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A bill to be entitled  
An act relating to vessel accountability; amending s.  
327.02, F.S.; deleting the term "owner"; defining the  
term "vessel owner"; reenacting and amending s.  
327.4107, F.S.; providing a penalty for a person  
anchoring, mooring, or allowing certain vessels to  
occupy the waters of this state if an officer of the  
Fish and Wildlife Conservation Commission or a law  
enforcement agency finds that specified conditions  
exist; revising the manner and timeframe for vessel  
owners or operators to demonstrate a vessel's  
effective means of propulsion for safe navigation;  
deleting provisions providing a penalty for a person  
who anchors or moors certain vessels on the waters of  
this state; creating s. 327.4111, F.S.; defining the  
term "long-term anchoring"; requiring the commission  
to issue, at no cost, a permit for the long-term  
anchoring of a vessel which includes specified  
information; providing construction; providing a  
penalty for long-term anchoring without a permit;  
providing applicability; providing that a permit is  
not required under certain circumstances; requiring  
the commission to use an electronic application and  
permitting system; clarifying that certain provisions  
do not supersede any other anchoring limitations  
established pursuant to law; authorizing the  
commission to adopt rules; amending s. 327.70, F.S.;  
authorizing the enforcement of certain noncriminal  
violations by citation mailed or issued to the owner

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30 of certain vessels; amending s. 327.73, F.S.;

31 requiring that a vessel subject to a specified number

32 of violations within a 24-month period which result in

33 certain dispositions be declared a public nuisance;

34 providing that failure to appear at a hearing or

35 failure to pay civil penalties constitutes a certain

36 disposition; providing penalties related to long-term

37 anchoring; requiring that a vessel subject to a

38 specified number of violations relating to long-term

39 anchoring within a 24-month period which result in

40 certain dispositions be declared a public nuisance;

41 providing that failure to appear at a hearing or

42 failure to pay a certain civil penalty constitutes a

43 disposition other than acquittal or dismissal;

44 providing an exception; authorizing certain persons to

45 relocate, remove, or cause to be relocated or removed

46 certain vessels; requiring that certain persons be

47 held harmless for all damages to a vessel resulting

48 from such relocation or removal; providing exceptions;

49 amending s. 705.103, F.S.; revising the notice placed

50 upon a derelict vessel declared a public nuisance

51 which is present upon the waters of this state;

52 deleting a provision specifying that a party

53 responsible for a derelict vessel or a vessel declared

54 a public nuisance has the right to a certain hearing;

55 deleting provisions assigning liability to a party

56 deemed legally responsible for a derelict vessel or

57 vessel declared a public nuisance; deleting provisions

58 allowing a law enforcement officer or a representative

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of a law enforcement agency or other governmental entity to notify a party deemed legally responsible for a derelict vessel or a vessel declared a public nuisance of the final disposition of the derelict vessel; reenacting and amending s. 823.11, F.S.; prohibiting a vessel owner from leaving a derelict vessel upon the waters of this state; deleting provisions related to a party responsible for a derelict vessel; providing prima facie evidence of ownership or control of a derelict vessel left upon the waters of this state; providing a means of exonerating an owner of a vessel or derelict vessel of responsibility if such owner attempts to transfer ownership or control of such vessel; providing that the owner of a derelict vessel is exclusively responsible for all costs associated with the relocation, removal, storage, destruction, or disposal of the derelict vessel; authorizing the commission to use grant funds allocated for the removal, storage, destruction, and disposal of derelict vessels from the waters of this state for the derelict vessel prevention program; providing penalties; prohibiting a person from dwelling or residing on a derelict vessel; providing penalties; authorizing law enforcement officers to enforce such provisions; authorizing a person to reside on a vessel if the vessel is in a state or condition that is no longer derelict; authorizing the commission to adopt rules; reenacting ss. 327.04 and 327.4108(6)(d), F.S., relating to rules

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88 and the anchoring of vessels in anchoring limitation  
89 areas, respectively, to incorporate the amendment made  
90 to s. 832.11, F.S., in references thereto; reenacting  
91 s. 327.54(3)(d), F.S., relating to liveries, safety  
92 regulations, and penalties, to incorporate the  
93 amendments made to ss. 327.4107 and 823.11, F.S., in  
94 references thereto; reenacting s. 705.101(1), F.S.,  
95 relating to definitions, to incorporate the amendment  
96 made to s. 327.73, F.S., in a reference thereto;  
97 reenacting ss. 705.104(1) and 713.585(8), F.S.,  
98 relating to the title to lost or abandoned property  
99 and the enforcement of a lien by sale of motor  
100 vehicle, respectively, to incorporate the amendment  
101 made to s. 705.103, F.S., in references thereto;  
102 providing effective dates.

103  
104 Be It Enacted by the Legislature of the State of Florida:

105  
106 Section 1. Subsections (35) through (47) of section 327.02,  
107 Florida Statutes, are amended to read:

108 327.02 Definitions.—As used in this chapter and in chapter  
109 328, unless the context clearly requires a different meaning,  
110 the term:

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

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117 ~~security.~~

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

120 (36)~~(37)~~ "Personal watercraft" means a vessel less than 16  
121 feet in length which uses an inboard motor powering a water jet  
122 pump as its primary source of motive power and which is designed  
123 to be operated by a person sitting, standing, or kneeling on the  
124 vessel, rather than in the conventional manner of sitting or  
125 standing inside the vessel.

126 (37)~~(38)~~ "Portable toilet" means a device consisting of a  
127 lid, seat, containment vessel, and support structure which is  
128 specifically designed to receive, retain, and discharge human  
129 waste and which is capable of being removed from a vessel by  
130 hand.

131 (38)~~(39)~~ "Prohibited activity" means activity that will  
132 impede or disturb navigation or creates a safety hazard on  
133 waterways of this state.

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

141 (40)~~(41)~~ "Recreational vessel" means a vessel:

142 (a) Manufactured and used primarily for noncommercial  
143 purposes; or

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

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146        ~~(41)(42)~~ "Registration" means a state operating license on  
147 a vessel which is issued with an identifying number, an annual  
148 certificate of registration, and a decal designating the year  
149 for which a registration fee is paid.

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

155        ~~(43)(44)~~ "Sailboat" means a vessel whose sole source of  
156 propulsion is the wind.

157        ~~(44)(45)~~ "Sustained wind speed" means a wind speed  
158 determined by averaging the observed wind speed rounded up to  
159 the nearest mile per hour over a 2-minute period.

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

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

173        (47) "Vessel owner" means a person, other than a lienholder  
174 or lessee under a lease that is not intended as security, having

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the property in or title to a vessel. The term includes all of  
the following:

(a) 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.

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

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

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

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

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

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

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

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determined by an officer of the commission or a law enforcement agency, ~~if~~ any of the following conditions exist:

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

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

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

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

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



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

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

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

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

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

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

327.4111 Long-term anchoring.—

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

(2) The commission shall, at no cost to the applicant, issue a permit for the long-term anchoring of a vessel within the waters of this state upon receiving an application that

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includes, but is not limited to, all of the following information:

(a) For the vessel owner or operator:

1. Name.

2. Mailing address.

3. Telephone number.

4. E-mail address.

5. Birthdate.

6. Driver license number, if applicable.

(b) For the vessel:

1. Make.

2. Model.

3. Year.

4. Style.

5. Hull identification number.

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

7. Vessel name, if applicable.

(c) Location where the vessel will be anchored.

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

(3) The long-term anchoring permit established under this section is specific to one vessel only. However, a person may obtain more than one permit. A permit must be renewed or updated for each long-term anchoring location. Long-term anchoring permits expire 1 year from the date of issuance and may be

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291 revoked if the permitted vessel is a derelict vessel as defined  
292 in s. 823.11, is at risk of becoming derelict, or is operated or  
293 occupied on waters of this state in violation of s. 327.53.

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

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

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

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

302 (c) Vessels actively engaged in commercial fishing.

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

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

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

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

312 (9) The commission may adopt rules to implement this  
313 section.

314 Section 4. Paragraph (a) of subsection (3) of section  
315 327.70, Florida Statutes, is amended, and paragraph (e) is added  
316 to that subsection, to read:

317 327.70 Enforcement of this chapter and chapter 328.—

318 (3)(a) Noncriminal violations of the following statutes may  
319 be enforced by a uniform boating citation mailed to the

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registered owner of an unattended vessel anchored, aground, or moored on the waters of this state:

1. Section 327.33(3)(b), relating to navigation rules.
  2. Section 327.44, relating to interference with navigation.
  3. Section 327.50(2), relating to required lights and shapes.
  4. Section 327.53, relating to marine sanitation.
  5. Section 328.48(5), relating to display of decal.
  6. Section 328.52(2), relating to display of number.
  7. Section 327.4107, relating to vessels at risk of becoming derelict.
  8. Section 327.4109, relating to prohibited anchoring or mooring.
  9. Section 328.72(13), relating to expired registration.
  10. Section 327.4111, relating to long-term anchoring.
- (e) A noncriminal violation of s. 327.4111 may be enforced by a uniform boating citation issued to the owner or operator of a vessel engaged in unlawful long-term anchoring.

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

327.73 Noncriminal infractions.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(m) Section 327.50(1) and (2), relating to required safety

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equipment, lights, and shapes.

(n) Section 327.65, relating to muffling devices.

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

1. That does not result in an accident; or

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

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

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

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

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

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

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

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

(t) Section 327.52(3), relating to operation of overloaded

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or overpowered vessels.

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

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

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

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

1. For a first offense, \$100.

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

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

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

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

1. For a first offense, \$100.

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

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

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

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

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- 436 1. For a first offense, up to a maximum of \$100.  
437 2. For a second offense, up to a maximum of \$250.  
438 3. For a third or subsequent offense, up to a maximum of  
439 \$500.

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

- 443 1. For a first offense, \$100.  
444 2. For a second offense occurring 30 days or more after a  
445 first offense, \$250.  
446 3. For a third or subsequent offense occurring 30 days or  
447 more after a previous offense, \$500.

448  
449 A vessel that is the subject of three or more violations ~~issued~~  
450 ~~pursuant to the same paragraph~~ of s. 327.4107(2) which occur  
451 within a 24-month ~~an 18-month~~ period and which result in  
452 dispositions other than acquittal or dismissal must ~~shall~~ be  
453 declared ~~to be~~ a public nuisance and subject to ss. 705.103(2)  
454 and (4) and 823.11(3). For purposes of this paragraph, failure  
455 to appear at a hearing or failure to pay the civil penalty  
456 constitutes a disposition other than acquittal or dismissal  
457 unless such failure to appear or such nonpayment is excused or  
458 set aside by the court for good cause shown. The commission, an  
459 officer of the commission, or a law enforcement agency or  
460 officer specified in s. 327.70 may relocate, remove, or cause to  
461 be relocated or removed such public nuisance vessels from waters  
462 of this state. The commission, an officer of the commission, or  
463 a law enforcement agency or officer acting pursuant to this  
464 paragraph upon waters of this state shall be held harmless for



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all damages to the vessel resulting from such relocation or removal unless the damage results from gross negligence or willful misconduct as these terms are defined in s. 823.11.

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

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

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

1. For a first offense, \$100.
2. For a second offense occurring within 12 months after a prior offense, \$250.
3. For a third offense occurring within 36 months after a prior offense, \$500.

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

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

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

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

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

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494  
495 A vessel that is the subject of three or more violations of s.  
496 327.4111 that occur within a 24-month period and that result in  
497 dispositions other than acquittal or dismissal must be declared  
498 a public nuisance and subject to ss. 705.103(2) and (4) and  
499 823.11(3). For purposes of this paragraph, failure to appear at  
500 a hearing or failure to pay the civil penalty required by s.  
501 327.72 constitutes a disposition other than acquittal or  
502 dismissal, unless such failure to appear or such nonpayment is  
503 excused or set aside by the court for good cause shown. The  
504 commission, an officer of the commission, or a law enforcement  
505 agency or officer specified in s. 327.70 may relocate, remove,  
506 or cause to be relocated or removed such public nuisance vessels  
507 from waters of this state. The commission, an officer of the  
508 commission, or a law enforcement agency or officer acting  
509 pursuant to this paragraph shall be held harmless for all  
510 damages to the vessel resulting from such relocation or removal  
511 unless the damage results from gross negligence or willful  
512 misconduct as those terms are defined in s. 823.11.

513  
514 A ~~Any~~ person cited for a violation of this subsection is shall  
515 ~~be~~ deemed to be charged with a noncriminal infraction, must  
516 ~~shall~~ be cited for such an infraction, and must shall be cited  
517 to appear before the county court. The civil penalty for any  
518 such infraction is \$100, except as otherwise provided in this  
519 section. A ~~Any~~ person who fails to appear or otherwise properly  
520 respond to a uniform boating citation, in addition to the charge  
521 relating to the violation of the boating laws of this state,  
522 must be charged with the offense of failing to respond to such

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523 citation and, upon conviction, be guilty of a misdemeanor of the  
524 second degree, punishable as provided in s. 775.082 or s.  
525 775.083. A written warning to this effect must ~~shall~~ be provided  
526 at the time such uniform boating citation is issued.

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

530 705.103 Procedure for abandoned or lost property.—

531 (1) Whenever a law enforcement officer ascertains that an  
532 article of lost or abandoned property is present on public  
533 property and is of such nature that it can be easily removed,  
534 the officer shall take such article into custody and shall make  
535 a reasonable attempt to ascertain the rightful owner or  
536 lienholder pursuant to the provisions of this section. For the  
537 purposes of this section, the term "owner" includes a vessel  
538 owner as defined in s. 327.02.

539 (2)(a)1. Whenever a law enforcement officer ascertains  
540 that:

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

547  
548 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
549 PROPERTY. This property, to wit: ...(setting forth brief  
550 description)... is unlawfully upon public property known as  
551 ...(setting forth brief description of location)... and must be

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552 removed within 5 days; otherwise, it will be removed and  
553 disposed of pursuant to chapter 705, Florida Statutes. The owner  
554 will be liable for the costs of removal, storage, and  
555 publication of notice. Dated this: ...(setting forth the date of  
556 posting of notice)..., signed: ...(setting forth name, title,  
557 address, and telephone number of law enforcement officer)....  
558

559       b. A derelict vessel or a vessel declared a public nuisance  
560 pursuant to s. 327.73(1)(aa) is present on the waters of this  
561 state, the officer shall cause a notice to be placed upon such  
562 vessel in substantially the following form:  
563

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

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notice)...., signed: ...(setting forth name, title, address, and telephone number of law enforcement officer)....

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

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

624       a. For abandoned property other than a derelict vessel or a  
625 vessel declared a public nuisance pursuant to s. 327.73(1)(aa),  
626 the law enforcement agency may retain any ~~or all~~ of the property  
627 for its own use or for use by the state or unit of local  
628 government, trade such property to another unit of local  
629 government or state agency, donate the property to a charitable  
630 organization, sell the property, or notify the appropriate  
631 refuse removal service.

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

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

638           (II) Authorize the vessel's use as an artificial reef in

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639 accordance with s. 379.249 if all necessary federal, state, and  
640 local authorizations are received.

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

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

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issued a certificate of registration for such vessel or motor vehicle, or any other vessel or motor vehicle, until such costs have been paid. A person who has neglected or refused to pay all costs of removal, storage, disposal, and destruction of a vessel or motor vehicle as provided in this section, after having been provided written notice via certified mail that such costs are owed, and who applies for and is issued a registration for a vessel or motor vehicle before such costs have been paid in full commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The law enforcement officer or representative of the law enforcement agency or other governmental entity shall supply the Department of Highway Safety and Motor Vehicles with a list of persons whose vessel registration privileges and motor vehicle privileges have been revoked under this subsection. The department or a person acting as an agent of the department may not issue a certificate of registration to a person whose vessel and motor vehicle registration privileges have been revoked, as provided by this subsection, until such costs have been paid.

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

823.11 Derelict vessels; relocation or removal; penalty.—

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

(b) "Derelict vessel" means a vessel, as defined in s.

327.02, that is:



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

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

703 b. A vessel is junked if it has been substantially stripped  
704 of vessel components, if vessel components have substantially  
705 degraded or been destroyed, or if the vessel has been discarded  
706 by the owner or operator. Attaching an outboard motor to a  
707 vessel that is otherwise junked will not cause the vessel to no  
708 longer be junked if such motor is not an effective means of  
709 propulsion as required by s. 327.4107(2) (e) and associated  
710 rules.

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

714 (I) The steering system;

715 (II) The propulsion system; or

716 (III) The exterior hull integrity.

717  
718 Attaching an outboard motor to a vessel that is otherwise  
719 substantially dismantled will not cause the vessel to no longer  
720 be substantially dismantled if such motor is not an effective  
721 means of propulsion as required by s. 327.4107(2) (e) and  
722 associated rules.

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

725 3. Docked, grounded, or beached upon the property of

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another without the consent of the owner of the property.

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

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

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

(e) The title of a derelict vessel is prima facie evidence  
of ownership for any derelict vessel left upon the waters of  
this state. An owner who attempts to transfer ownership of a  
vessel or derelict vessel through means other than the process  
outlined in s. 328.22 or s. 328.64 will not be exonerated from

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755 the responsibility of having a derelict vessel upon the waters  
756 of this state without a written agreement of ownership by the  
757 transferee or evidence of agreement to transfer ownership to the  
758 transferee and the exchange of consideration between the  
759 parties.

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

774 (a) All costs, including costs owed to a third party,  
775 incurred by the commission, another law enforcement agency, or a  
776 governmental subdivision, when the governmental subdivision has  
777 received authorization from a law enforcement officer or agency,  
778 in the relocation, removal, storage, destruction, or disposal of  
779 a derelict vessel are recoverable against the ~~vessel~~ owner of ~~or~~  
780 ~~the party determined to be legally responsible for the vessel on~~  
781 ~~being upon~~ the waters of this state in a derelict condition. The  
782 Department of Legal Affairs shall represent the commission in  
783 actions to recover such costs. As provided in s. 705.103(4), a

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784 person who neglects or refuses to pay such costs may not be  
785 issued a certificate of registration for such vessel or for any  
786 other vessel or motor vehicle until such costs have been paid. A  
787 person who has neglected or refused to pay all costs of removal,  
788 storage, destruction, or disposal of a derelict vessel as  
789 provided in this section, after having been provided written  
790 notice via certified mail that such costs are owed, and who  
791 applies for and is issued a registration for a vessel or motor  
792 vehicle before such costs have been paid in full commits a  
793 misdemeanor of the first degree, punishable as provided in s.  
794 775.082 or s. 775.083.

795 (4)

796 (c) The commission may establish a program to provide  
797 grants to local governments for the removal, storage,  
798 destruction, and disposal of derelict vessels from the waters of  
799 this state. This grant funding may also be used for the removal,  
800 storage, destruction, and disposal of vessels declared a public  
801 nuisance pursuant to s. 327.73(1)(aa) or the derelict vessel  
802 prevention program established pursuant to s. 327.4107(7). The  
803 program must be funded from the Marine Resources Conservation  
804 Trust Fund or the Florida Coastal Protection Trust Fund.  
805 Notwithstanding s. 216.181(11), funds available for these grants  
806 may only be authorized by appropriations acts of the  
807 Legislature. In a given fiscal year, if all funds appropriated  
808 pursuant to this paragraph are not requested by and granted to  
809 local governments for the removal, storage, destruction, and  
810 disposal of derelict vessels or vessels declared a public  
811 nuisance pursuant to s. 327.73(1)(aa) by the end of the third  
812 quarter, the Fish and Wildlife Conservation Commission may use

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the remainder of the funds to remove, store, destroy, and dispose of, or to pay private contractors to remove, store, destroy, and dispose of, derelict vessels or vessels declared a public nuisance pursuant to s. 327.73(1)(aa). The commission shall adopt by rule procedures for local governments to submit a grant application and criteria for allocating available funds. Such criteria must include, at a minimum, all of the following:

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

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

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

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

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

(b) For a second offense, a vessel owner who violates this section commits a felony of the third degree, punishable as

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provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

327.04 Rules.—The commission may adopt rules pursuant to

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ss. 120.536(1) and 120.54 to implement this chapter, the provisions of chapter 705 relating to vessels, and s. 823.11 conferring powers or duties upon it.

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

327.4108 Anchoring of vessels in anchoring limitation areas.—

(6)

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

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

327.54 Liveries; safety regulations; penalty.—

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

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

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

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900 705.101 Definitions.—As used in this chapter:

901 (1) "Abandoned property" means all tangible personal  
902 property that does not have an identifiable owner and that has  
903 been disposed on public property in a wrecked, inoperative, or  
904 partially dismantled condition or has no apparent intrinsic  
905 value to the rightful owner. The term includes derelict vessels  
906 as defined in s. 823.11 and vessels declared a public nuisance  
907 pursuant to s. 327.73(1)(aa).

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

912 705.104 Title to lost or abandoned property.—

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

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

922 713.585 Enforcement of lien by sale of motor vehicle.—A  
923 person claiming a lien under s. 713.58 for performing labor or  
924 services on a motor vehicle may enforce such lien by sale of the  
925 vehicle in accordance with the following procedures:

926 (8) A vehicle subject to lien enforcement pursuant to this  
927 section must be sold by the lienor at public sale. Immediately  
928 upon the sale of the vehicle and payment in cash of the purchase



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

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