

By Senator Rodriguez

40-00585C-25

2025164__

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

40-00585C-25

2025164__

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

40-00585C-25

2025164__

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

40-00585C-25

2025164__

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.

99

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

101

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

104 327.02 Definitions.—As used in this chapter and in chapter
105 328, unless the context clearly requires a different meaning,
106 the term:

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

114 ~~(36)~~ “Person” means an individual, partnership, firm,
115 corporation, association, or other entity.

116 (36) ~~(37)~~ “Personal watercraft” means a vessel less than 16

40-00585C-25

2025164__

117 feet in length which uses an inboard motor powering a water jet
118 pump as its primary source of motive power and which is designed
119 to be operated by a person sitting, standing, or kneeling on the
120 vessel, rather than in the conventional manner of sitting or
121 standing inside the vessel.

122 (37)~~(38)~~ "Portable toilet" means a device consisting of a
123 lid, seat, containment vessel, and support structure which is
124 specifically designed to receive, retain, and discharge human
125 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 her
141 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.

40-00585C-25

2025164__

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 lienholder
170 or lessee under a lease that is not intended as security, having
171 the property in or title to a vessel. The term includes all of
172 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

40-00585C-25

2025164__

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 of
179 Highway Safety and Motor Vehicles, or other state equivalent, as
180 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.

40-00585C-25

2025164__

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 breaking
208 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~~

40-00585C-25

2025164__

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 anchoring"
252 means anchoring a vessel within 1 linear nautical mile of a
253 documented anchorage point for 14 days or more within a 30-day
254 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.

40-00585C-25

2025164__

- 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 vessel

40-00585C-25

2025164__

291 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 site.

298 (c) Vessels actively engaged in commercial fishing.

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

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

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

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

309 327.70 Enforcement of this chapter and chapter 328.—

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

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

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

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

319 4. Section 327.53, relating to marine sanitation.

40-00585C-25

2025164__

- 320 5. Section 328.48(5), relating to display of decal.
- 321 6. Section 328.52(2), relating to display of number.
- 322 7. Section 327.4107, relating to vessels at risk of
- 323 becoming derelict.
- 324 8. Section 327.4109, relating to prohibited anchoring or
- 325 mooring.
- 326 9. Section 328.72(13), relating to expired registration.
- 327 10. Section 327.4111, relating to long-term anchoring.
- 328 (e) A noncriminal violation of s. 327.4111 may be enforced
- 329 by a uniform boating citation issued to the owner or operator of
- 330 a vessel engaged in unlawful long-term anchoring.
- 331 Section 5. Subsection (1) of section 327.73, Florida
- 332 Statutes, is amended to read:
- 333 327.73 Noncriminal infractions.—
- 334 (1) Violations of the following provisions of the vessel
- 335 laws of this state are noncriminal infractions:
- 336 (a) Section 328.46, relating to operation of unregistered
- 337 and unnumbered vessels.
- 338 (b) Section 328.48(4), relating to display of number and
- 339 possession of registration certificate.
- 340 (c) Section 328.48(5), relating to display of decal.
- 341 (d) Section 328.52(2), relating to display of number.
- 342 (e) Section 328.54, relating to spacing of digits and
- 343 letters of identification number.
- 344 (f) Section 328.60, relating to military personnel and
- 345 registration of vessels.
- 346 (g) Section 328.72(13), relating to operation with an
- 347 expired registration, for which the penalty is:
- 348 1. For a first or subsequent offense of s. 328.72(13)(a),

40-00585C-25

2025164__

349 up to a maximum of \$100.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40-00585C-25

2025164__

- 378 b. For a second offense, up to a maximum of \$1,000.
- 379 c. For a third or subsequent offense, up to a maximum of
380 \$1,500.
- 381 (p) Section 327.39(1), (2), (3), and (5), relating to
382 personal watercraft.
- 383 (q) Section 327.53(1), (2), (3), and (8), relating to
384 marine sanitation.
- 385 (r) Section 327.53(4), (5), and (7), relating to marine
386 sanitation, and s. 327.60, relating to no-discharge zones, for
387 which the civil penalty is \$250.
- 388 (s) Section 327.395, relating to boater safety education.
389 However, a person cited for violating the requirements of s.
390 327.395 relating to failure to have required proof of boating
391 safety education in his or her possession may not be convicted
392 if, before or at the time of a county court hearing, the person
393 produces proof of the boating safety education identification
394 card or temporary certificate for verification by the hearing
395 officer or the court clerk and the identification card or
396 temporary certificate was valid at the time the person was
397 cited.
- 398 (t) Section 327.52(3), relating to operation of overloaded
399 or overpowered vessels.
- 400 (u) Section 327.331, relating to divers-down warning
401 devices, except for violations meeting the requirements of s.
402 327.33.
- 403 (v) Section 327.391(1), relating to the requirement for an
404 adequate muffler on an airboat.
- 405 (w) Section 327.391(3), relating to the display of a flag
406 on an airboat.

40-00585C-25

2025164__

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

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

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

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

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

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

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

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

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

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

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

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

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

430 3. For a third or subsequent offense, up to a maximum of
431 \$500.

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

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

40-00585C-25

2025164__

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

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

440

441 A vessel that is the subject of three or more violations ~~issued~~
442 ~~pursuant to the same paragraph~~ of s. 327.4107(2) which occur
443 within a 24-month ~~an 18-month~~ period and which result in
444 dispositions other than acquittal or dismissal must ~~shall~~ be
445 declared ~~to be~~ a public nuisance and subject to ss. 705.103(2)
446 and (4) and 823.11(3). For purposes of this paragraph, failure
447 to appear at a hearing or failure to pay the civil penalty
448 constitutes a disposition other than acquittal or dismissal
449 unless such failure to appear or such nonpayment is excused or
450 set aside by the court for good cause shown. The commission, an
451 officer of the commission, or a law enforcement agency or
452 officer specified in s. 327.70 may relocate, remove, or cause to
453 be relocated or removed such public nuisance vessels from waters
454 of this state. The commission, an officer of the commission, or
455 a law enforcement agency or officer acting pursuant to this
456 paragraph upon waters of this state shall be held harmless for
457 all damages to the vessel resulting from such relocation or
458 removal unless the damage results from gross negligence or
459 willful misconduct as these terms are defined in s. 823.11.

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

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

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

464 3. For a third or subsequent offense, up to a maximum of

40-00585C-25

2025164__

465 \$500.

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

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

469 2. For a second offense occurring within 12 months after a
470 prior offense, \$250.

471 3. For a third offense occurring within 36 months after a
472 prior offense, \$500.

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

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

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

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

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

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

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

486

487 A vessel that is the subject of three or more violations of s.
488 327.4111 that occur within a 24-month period and that result in
489 dispositions other than acquittal or dismissal must be declared
490 a public nuisance and subject to ss. 705.103(2) and (4) and
491 823.11(3). For purposes of this paragraph, failure to appear at
492 a hearing or failure to pay the civil penalty required by s.
493 327.72 constitutes a disposition other than acquittal or

40-00585C-25

2025164__

494 dismissal, unless such failure to appear or such nonpayment is
495 excused or set aside by the court for good cause shown. The
496 commission, an officer of the commission, or a law enforcement
497 agency or officer specified in s. 327.70 may relocate, remove,
498 or cause to be relocated or removed such public nuisance vessels
499 from waters of this state. The commission, an officer of the
500 commission, or a law enforcement agency or officer acting
501 pursuant to this paragraph shall be held harmless for all
502 damages to the vessel resulting from such relocation or removal
503 unless the damage results from gross negligence or willful
504 misconduct as those terms are defined in s. 823.11.

505
506 A ~~Any~~ person cited for a violation of this subsection is shall
507 ~~be~~ deemed to be charged with a noncriminal infraction, must
508 ~~shall~~ be cited for such an infraction, and must shall be cited
509 to appear before the county court. The civil penalty for any
510 such infraction is \$100, except as otherwise provided in this
511 section. A ~~Any~~ person who fails to appear or otherwise properly
512 respond to a uniform boating citation, in addition to the charge
513 relating to the violation of the boating laws of this state,
514 must be charged with the offense of failing to respond to such
515 citation and, upon conviction, be guilty of a misdemeanor of the
516 second degree, punishable as provided in s. 775.082 or s.
517 775.083. A written warning to this effect must shall be provided
518 at the time such uniform boating citation is issued.

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

522 705.103 Procedure for abandoned or lost property.-

40-00585C-25

2025164__

523 (1) Whenever a law enforcement officer ascertains that an
524 article of lost or abandoned property is present on public
525 property and is of such nature that it can be easily removed,
526 the officer shall take such article into custody and shall make
527 a reasonable attempt to ascertain the rightful owner or
528 lienholder pursuant to the provisions of this section. For the
529 purposes of this section, the term "owner" has the same meaning
530 as "vessel owner" as defined in s. 327.02.

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

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

539

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

550

551 b. A derelict vessel or a vessel declared a public nuisance

40-00585C-25

2025164__

552 pursuant to s. 327.73(1)(aa) is present on the waters of this
553 state, the officer shall cause a notice to be placed upon such
554 vessel in substantially the following form:

555

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

575

576 2. The notices required under subparagraph 1. may not be
577 less than 8 inches by 10 inches and must be sufficiently
578 weatherproof to withstand normal exposure to the elements. In
579 addition to posting, the law enforcement officer shall make a
580 reasonable effort to ascertain the name and address of the

40-00585C-25

2025164__

581 owner. If such is reasonably available to the officer, he or she
582 must ~~or he shall~~ mail a copy of such notice to the owner on the
583 date of posting or as soon thereafter as is practical. If the
584 property is a motor vehicle as defined in s. 320.01(1) or a
585 vessel as defined in s. 327.02, the law enforcement agency must
586 ~~shall~~ contact the Department of Highway Safety and Motor
587 Vehicles in order to determine the name and address of the owner
588 and any person who has filed a lien on the vehicle or vessel as
589 provided in s. 319.27(2) or (3) or s. 328.15. On receipt of this
590 information, the law enforcement agency shall mail a copy of the
591 notice by certified mail, return receipt requested, to the owner
592 and to the lienholder, if any, except that a law enforcement
593 officer who has issued a citation for a violation of s. 823.11
594 to the owner of a derelict vessel is not required to mail a copy
595 of the notice by certified mail, return receipt requested, to
596 the owner. For a derelict vessel or a vessel declared a public
597 nuisance pursuant to s. 327.73(1)(aa), the mailed notice must
598 inform the owner ~~or responsible party~~ that he or she has a right
599 to a hearing to dispute the determination that the vessel is
600 derelict or otherwise in violation of the law. If a request for
601 a hearing is made, a state agency must ~~shall~~ follow the
602 processes as set forth in s. 120.569. Local governmental
603 entities shall follow the processes set forth in s. 120.569,
604 except that a local judge, magistrate, or code enforcement
605 officer may be designated to conduct such a hearing. If, at the
606 end of 5 days after posting the notice in sub-subparagraph 1.a.,
607 or at the end of 21 days after posting the notice in sub-
608 subparagraph 1.b., and mailing such notice, if required, the
609 owner or any person interested in the lost or abandoned article

40-00585C-25

2025164__

610 or articles described has not removed the article or articles
611 from public property or shown reasonable cause for failure to do
612 so, and, in the case of a derelict vessel or a vessel declared a
613 public nuisance pursuant to s. 327.73(1)(aa), has not requested
614 a hearing in accordance with this section, the following applies
615 ~~shall apply~~:

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

624 b. For a derelict vessel or a vessel declared a public
625 nuisance pursuant to s. 327.73(1)(aa), the law enforcement
626 agency or its designee may:

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

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

633

634 A law enforcement agency or its designee may also take action as
635 described in this sub-subparagraph if, following a hearing
636 pursuant to this section, the judge, magistrate, administrative
637 law judge, or hearing officer has determined the vessel to be
638 derelict as provided in s. 823.11 or otherwise in violation of

40-00585C-25

2025164__

639 the law in accordance with s. 327.73(1)(aa) and a final order
640 has been entered or the case is otherwise closed.

641 (4) The owner of any abandoned or lost property, or in the
642 case of a derelict vessel or a vessel declared a public nuisance
643 pursuant to s. 327.73(1)(aa), the owner of ~~or other party~~
644 ~~determined to be legally responsible for~~ the vessel on being
645 ~~upon~~ the waters of this state in a derelict condition or as a
646 public nuisance, who, after notice as provided in this section,
647 does not remove such property within the specified period is
648 liable to the law enforcement agency, other governmental entity,
649 or the agency's or entity's designee for all costs of removal,
650 storage, destruction, and disposal of such property, less any
651 salvage value obtained by disposal of the property. Upon final
652 disposition of the property, the law enforcement officer or
653 representative of the law enforcement agency or other
654 governmental entity shall notify the owner, or in the case of a
655 derelict vessel or vessel declared a public nuisance pursuant to
656 s. 327.73(1)(aa), the owner ~~or other party determined to be~~
657 ~~legally responsible~~, if known, of the amount owed. In the case
658 of an abandoned vessel or motor vehicle, a ~~any~~ person who
659 neglects or refuses to pay such amount is not entitled to be
660 issued a certificate of registration for such vessel or motor
661 vehicle, or any other vessel or motor vehicle, until such costs
662 have been paid. A person who has neglected or refused to pay all
663 costs of removal, storage, disposal, and destruction of a vessel
664 or motor vehicle as provided in this section, after having been
665 provided written notice via certified mail that such costs are
666 owed, and who applies for and is issued a registration for a
667 vessel or motor vehicle before such costs have been paid in full

40-00585C-25

2025164__

668 commits a misdemeanor of the first degree, punishable as
669 provided in s. 775.082 or s. 775.083. The law enforcement
670 officer or representative of the law enforcement agency or other
671 governmental entity shall supply the Department of Highway
672 Safety and Motor Vehicles with a list of persons whose vessel
673 registration privileges and motor vehicle privileges have been
674 revoked under this subsection. The department or a person acting
675 as an agent of the department may not issue a certificate of
676 registration to a person whose vessel and motor vehicle
677 registration privileges have been revoked, as provided by this
678 subsection, until such costs have been paid.

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

685 823.11 Derelict vessels; relocation or removal; penalty.—

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

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

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

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

695 b. A vessel is junked if it has been substantially stripped
696 of vessel components, if vessel components have substantially

40-00585C-25

2025164__

697 degraded or been destroyed, or if the vessel has been discarded
698 by the owner or operator. Attaching an outboard motor to a
699 vessel that is otherwise junked will not cause the vessel to no
700 longer be junked if such motor is not an effective means of
701 propulsion as required by s. 327.4107(2) (e) and associated
702 rules.

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

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

709
710 Attaching an outboard motor to a vessel that is otherwise
711 substantially dismantled will not cause the vessel to no longer
712 be substantially dismantled if such motor is not an effective
713 means of propulsion as required by s. 327.4107(2) (e) and
714 associated rules.

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

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

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

724 (c) The additional time provided in subparagraph (b)2. for
725 an owner ~~or responsible party~~ to remove a derelict vessel from

40-00585C-25

2025164__

726 the waters of this state or to repair and remedy the vessel's
727 derelict condition does not apply to a vessel that was derelict
728 upon the waters of this state before the stated accident or
729 event.

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

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

752 (3) The commission, an officer of the commission, or a law
753 enforcement agency or officer specified in s. 327.70 may
754 relocate, remove, and store or cause to be relocated, removed,

40-00585C-25

2025164__

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

766 (a) All costs, including costs owed to a third party,
767 incurred by the commission, another law enforcement agency, or a
768 governmental subdivision, when the governmental subdivision has
769 received authorization from a law enforcement officer or agency,
770 in the relocation, removal, storage, destruction, or disposal of
771 a derelict vessel are recoverable against the ~~vessel~~ owner of ~~or~~
772 ~~the party determined to be legally responsible for~~ the vessel on
773 ~~being upon~~ the waters of this state in a derelict condition. The
774 Department of Legal Affairs shall represent the commission in
775 actions to recover such costs. As provided in s. 705.103(4), a
776 person who neglects or refuses to pay such costs may not be
777 issued a certificate of registration for such vessel or for any
778 other vessel or motor vehicle until such costs have been paid. A
779 person who has neglected or refused to pay all costs of removal,
780 storage, destruction, or disposal of a derelict vessel as
781 provided in this section, after having been provided written
782 notice via certified mail that such costs are owed, and who
783 applies for and is issued a registration for a vessel or motor

40-00585C-25

2025164__

784 vehicle before such costs have been paid in full commits a
785 misdemeanor of the first degree, punishable as provided in s.
786 775.082 or s. 775.083.

787 (4)

788 (c) The commission may establish a program to provide
789 grants to local governments for the removal, storage,
790 destruction, and disposal of derelict vessels from the waters of
791 this state. This grant funding may also be used for the removal,
792 storage, destruction, and disposal of vessels declared a public
793 nuisance pursuant to s. 327.73(1)(aa) or the derelict vessel
794 prevention program established pursuant to s. 327.4107(7). The
795 program must be funded from the Marine Resources Conservation
796 Trust Fund or the Florida Coastal Protection Trust Fund.
797 Notwithstanding s. 216.181(11), funds available for these grants
798 may only be authorized by appropriations acts of the
799 Legislature. In a given fiscal year, if all funds appropriated
800 pursuant to this paragraph are not requested by and granted to
801 local governments for the removal, storage, destruction, and
802 disposal of derelict vessels or vessels declared a public
803 nuisance pursuant to s. 327.73(1)(aa) by the end of the third
804 quarter, the Fish and Wildlife Conservation Commission may use
805 the remainder of the funds to remove, store, destroy, and
806 dispose of, or to pay private contractors to remove, store,
807 destroy, and dispose of, derelict vessels or vessels declared a
808 public nuisance pursuant to s. 327.73(1)(aa). The commission
809 shall adopt by rule procedures for local governments to submit a
810 grant application and criteria for allocating available funds.
811 Such criteria must include, at a minimum, all of the following:
812 1. The number of derelict vessels within the jurisdiction

40-00585C-25

2025164__

813 of the applicant.

814 2. The threat posed by such vessels to public health or
815 safety, the environment, navigation, or the aesthetic condition
816 of the general vicinity.

817 3. The degree of commitment of the local government to
818 maintain waters free of abandoned and derelict vessels and to
819 seek legal action against those who abandon vessels in the
820 waters of this state as defined in s. 327.02.

821 (6) (a) For a first offense, a person, firm, or corporation
822 violating this section commits a misdemeanor of the first degree
823 and shall be punished as provided by law. ~~A conviction under~~
824 ~~this section does not bar the assessment and collection of a~~
825 ~~civil penalty.~~ The court having jurisdiction over the criminal
826 offense, notwithstanding any jurisdictional limitations on the
827 amount in controversy, may order the imposition of such civil
828 penalty in addition to any sentence imposed for the first
829 criminal offense.

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

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

836
837 A conviction under this section does not bar the assessment and
838 collection of a civil penalty.

839 (7) A person may not reside or dwell on a vessel determined
840 to be derelict by disposition of a court or administrative
841 order, or where the vessel owner does not challenge the derelict

40-00585C-25

2025164__

842 determination pursuant to chapter 120. Violation of this
843 provision constitutes a misdemeanor of the first degree,
844 punishable as provided in s. 775.082. Law enforcement has the
845 power and duty to issue orders, perform investigations, complete
846 reports, and perform arrests in connection with such violations
847 to enforce this provision. If a vessel is returned to the waters
848 of this state in a condition that is no longer derelict, a
849 person may reside or dwell on such vessel. The commission may
850 adopt rules to implement this section ~~If an owner or a~~
851 ~~responsible party of a vessel determined to be derelict through~~
852 ~~an administrative or criminal proceeding has been charged by an~~
853 ~~officer of the commission or any law enforcement agency or~~
854 ~~officer as specified in s. 327.70 under subsection (6) for a~~
855 ~~violation of subsection (2), a person may not reside or dwell on~~
856 ~~such vessel until the vessel is removed from the waters of the~~
857 ~~state permanently or returned to the waters of the state in a~~
858 ~~condition that is no longer derelict.~~

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

863 327.04 Rules.—The commission may adopt rules pursuant to
864 ss. 120.536(1) and 120.54 to implement this chapter, the
865 provisions of chapter 705 relating to vessels, and s. 823.11
866 conferring powers or duties upon it.

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

40-00585C-25

2025164__

871 327.4108 Anchoring of vessels in anchoring limitation
872 areas.—

873 (6)

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

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

883 327.54 Liveries; safety regulations; penalty.—

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

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

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

893 705.101 Definitions.—As used in this chapter:

894 (1) "Abandoned property" means all tangible personal
895 property that does not have an identifiable owner and that has
896 been disposed on public property in a wrecked, inoperative, or
897 partially dismantled condition or has no apparent intrinsic
898 value to the rightful owner. The term includes derelict vessels
899 as defined in s. 823.11 and vessels declared a public nuisance

40-00585C-25

2025164__

900 pursuant to s. 327.73(1)(aa).

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

905 705.104 Title to lost or abandoned property.—

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

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

915 713.585 Enforcement of lien by sale of motor vehicle.—A
916 person claiming a lien under s. 713.58 for performing labor or
917 services on a motor vehicle may enforce such lien by sale of the
918 vehicle in accordance with the following procedures:

919 (8) A vehicle subject to lien enforcement pursuant to this
920 section must be sold by the lienor at public sale. Immediately
921 upon the sale of the vehicle and payment in cash of the purchase
922 price, the lienor shall deposit with the clerk of the circuit
923 court the proceeds of the sale less the amount claimed by the
924 lienor for work done and storage, if any, and all reasonable
925 costs and expenses incurred in conducting the sale, including
926 any attorney's fees and costs ordered by the court.

927 Simultaneously with depositing the proceeds of sale remaining
928 after payment to the lienor, the lienor shall file with the

40-00585C-25

2025164__

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

944 Section 14. Except as otherwise provided in this act, this
945 act shall take effect July 1, 2025.