice, which may  
334 be provided by facsimile, electronic mail, or other electronic  
335 means, stating such from an officer, and the vessel owner or  
336 operator is unable to provide a receipt, proof of purchase, or  
337 other documentation of having ordered necessary parts for vessel  
338 repair. The commission may adopt rules to implement this  
339 paragraph.

340 (f) The vessel is tied to an unlawful or unpermitted  
341 structure or mooring.

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

346 (6)(7) The commission may establish a derelict vessel  
347 prevention program to address vessels at risk of becoming  
348 derelict. Such program may, but is not required to, include:

20251388e1

349 (a) Removal, relocation, and destruction of vessels  
350 declared a public nuisance, derelict or at risk of becoming  
351 derelict, or lost or abandoned in accordance with s. 327.53(7),  
352 s. 327.73(1)(aa), s. 705.103(2) and (4), or s. 823.11(3).  
353

354 The commission may adopt rules to implement this subsection.  
355 Implementation of the derelict vessel prevention program shall  
356 be subject to appropriation by the Legislature and shall be  
357 funded by the Marine Resources Conservation Trust Fund or the  
358 Florida Coastal Protection Trust Fund.

359 Section 6. Effective January 1, 2026, section 327.4111,  
360 Florida Statutes, is created to read:

361 327.4111 Long-term anchoring.—

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

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

371 (a) For the vessel owner or operator:

372 1. Name.

373 2. Mailing address.

374 3. Telephone number.

375 4. E-mail address.

376 5. Birthdate.

377 6. Driver license number, if applicable.

20251388e1

378 (b) For the vessel:

379 1. Make.

380 2. Model.

381 3. Year.

382 4. Style.

383 5. Hull identification number.

384 6. Registration number or United States Coast Guard  
385 documentation, if applicable.

386 7. Vessel name, if applicable.

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

388 (d) Notice that the long-term anchoring permit may be  
389 revoked if the vessel is a derelict vessel as defined in s.  
390 823.11, or is at risk of becoming derelict as provided in s.  
391 327.4107, or is in violation of marine sanitation provisions in  
392 s. 327.53.

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

401 (4) A person who engages in long-term anchoring of a vessel  
402 within the waters of this state without a valid long-term  
403 anchoring permit commits a noncriminal infraction, punishable as  
404 provided in s. 327.73.

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

406 (a) Vessels owned or operated by a governmental entity for

20251388e1

407 law enforcement, firefighting, military, or rescue purposes.

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

409 (c) Vessels actively engaged in commercial fishing.

410 (d) Vessels engaged in recreational fishing if the persons  
411 onboard are actively tending hook and line fishing gear or nets.

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

415 (7) In implementing this section, the commission must use  
416 an electronic application and permitting system.

417 (8) The provisions of this section do not supersede any  
418 other anchoring limitations established pursuant to law.

419 (9) The commission may adopt rules to implement this  
420 section.

421 Section 7. Subsection (2) of section 327.45, Florida  
422 Statutes, is amended to read:

423 327.45 Protection zones for springs.—

424 (2) The commission may establish by rule protection zones  
425 that restrict the speed and operation of vessels, or that  
426 prohibit or modify the allowable means of anchoring, mooring,  
427 beaching, or grounding ~~of~~ vessels, to protect and prevent  
428 significant harm to first, second, and third magnitude springs  
429 and springs groups, including their associated spring runs, as  
430 determined by the commission using the most recent Florida  
431 Geological Survey springs bulletin. Significant ~~This~~ harm  
432 includes negative impacts to water quality, water quantity,  
433 hydrology, wetlands, and aquatic and wetland-dependent species  
434 where the operation, anchoring, mooring, beaching, or grounding  
435 of vessels is determined to be the predominant cause of negative

20251388e1

436 impacts.

437 Section 8. Paragraph (c) of subsection (1) of section  
438 327.54, Florida Statutes, is amended, and paragraph (d) of  
439 subsection (3) is reenacted to read:

440 327.54 Liveries; safety regulations; penalty.—

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

442 (c) "Livery" means a person who advertises and offers a  
443 livery vessel for use by another in exchange for any type of  
444 consideration when such person does not also provide or does not  
445 require the lessee or renter to provide as a condition of the  
446 rental or lease agreement a person licensed by the United States  
447 Coast Guard to serve as master of the vessel or to ~~with a~~  
448 captain, a crew, or any type of staff or personnel to operate,  
449 oversee, maintain, or manage the vessel. The owner of a vessel  
450 who does not advertise his or her vessel for use by another for  
451 consideration and who loans or offers his or her vessel for use  
452 to another known to him or her either for consideration or  
453 without consideration is not a livery. A public or private  
454 school or postsecondary institution located within this state is  
455 not a livery. A vessel rented or leased by a livery is a livery  
456 vessel as defined in s. 327.02.

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

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

462 Section 9. Section 327.56, Florida Statutes, is amended to  
463 read:

464 327.56 Safety and marine sanitation equipment inspections;



20251388e1

465 probable cause; qualified.-

466 (1) An ~~Ne~~ officer may not ~~shall~~ board any vessel or perform

467 a vessel stop in this state unless ~~to make a safety or marine~~

468 ~~sanitation equipment inspection if the owner or operator is not~~

469 ~~aboard. When the owner or operator is aboard, an officer may~~

470 ~~board a vessel with consent or when the officer has probable~~

471 ~~cause or knowledge to believe that a violation of a provision of~~

472 ~~this chapter has occurred or is occurring.~~

473 (2) An officer may not perform a vessel stop or board a

474 vessel for the sole purpose of performing a safety or marine

475 sanitation equipment inspection. A violation of safety or marine

476 sanitation equipment requirements is a secondary offense, rather

477 than a primary offense ~~An officer may board a vessel when the~~

478 ~~operator refuses or is unable to display the safety or marine~~

479 ~~sanitation equipment required by law, if requested to do so by a~~

480 ~~law enforcement officer, or when the safety or marine sanitation~~

481 ~~equipment to be inspected is permanently installed and is not~~

482 ~~visible for inspection unless the officer boards the vessel.~~

483 ~~(2) Inspection of floating structures for compliance with~~

484 ~~this section shall be as provided in s. 403.091.~~

485 Section 10. Subsection (2) and paragraph (a) of subsection

486 (3) of section 327.70, Florida Statutes, are amended, and

487 paragraph (e) is added to subsection (3) of that section, to

488 read:

489 327.70 Enforcement of this chapter and chapter 328.-

490 (2) (a) 1. The commission, in coordination with the

491 Department of Highway Safety and Motor Vehicles, shall create a

492 "Florida Freedom Boater" safety inspection decal for issue at

493 the time of registration or renewal, signifying that the vessel

20251388e1

494 is deemed to have met the safety equipment carriage and use  
495 requirements of this chapter. Upon demonstrated compliance with  
496 the safety equipment carriage and use requirements of this  
497 chapter at the time of registration or renewal ~~during a safety~~  
498 ~~inspection initiated by a law enforcement officer,~~ the operator  
499 of a vessel shall be issued a "Florida Freedom Boater" safety  
500 inspection decal ~~signifying that the vessel is deemed to have~~  
501 ~~met the safety equipment carriage and use requirements of this~~  
502 ~~chapter at the time and location of such inspection.~~ The  
503 commission may designate by rule the timeframe for expiration  
504 of, and the specific design for, the Florida Freedom Boater  
505 safety inspection decal. However, a decal may not be valid for  
506 less than 1 calendar year or more than 5 years at the time of  
507 issue and, at a minimum, must meet the standards specified in  
508 this paragraph. ~~All decals issued by the commission on or before~~  
509 ~~December 31, 2018, are no longer valid after that date.~~

510 2. The Florida Freedom Boater safety inspection decal, ~~if~~  
511 ~~displayed,~~ must be located within 6 inches of the inspected  
512 vessel's properly displayed vessel registration decal. For  
513 nonmotorized vessels that are not required to be registered, the  
514 Florida Freedom Boater safety inspection decal, ~~if displayed,~~  
515 must be located above the waterline on the forward half of the  
516 port side of the vessel.

517 (b) ~~If a vessel properly displays a valid safety inspection~~  
518 ~~decal created or approved by the division, a law enforcement~~  
519 ~~officer may not stop the vessel for the sole purpose of~~  
520 ~~inspecting the vessel for compliance with the safety equipment~~  
521 ~~carriage and use requirements of this chapter unless there is~~  
522 ~~reasonable suspicion that a violation of a safety equipment~~

20251388e1

523 ~~carriage or use requirement has occurred or is occurring.~~ This  
524 subsection does not restrict a law enforcement officer from  
525 stopping a vessel for any other lawful purpose when the officer  
526 has probable cause to believe that a violation of this chapter  
527 has occurred or is occurring.

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

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

533 2. Section 327.44, relating to interference with  
534 navigation.

535 3. Section 327.50(2), relating to required lights and  
536 shapes.

537 4. Section 327.53, relating to marine sanitation.

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

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

540 7. Section 327.4107, relating to vessels at risk of  
541 becoming derelict.

542 8. Section 327.4109, relating to prohibited anchoring or  
543 mooring.

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

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

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

549 Section 11. Subsection (1) of section 327.73, Florida  
550 Statutes, is amended to read:

551 327.73 Noncriminal infractions.—

20251388e1

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

554 (a) Section 328.46, relating to operation of unregistered  
555 and unnumbered vessels.

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

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

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

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

562 (f) Section 328.60, relating to military personnel and  
563 registration of vessels.

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

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

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

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

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

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

579 (j) Section 327.44, relating to interference with  
580 navigation.

20251388e1

581 (k) Violations relating to boating-restricted areas and  
582 speed limits:

583 1. Established by the commission or by local governmental  
584 authorities pursuant to s. 327.46.

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

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

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

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

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

592 1. That does not result in an accident; or  
593 2. That results in an accident not causing serious bodily  
594 injury or death, for which the penalty is:

595 a. For a first offense, up to a maximum of \$500.  
596 b. For a second offense, up to a maximum of \$1,000.  
597 c. For a third or subsequent offense, up to a maximum of  
598 \$1,500.

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

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

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

606 (s) Section 327.395, relating to boater safety education.  
607 However, a person cited for violating the requirements of s.  
608 327.395 relating to failure to have required proof of boating  
609 safety education in his or her possession may not be convicted

20251388e1

610 if, before or at the time of a county court hearing, the person  
611 produces proof of the boating safety education identification  
612 card or temporary certificate for verification by the hearing  
613 officer or the court clerk and the identification card or  
614 temporary certificate was valid at the time the person was  
615 cited.

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

618 (u) Section 327.331, relating to divers-down warning  
619 devices, except for violations meeting the requirements of s.  
620 327.33.

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

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

625 (x) Section 253.04(3)(a), relating to carelessly causing  
626 seagrass scarring, for which the civil penalty upon conviction  
627 is:

628 1. For a first offense, \$100.

629 2. For a second offense occurring within 12 months after a  
630 prior conviction, \$250.

631 3. For a third offense occurring within 36 months after a  
632 prior conviction, \$500.

633 4. For a fourth or subsequent offense occurring within 72  
634 months after a prior conviction, \$1,000.

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

637 1. For a first offense, \$100.

638 2. For a second offense occurring within 12 months after a

20251388e1

639 prior conviction, \$250.

640 3. For a third offense occurring within 36 months after a  
641 prior conviction, \$500.

642 4. For a fourth or subsequent offense occurring within 72  
643 months after a prior conviction, \$1,000.

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

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

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

648 3. For a third or subsequent offense, up to a maximum of  
649 \$500.

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

653 1. For a first offense, \$100.

654 2. For a second offense occurring 30 days or more after a  
655 first offense, \$250.

656 3. For a third or subsequent offense occurring 30 days or  
657 more after a previous offense, \$500.

658

659 A vessel that is the subject of three or more violations ~~issued~~  
660 ~~pursuant to the same paragraph~~ of s. 327.4107(2) which occur  
661 within a 24-month ~~an 18-month~~ period and which result in  
662 dispositions other than acquittal or dismissal must ~~shall~~ be  
663 declared ~~to be~~ a public nuisance and subject to ss. 705.103(2)  
664 and (4) and 823.11(3). For purposes of this paragraph, failure  
665 to appear at a hearing or failure to pay the civil penalty  
666 constitutes a disposition other than acquittal or dismissal  
667 unless such failure to appear or such nonpayment is excused or

20251388e1

668 set aside by the court for good cause shown. The commission, an  
669 officer of the commission, or a law enforcement agency or  
670 officer specified in s. 327.70 may relocate, remove, or cause to  
671 be relocated or removed such public nuisance vessels from waters  
672 of this state. The commission, an officer of the commission, or  
673 a law enforcement agency or officer acting pursuant to this  
674 paragraph upon waters of this state shall be held harmless for  
675 all damages to the vessel resulting from such relocation or  
676 removal unless the damage results from gross negligence or  
677 willful misconduct as these terms are defined in s. 823.11.

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

- 680 1. For a first offense, up to a maximum of \$100.
- 681 2. For a second offense, up to a maximum of \$250.
- 682 3. For a third or subsequent offense, up to a maximum of  
683 \$500.

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

- 686 1. For a first offense, \$100.
- 687 2. For a second offense occurring within 12 months after a  
688 prior offense, \$250.
- 689 3. For a third offense occurring within 36 months after a  
690 prior offense, \$500.

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

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

695 (ff) Section 328.48(9), relating to the failure to update  
696 vessel registration information, for which the penalty is up to



20251388e1

697 a maximum of \$500.

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

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

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

702 3. For a third or subsequent offense, up to a maximum of  
703 \$500.

704  
705 A vessel that is the subject of three or more violations of s.  
706 327.4111 that occur within a 24-month period and that result in  
707 dispositions other than acquittal or dismissal must be declared  
708 a public nuisance and subject to ss. 705.103(2) and (4) and  
709 823.11(3). For purposes of this paragraph, failure to appear at  
710 a hearing or failure to pay the civil penalty required by s.  
711 327.72 constitutes a disposition other than acquittal or  
712 dismissal, unless such failure to appear or such nonpayment is  
713 excused or set aside by the court for good cause shown. The  
714 commission, an officer of the commission, or a law enforcement  
715 agency or officer specified in s. 327.70 may relocate, remove,  
716 or cause to be relocated or removed such public nuisance vessels  
717 from waters of this state. The commission, an officer of the  
718 commission, or a law enforcement agency or officer acting  
719 pursuant to this paragraph shall be held harmless for all  
720 damages to the vessel resulting from such relocation or removal  
721 unless the damage results from gross negligence or willful  
722 misconduct as those terms are defined in s. 823.11.

723  
724 A ~~Any~~ person cited for a violation of this subsection ~~is shall~~  
725 ~~be~~ deemed to be charged with a noncriminal infraction, must

20251388e1

726 ~~shall~~ be cited for such an infraction, and must ~~shall~~ be cited  
 727 to appear before the county court. The civil penalty for any  
 728 such infraction is \$100, except as otherwise provided in this  
 729 section. A ~~Any~~ person who fails to appear or otherwise properly  
 730 respond to a uniform boating citation, in addition to the charge  
 731 relating to the violation of the boating laws of this state,  
 732 must be charged with the offense of failing to respond to such  
 733 citation and, upon conviction, be guilty of a misdemeanor of the  
 734 second degree, punishable as provided in s. 775.082 or s.  
 735 775.083. A written warning to this effect must ~~shall~~ be provided  
 736 at the time such uniform boating citation is issued.

737 Section 12. Present subsections (2), (3), and (4) of  
 738 section 327.731, Florida Statutes, are redesignated as  
 739 subsections (3), (4), and (5), respectively, a new subsection  
 740 (2) is added to that section, and subsection (1) and present  
 741 subsection (3) of that section are amended, to read:

742 327.731 Mandatory education for violators.—

743 (1) A person convicted of a criminal violation under this  
 744 chapter, convicted of a noncriminal infraction under this  
 745 chapter if the infraction resulted in a reportable boating  
 746 accident, or convicted of a ~~two~~ noncriminal infraction  
 747 ~~infractions~~ as specified in s. 327.73(1)(h)-(k), ~~(m)~~, (o), (p),  
 748 (t), (u), (w), (x), and (y) and ~~(s)-(y)~~, the infractions  
 749 ~~occurring within a 12-month period~~, must:

750 (a) Enroll in, attend, and successfully complete, at his or  
 751 her own expense, a classroom or online boating safety course  
 752 that is approved by and meets the minimum standards established  
 753 by commission rule;

754 (b) File with the commission within 90 days proof of

20251388e1

755 successful completion of the course; and

756 (c) Refrain from operating a vessel until he or she has  
757 filed proof of successful completion of the course with the  
758 commission; ~~and~~

759 ~~(d) Pay a fine of \$500. The clerk of the court shall remit~~  
760 ~~all fines assessed and collected under this paragraph to the~~  
761 ~~Department of Revenue to be deposited into the Marine Resources~~  
762 ~~Conservation Trust Fund to support law enforcement activities.~~

763 (2) A person convicted of a criminal violation under this  
764 chapter, convicted of a noncriminal infraction under this  
765 chapter if the infraction resulted in a reportable boating  
766 accident, or convicted of two noncriminal infractions as  
767 specified in s. 327.73(1)(h)-(k), (o), (p), (t), (u), (w), (x),  
768 and (y), occurring within a 12-month period, must pay a fine of  
769 \$500 and complete a boater safety education course that meets  
770 the requirements of s. 327.395. The clerk of the court shall  
771 remit all fines assessed and collected under this subsection to  
772 the Department of Revenue to be deposited into the Marine  
773 Resources Conservation Trust Fund to support law enforcement  
774 activities.

775 (4)~~(3)~~ The commission shall print on the reverse side of  
776 the defendant's copy of the boating citation a notice of the  
777 provisions of this section. Upon conviction, the clerk of the  
778 court shall notify the defendant that it is unlawful for him or  
779 her to operate any vessel until he or she has complied with this  
780 section, but failure of the clerk of the court to provide such a  
781 notice shall not be a defense to a charge of unlawful operation  
782 of a vessel under subsection (3) ~~(2)~~.

783 Section 13. Section 327.75, Florida Statutes, is created to

20251388e1

784 read:

785 327.75 Watercraft Energy Source Freedom Act.-

786 (1) SHORT TITLE.-This section may be cited as the  
787 "Watercraft Energy Source Freedom Act."

788 (2) DEFINITIONS.-For the purposes of this section, the  
789 term:

790 (a) "Energy source" means any source of energy used to  
791 power a watercraft, including, but not limited to, gasoline,  
792 diesel fuel, electricity, hydrogen, and solar power.

793 (b) "Watercraft" means any vessel or craft designed for  
794 navigation on water, including boats and personal watercraft.

795 (3) PROHIBITION ON RESTRICTIONS BASED ON ENERGY SOURCE.-  
796 Notwithstanding any other law to the contrary, a state agency,  
797 municipality, governmental entity, or county may not restrict  
798 the use or sale of a watercraft based on the energy source used  
799 to power the watercraft, including an energy source used for  
800 propulsion or used for powering other functions of the  
801 watercraft.

802 Section 14. Subsection (3) of section 379.226, Florida  
803 Statutes, is amended to read:

804 379.226 Florida Territorial Waters Act; alien-owned  
805 commercial fishing vessels; prohibited acts; enforcement.-

806 (3) No license shall be issued by the Fish and Wildlife  
807 Conservation Commission under s. 379.361~~7~~ to any vessel owned in  
808 whole or in part by any alien power, ~~which subscribes to the~~  
809 ~~doctrine of international communism, or any subject or national~~  
810 ~~thereof, who subscribes to the doctrine of international~~  
811 ~~communism, or any individual who subscribes to the doctrine of~~  
812 ~~international communism, or who shall have signed a treaty of~~

20251388e1

813 ~~trade, friendship and alliance or a nonaggression pact with any~~  
814 ~~communist power. The commission shall grant or withhold said~~  
815 ~~licenses where other alien vessels are involved on the basis of~~  
816 ~~reciprocity and retorsion, unless the nation concerned shall be~~  
817 ~~designated as a friendly ally or neutral by a formal suggestion~~  
818 ~~transmitted to the Governor of Florida by the Secretary of State~~  
819 ~~of the United States. Upon the receipt of such suggestion~~  
820 ~~licenses shall be granted under s. 379.361, without regard to~~  
821 ~~reciprocity and retorsion, to vessels of such nations.~~

822 Section 15. Subsection (1), paragraph (a) of subsection  
823 (2), and subsection (4) of section 705.103, Florida Statutes,  
824 are amended to read:

825 705.103 Procedure for abandoned or lost property.—

826 (1) Whenever a law enforcement officer ascertains that an  
827 article of lost or abandoned property is present on public  
828 property and is of such nature that it can be easily removed,  
829 the officer shall take such article into custody and shall make  
830 a reasonable attempt to ascertain the rightful owner or  
831 lienholder pursuant to the provisions of this section. For the  
832 purposes of this section, the term "owner" includes a vessel  
833 owner as defined in s. 327.02.

834 (2) (a) 1. Whenever a law enforcement officer ascertains  
835 that:

836 a. An article of lost or abandoned property other than a  
837 derelict vessel or a vessel declared a public nuisance pursuant  
838 to s. 327.73(1)(aa) is present on public property and is of such  
839 nature that it cannot be easily removed, the officer shall cause  
840 a notice to be placed upon such article in substantially the  
841 following form:

20251388e1

842  
843 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
844 PROPERTY. This property, to wit: ...(setting forth brief  
845 description)... is unlawfully upon public property known as  
846 ...(setting forth brief description of location)... and must be  
847 removed within 5 days; otherwise, it will be removed and  
848 disposed of pursuant to chapter 705, Florida Statutes. The owner  
849 will be liable for the costs of removal, storage, and  
850 publication of notice. Dated this: ...(setting forth the date of  
851 posting of notice)..., signed: ...(setting forth name, title,  
852 address, and telephone number of law enforcement officer)....  
853

854       b. A derelict vessel or a vessel declared a public nuisance  
855 pursuant to s. 327.73(1)(aa) is present on the waters of this  
856 state, the officer shall cause a notice to be placed upon such  
857 vessel in substantially the following form:  
858

859 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
860 VESSEL. This vessel, to wit: ...(setting forth brief description  
861 of location)... has been determined to be ...(derelict or a  
862 public nuisance)... and is unlawfully upon the waters of this  
863 state ...(setting forth brief description of location)... and  
864 must be removed within 21 days; otherwise, it will be removed  
865 and disposed of pursuant to chapter 705, Florida Statutes. The  
866 owner and other interested parties have the right to a hearing  
867 to challenge the determination that this vessel is derelict or  
868 otherwise in violation of the law. Please contact ...(contact  
869 information for person who can arrange for a hearing in  
870 accordance with this section).... The owner of ~~or the party~~

20251388e1

871 ~~determined to be legally responsible for~~ the vessel on being  
872 ~~upon~~ the waters of this state in a derelict condition or as a  
873 public nuisance will be liable for the costs of removal,  
874 destruction, and disposal if this vessel is not removed by the  
875 owner. Dated this: ...(setting forth the date of posting of  
876 notice)..., signed: ...(setting forth name, title, address, and  
877 telephone number of law enforcement officer)....

878

879 2. The notices required under subparagraph 1. may not be  
880 less than 8 inches by 10 inches and must be sufficiently  
881 weatherproof to withstand normal exposure to the elements. In  
882 addition to posting, the law enforcement officer shall make a  
883 reasonable effort to ascertain the name and address of the  
884 owner. If such is reasonably available to the officer, he or she  
885 ~~must or he shall~~ mail a copy of such notice to the owner on the  
886 date of posting or as soon thereafter as is practical. If the  
887 property is a motor vehicle as defined in s. 320.01(1) or a  
888 vessel as defined in s. 327.02, the law enforcement agency must  
889 ~~shall~~ contact the Department of Highway Safety and Motor  
890 Vehicles in order to determine the name and address of the owner  
891 and any person who has filed a lien on the vehicle or vessel as  
892 provided in s. 319.27(2) or (3) or s. 328.15. On receipt of this  
893 information, the law enforcement agency shall mail a copy of the  
894 notice by certified mail, return receipt requested, to the owner  
895 and to the lienholder, if any, except that a law enforcement  
896 officer who has issued a citation for a violation of s. 823.11  
897 to the owner of a derelict vessel is not required to mail a copy  
898 of the notice by certified mail, return receipt requested, to  
899 the owner. For a derelict vessel or a vessel declared a public

20251388e1

900 nuisance pursuant to s. 327.73(1)(aa), the mailed notice must  
901 inform the owner ~~or responsible party~~ that he or she has a right  
902 to a hearing to dispute the determination that the vessel is  
903 derelict or otherwise in violation of the law. If a request for  
904 a hearing is made, a state agency must ~~shall~~ follow the  
905 processes as set forth in s. 120.569. Local governmental  
906 entities shall follow the processes set forth in s. 120.569,  
907 except that a local judge, magistrate, or code enforcement  
908 officer may be designated to conduct such a hearing. If, at the  
909 end of 5 days after posting the notice in sub-subparagraph 1.a.,  
910 or at the end of 21 days after posting the notice in sub-  
911 subparagraph 1.b., and mailing such notice, if required, the  
912 owner or any person interested in the lost or abandoned article  
913 or articles described has not removed the article or articles  
914 from public property or shown reasonable cause for failure to do  
915 so, and, in the case of a derelict vessel or a vessel declared a  
916 public nuisance pursuant to s. 327.73(1)(aa), has not requested  
917 a hearing in accordance with this section, the following applies  
918 ~~shall apply~~:

919       a. For abandoned property other than a derelict vessel or a  
920 vessel declared a public nuisance pursuant to s. 327.73(1)(aa),  
921 the law enforcement agency may retain any ~~or all~~ of the property  
922 for its own use or for use by the state or unit of local  
923 government, trade such property to another unit of local  
924 government or state agency, donate the property to a charitable  
925 organization, sell the property, or notify the appropriate  
926 refuse removal service.

927       b. For a derelict vessel or a vessel declared a public  
928 nuisance pursuant to s. 327.73(1)(aa), the law enforcement



20251388e1

929 agency or its designee may:

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

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

936

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

944 (4) The owner of any abandoned or lost property, or in the  
945 case of a derelict vessel or a vessel declared a public nuisance  
946 pursuant to s. 327.73(1)(aa), the owner of ~~or other party~~  
947 ~~determined to be legally responsible for~~ the vessel on being  
948 ~~upon~~ the waters of this state in a derelict condition or as a  
949 public nuisance, who, after notice as provided in this section,  
950 does not remove such property within the specified period is  
951 liable to the law enforcement agency, other governmental entity,  
952 or the agency's or entity's designee for all costs of removal,  
953 storage, destruction, and disposal of such property, less any  
954 salvage value obtained by disposal of the property. Upon final  
955 disposition of the property, the law enforcement officer or  
956 representative of the law enforcement agency or other  
957 governmental entity shall notify the owner, or in the case of a

20251388e1

958 derelict vessel or vessel declared a public nuisance pursuant to  
959 s. 327.73(1)(aa), the owner ~~or other party determined to be~~  
960 ~~legally responsible~~, if known, of the amount owed. In the case  
961 of an abandoned vessel or motor vehicle, a ~~any~~ person who  
962 neglects or refuses to pay such amount is not entitled to be  
963 issued a certificate of registration for such vessel or motor  
964 vehicle, or any other vessel or motor vehicle, until such costs  
965 have been paid. A person who has neglected or refused to pay all  
966 costs of removal, storage, disposal, and destruction of a vessel  
967 or motor vehicle as provided in this section, after having been  
968 provided written notice via certified mail that such costs are  
969 owed, and who applies for and is issued a registration for a  
970 vessel or motor vehicle before such costs have been paid in full  
971 commits a misdemeanor of the first degree, punishable as  
972 provided in s. 775.082 or s. 775.083. The law enforcement  
973 officer or representative of the law enforcement agency or other  
974 governmental entity shall supply the Department of Highway  
975 Safety and Motor Vehicles with a list of persons whose vessel  
976 registration privileges and motor vehicle privileges have been  
977 revoked under this subsection. The department or a person acting  
978 as an agent of the department may not issue a certificate of  
979 registration to a person whose vessel and motor vehicle  
980 registration privileges have been revoked, as provided by this  
981 subsection, until such costs have been paid.

982 Section 16. Section 782.072, Florida Statutes, is amended  
983 to read:

984 782.072 Vessel homicide.—“Vessel homicide” means ~~is~~ the  
985 killing of a human being, including the death of an unborn child  
986 as defined in s. 775.021(5)(e) caused by injury to the mother,

20251388e1

987 by the operation of a vessel as defined in s. 327.02 by another  
988 in a reckless manner likely to cause the death of, or great  
989 bodily harm to, another. Vessel homicide is:

990 (1) A felony of the second degree, punishable as provided  
991 in s. 775.082, s. 775.083, or s. 775.084.

992 (2) A felony of the first degree, punishable as provided in  
993 s. 775.082, s. 775.083, or s. 775.084, if:

994 (a) At the time of the accident, the person knew, or should  
995 have known, that the accident occurred; and

996 (b) The person failed to give information and render aid as  
997 required by s. 327.30(1).

998

999 This subsection does not require that the person knew that the  
1000 accident resulted in injury or death.

1001 Section 17. Paragraphs (a), (c), and (d) of subsection (2),  
1002 paragraph (a) of subsection (3), paragraph (c) of subsection  
1003 (4), and subsections (6) and (7) of section 823.11, Florida  
1004 Statutes, are amended, paragraph (e) is added to subsection (2)  
1005 of that section, and paragraph (b) of subsection (1) of that  
1006 section is reenacted, to read:

1007 823.11 Derelict vessels; relocation or removal; penalty.—

1008 (1) As used in this section, the term:

1009 (b) "Derelict vessel" means a vessel, as defined in s.  
1010 327.02, that is:

1011 1. In a wrecked, junked, or substantially dismantled  
1012 condition upon any waters of this state.

1013 a. A vessel is wrecked if it is sunken or sinking; aground  
1014 without the ability to extricate itself absent mechanical  
1015 assistance; or remaining after a marine casualty, including, but

20251388e1

1016 not limited to, a boating accident, extreme weather, or a fire.

1017       b. A vessel is junked if it has been substantially stripped  
1018 of vessel components, if vessel components have substantially  
1019 degraded or been destroyed, or if the vessel has been discarded  
1020 by the owner or operator. Attaching an outboard motor to a  
1021 vessel that is otherwise junked will not cause the vessel to no  
1022 longer be junked if such motor is not an effective means of  
1023 propulsion as required by s. 327.4107(2) (e) and associated  
1024 rules.

1025       c. A vessel is substantially dismantled if at least two of  
1026 the three following vessel systems or components are missing,  
1027 compromised, incomplete, inoperable, or broken:

1028           (I) The steering system;

1029           (II) The propulsion system; or

1030           (III) The exterior hull integrity.

1031  
1032 Attaching an outboard motor to a vessel that is otherwise  
1033 substantially dismantled will not cause the vessel to no longer  
1034 be substantially dismantled if such motor is not an effective  
1035 means of propulsion as required by s. 327.4107(2) (e) and  
1036 associated rules.

1037       2. At a port in this state without the consent of the  
1038 agency having jurisdiction thereof.

1039       3. Docked, grounded, or beached upon the property of  
1040 another without the consent of the owner of the property.

1041       (2) (a) A vessel owner as defined in s. 327.02 ~~person, firm,~~  
1042 ~~or corporation~~ may not leave any derelict vessel upon waters of  
1043 this state. For purposes of this paragraph, the term "leave"  
1044 means to allow a vessel to remain occupied or unoccupied on the

20251388e1

1045 waters of this state for more than 24 hours.

1046 (c) The additional time provided in subparagraph (b)2. for  
1047 an owner ~~or responsible party~~ to remove a derelict vessel from  
1048 the waters of this state or to repair and remedy the vessel's  
1049 derelict condition does not apply to a vessel that was derelict  
1050 upon the waters of this state before the stated accident or  
1051 event.

1052 (d) Notwithstanding the additional 45 days provided in sub-  
1053 subparagraph (b)2.b. during which an owner ~~or a responsible~~  
1054 ~~party~~ may not be charged for a violation of this section, the  
1055 commission, an officer of the commission, a law enforcement  
1056 agency or officer specified in s. 327.70, or, during a state of  
1057 emergency declared by the Governor, the Division of Emergency  
1058 Management or its designee, may immediately begin the process  
1059 set forth in s. 705.103(2)(a) and, once that process has been  
1060 completed and the 45 days provided herein have passed, any  
1061 vessel that has not been removed or repaired such that it is no  
1062 longer derelict upon the waters of this state may be removed and  
1063 destroyed as provided therein.

1064 (e) The title of a derelict vessel is prima facie evidence  
1065 of ownership for any derelict vessel left upon the waters of  
1066 this state. An owner who attempts to transfer ownership of a  
1067 vessel or derelict vessel through means other than the process  
1068 outlined in s. 328.22 or s. 328.64 will not be exonerated from  
1069 the responsibility of having a derelict vessel upon the waters  
1070 of this state without a written agreement of ownership by the  
1071 transferee or evidence of agreement to transfer ownership to the  
1072 transferee and the exchange of consideration between the  
1073 parties.

20251388e1

1074 (3) The commission, an officer of the commission, or a law  
1075 enforcement agency or officer specified in s. 327.70 may  
1076 relocate, remove, and store or cause to be relocated, removed,  
1077 and stored a derelict vessel from waters of this state as  
1078 defined in s. 327.02 if the derelict vessel obstructs or  
1079 threatens to obstruct navigation or in any way constitutes a  
1080 danger to the environment, property, or persons. The commission,  
1081 an officer of the commission, or any other law enforcement  
1082 agency or officer acting pursuant to this subsection to  
1083 relocate, remove, and store or cause to be relocated, removed,  
1084 and stored a derelict vessel from waters of this state shall be  
1085 held harmless for all damages to the derelict vessel resulting  
1086 from such action unless the damage results from gross negligence  
1087 or willful misconduct.

1088 (a) All costs, including costs owed to a third party,  
1089 incurred by the commission, another law enforcement agency, or a  
1090 governmental subdivision, when the governmental subdivision has  
1091 received authorization from a law enforcement officer or agency,  
1092 in the relocation, removal, storage, destruction, or disposal of  
1093 a derelict vessel are recoverable against the ~~vessel~~ owner of ~~or~~  
1094 ~~the party determined to be legally responsible for the vessel on~~  
1095 ~~being upon~~ the waters of this state in a derelict condition. The  
1096 Department of Legal Affairs shall represent the commission in  
1097 actions to recover such costs. As provided in s. 705.103(4), a  
1098 person who neglects or refuses to pay such costs may not be  
1099 issued a certificate of registration for such vessel or for any  
1100 other vessel or motor vehicle until such costs have been paid. A  
1101 person who has neglected or refused to pay all costs of removal,  
1102 storage, destruction, or disposal of a derelict vessel as

20251388e1

1103 provided in this section, after having been provided written  
1104 notice via certified mail that such costs are owed, and who  
1105 applies for and is issued a registration for a vessel or motor  
1106 vehicle before such costs have been paid in full commits a  
1107 misdemeanor of the first degree, punishable as provided in s.  
1108 775.082 or s. 775.083.

1109 (4)

1110 (c) The commission may establish a program to provide  
1111 grants to local governments for the removal, storage,  
1112 destruction, and disposal of derelict vessels from the waters of  
1113 this state. This grant funding may also be used for the removal,  
1114 storage, destruction, and disposal of vessels declared a public  
1115 nuisance pursuant to s. 327.73(1)(aa) or the derelict vessel  
1116 prevention program established pursuant to s. 327.4107(7). The  
1117 program must be funded from the Marine Resources Conservation  
1118 Trust Fund or the Florida Coastal Protection Trust Fund.  
1119 Notwithstanding s. 216.181(11), funds available for these grants  
1120 may only be authorized by appropriations acts of the  
1121 Legislature. In a given fiscal year, if all funds appropriated  
1122 pursuant to this paragraph are not requested by and granted to  
1123 local governments for the removal, storage, destruction, and  
1124 disposal of derelict vessels or vessels declared a public  
1125 nuisance pursuant to s. 327.73(1)(aa) by the end of the third  
1126 quarter, the Fish and Wildlife Conservation Commission may use  
1127 the remainder of the funds to remove, store, destroy, and  
1128 dispose of, or to pay private contractors to remove, store,  
1129 destroy, and dispose of, derelict vessels or vessels declared a  
1130 public nuisance pursuant to s. 327.73(1)(aa). The commission  
1131 shall adopt by rule procedures for local governments to submit a

20251388e1

1132 grant application and criteria for allocating available funds.  
1133 Such criteria must include, at a minimum, all of the following:

1134 1. The number of derelict vessels within the jurisdiction  
1135 of the applicant.

1136 2. The threat posed by such vessels to public health or  
1137 safety, the environment, navigation, or the aesthetic condition  
1138 of the general vicinity.

1139 3. The degree of commitment of the local government to  
1140 maintain waters free of abandoned and derelict vessels and to  
1141 seek legal action against those who abandon vessels in the  
1142 waters of this state as defined in s. 327.02.

1143 (6) ~~A person, firm, or corporation violating this section~~  
1144 ~~commits a misdemeanor of the first degree and shall be punished~~  
1145 ~~as provided by law.~~ A conviction under this section does not bar  
1146 the assessment and collection of a civil penalty. The court  
1147 having jurisdiction over the criminal offense, notwithstanding  
1148 any jurisdictional limitations on the amount in controversy, may  
1149 order the imposition of such civil penalty in addition to any  
1150 sentence imposed for the ~~first~~ criminal offense.

1151 (a) For a first offense, a vessel owner who violates this  
1152 section commits a misdemeanor of the first degree, punishable as  
1153 provided in s. 775.082 or s. 775.083.

1154 (b) For a second offense, a vessel owner who violates this  
1155 section commits a felony of the third degree, punishable as  
1156 provided in s. 775.082, s. 775.083, or s. 775.084.

1157 (c) For a third or subsequent offense, a vessel owner who  
1158 violates this section commits a felony of the second degree,  
1159 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1160 (7) A person may not reside or dwell on a vessel determined



20251388e1

1161 to be derelict by disposition of a court or administrative  
1162 order, or where the vessel owner does not challenge the derelict  
1163 determination pursuant to chapter 120. A person who violates  
1164 this subsection commits a misdemeanor of the first degree,  
1165 punishable as provided in s. 775.082 or s. 775.083. Law  
1166 enforcement has the power and duty to issue orders, perform  
1167 investigations, complete reports, and perform arrests in  
1168 connection with such violations to enforce this provision. If a  
1169 vessel is returned to the waters of this state in a condition  
1170 that is no longer derelict, a person may reside or dwell on such  
1171 vessel. The commission may adopt rules to implement this section  
1172 ~~If an owner or a responsible party of a vessel determined to be~~  
1173 ~~derelict through an administrative or criminal proceeding has~~  
1174 ~~been charged by an officer of the commission or any law~~  
1175 ~~enforcement agency or officer as specified in s. 327.70 under~~  
1176 ~~subsection (6) for a violation of subsection (2), a person may~~  
1177 ~~not reside or dwell on such vessel until the vessel is removed~~  
1178 ~~from the waters of the state permanently or returned to the~~  
1179 ~~waters of the state in a condition that is no longer derelict.~~

1180 Section 18. For the purpose of incorporating the amendment  
1181 made by this act to section 823.11, Florida Statutes, in a  
1182 reference thereto, section 327.04, Florida Statutes, is  
1183 reenacted to read:

1184 327.04 Rules.—The commission may adopt rules pursuant to  
1185 ss. 120.536(1) and 120.54 to implement this chapter, the  
1186 provisions of chapter 705 relating to vessels, and s. 823.11  
1187 conferring powers or duties upon it.

1188 Section 19. For the purpose of incorporating the amendment  
1189 made by this act to section 823.11, Florida Statutes, in a

20251388e1

1190 reference thereto, paragraph (d) of subsection (6) of section  
1191 327.4108, Florida Statutes, is reenacted to read:

1192 327.4108 Anchoring of vessels in anchoring limitation  
1193 areas.—

1194 (6)

1195 (d) A vessel that is the subject of more than three  
1196 violations within 12 months which result in dispositions other  
1197 than acquittal or dismissal shall be declared to be a public  
1198 nuisance and subject to s. 705.103 or, for a derelict vessel,  
1199 subject to s. 823.11.

1200 Section 20. For the purpose of incorporating the amendment  
1201 made by this act to section 327.73, Florida Statutes, in a  
1202 reference thereto, subsection (1) of section 705.101, Florida  
1203 Statutes, is reenacted to read:

1204 705.101 Definitions.—As used in this chapter:

1205 (1) "Abandoned property" means all tangible personal  
1206 property that does not have an identifiable owner and that has  
1207 been disposed on public property in a wrecked, inoperative, or  
1208 partially dismantled condition or has no apparent intrinsic  
1209 value to the rightful owner. The term includes derelict vessels  
1210 as defined in s. 823.11 and vessels declared a public nuisance  
1211 pursuant to s. 327.73(1)(aa).

1212 Section 21. For the purpose of incorporating the amendment  
1213 made by this act to section 705.103, Florida Statutes, in a  
1214 reference thereto, subsection (1) of section 705.104, Florida  
1215 Statutes, is reenacted to read:

1216 705.104 Title to lost or abandoned property.—

1217 (1) Title to lost or abandoned property is hereby vested in  
1218 the finder upon the expiration of the 90-day custodial time

20251388e1

1219 period specified in s. 705.103(2)(b), provided the notice  
1220 requirements of s. 705.103 have been met, unless the rightful  
1221 owner or a lienholder claims the property within that time.

1222 Section 22. For the purpose of incorporating the amendment  
1223 made by this act to section 705.103, Florida Statutes, in a  
1224 reference thereto, subsection (8) of section 713.585, Florida  
1225 Statutes, is reenacted to read:

1226 713.585 Enforcement of lien by sale of motor vehicle.—A  
1227 person claiming a lien under s. 713.58 for performing labor or  
1228 services on a motor vehicle may enforce such lien by sale of the  
1229 vehicle in accordance with the following procedures:

1230 (8) A vehicle subject to lien enforcement pursuant to this  
1231 section must be sold by the lienor at public sale. Immediately  
1232 upon the sale of the vehicle and payment in cash of the purchase  
1233 price, the lienor shall deposit with the clerk of the circuit  
1234 court the proceeds of the sale less the amount claimed by the  
1235 lienor for work done and storage, if any, and all reasonable  
1236 costs and expenses incurred in conducting the sale, including  
1237 any attorney's fees and costs ordered by the court.

1238 Simultaneously with depositing the proceeds of sale remaining  
1239 after payment to the lienor, the lienor shall file with the  
1240 clerk a verified report of the sale stating a description of the  
1241 vehicle sold, including the vehicle identification number; the  
1242 name and address of the purchaser; the date of the sale; and the  
1243 selling price. The report shall also itemize the amount retained  
1244 by the lienor pursuant to this section and shall indicate  
1245 whether a hearing was demanded and held. All proceeds held by  
1246 the court shall be held for the benefit of the owner of the  
1247 vehicle or any lienholder whose lien is discharged by the sale

20251388e1

1248 and shall be disbursed only upon order of the court. Unless a  
1249 proceeding is initiated to validate a claim to such proceeds  
1250 within 1 year and a day from the date of the sale, the proceeds  
1251 shall be deemed abandoned property and disposition thereof shall  
1252 be governed by s. 705.103. The clerk shall receive 5 percent of  
1253 the proceeds deposited with her or him, not to exceed \$25, for  
1254 her or his services under this section.

1255 Section 23. Except as otherwise expressly provided in this  
1256 act, this act shall take effect July 1, 2025.