

By the Committee on Transportation; and Senator Rodriguez

596-02132-25

2025594c1

1 A bill to be entitled
2 An act relating to anchoring or mooring at seaports;
3 creating s. 311.104, F.S.; authorizing the governing
4 bodies of certain seaports to apply to the Fish and
5 Wildlife Conservation Commission to prohibit anchoring
6 or mooring within specified boundary limits for
7 specified purposes; requiring the governing body of a
8 seaport to hold a specified number of public hearings;
9 authorizing the commission to consult with certain
10 entities when considering an application for seaports
11 where anchoring and mooring will be prohibited and the
12 boundaries of such prohibited areas; authorizing the
13 commission to modify zones where anchoring or mooring
14 is prohibited; requiring the commission to provide
15 reasons for any such modification; providing for
16 review by the commission within a certain time frame;
17 requiring the commission to review and act upon an
18 application within a specified timeframe after receipt
19 of the application; requiring the commission to advise
20 the governing body of a seaport if the commission
21 finds an application to be incomplete; providing that
22 the commission's actions are subject to review;
23 requiring certain seaports annually to review the
24 boundaries of approved prohibitions and notify the
25 commission of such review and proposed modifications
26 if necessary; requiring that certain information be
27 included in seaport security plans and seaport
28 strategic plans; providing rulemaking authority;
29 reenacting and amending s. 327.4109, F.S.; conforming

596-02132-25

2025594c1

penalties; reenacting s. 327.73(1)(bb), F.S., relating to noncriminal infractions, to incorporate the amendment made to s. 327.4109, F.S., in a reference thereto; providing an effective date.

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

Section 1. Section 311.104, Florida Statutes, is created to read:

311.104 Request for a prohibition of anchoring or mooring by a seaport.—

(1) The governing body of a seaport listed in s. 311.09(1) may apply to the Fish and Wildlife Conservation Commission to prohibit anchoring or mooring in an area, not to exceed 5,000 feet from a seaport entrance or pier or wharf adjacent to a seaport channel or turning basin, for any of the following purposes:

(a) Implementing port security measures;

(b) Ensuring freight and passenger commerce is not impeded;

(c) Promoting the safety and security of residents and visitors of this state; or

(d) Maintaining and protecting the flow of legitimate trade and travel at all times.

(2) Before applying to the commission, the governing body of a seaport shall hold at least two public hearings displaying the boundaries of and hearing public comments regarding the area in which the seaport proposes to prohibit anchoring or mooring.

(3) After the public hearings required in subsection (2), a seaport may apply, pursuant to chapter 327, to the commission to

596-02132-25

2025594c1

59 establish areas around the seaport where anchoring or mooring is
60 prohibited.

61 (4) The commission may consult with the United States Coast
62 Guard, the United States Army Corps of Engineers, and the
63 Department of Transportation when considering an application
64 for, and the boundaries of, areas around seaports where
65 anchoring or mooring will be prohibited.

66 (5) When considering an application to prohibit anchoring
67 or mooring around a seaport, the commission may modify the
68 proposed boundaries of such prohibition and provide the reasons
69 for such modification.

70 (6) A prohibition of anchoring or mooring near a seaport
71 established pursuant to this section may not take effect until
72 the commission has reviewed the proposed prohibition and
73 determined by substantial competent evidence that the
74 prohibition is necessary for any of the reasons listed in
75 subsection (1). An application for a prohibition must be
76 reviewed and acted upon within 90 days after receipt of the
77 completed application. If, within 30 days after the governing
78 body of the seaport submits an application, the commission finds
79 such application is incomplete, the commission must notify and
80 advise the governing body of the seaport as to what information
81 is needed to deem the application complete. An application is
82 considered complete upon receipt of all requested information
83 and correction of any error or omission for which the applicant
84 was timely notified. An application is deemed complete if the
85 commission fails to notify and advise the governing body of the
86 seaport within 30 days after receiving the application. The
87 commission's action on the application is subject to review

596-02132-25

2025594c1

88 under chapter 120.

89 (7) After commission approval of a prohibition on anchoring
90 and mooring and the boundaries of such prohibition, the
91 governing body of the seaport shall review such prohibition
92 annually at a public meeting. After the review, the governing
93 body of the seaport shall notify the commission of the results
94 of its review, and, if applicable, submit an application to the
95 commission with any proposed modifications to such boundaries.

96 (8) The governing body of each seaport shall include in its
97 seaport security plan and its seaport strategic plan, as
98 required under ss. 311.12 and 311.14, respectively, any approved
99 limitations on anchoring and mooring established by the
100 commission.

101 (9) The commission may adopt rules pursuant to ss.
102 120.136(1) and 120.54 to implement this section.

103 Section 2. Paragraph (a) of subsection (1) of section
104 327.4109, Florida Statutes, is amended, and subsection (5) of
105 that section is reenacted, to read:

106 327.4109 Anchoring or mooring prohibited; exceptions;
107 penalties.—

108 (1)(a) The owner or operator of a vessel or floating
109 structure may not anchor or moor such that the nearest approach
110 of the anchored or moored vessel or floating structure is:

111 1. Within 150 feet of any public or private marina, boat
112 ramp, boatyard, or other public vessel launching or loading
113 facility;

114 2. Within 500 feet of a superyacht repair facility. For
115 purposes of this subparagraph, the term "superyacht repair
116 facility" means a facility that services or repairs a yacht with

596-02132-25

2025594c1

117 a water line of 120 feet or more in length; or

118 3. Within 100 feet outward from the marked boundary of a
119 public mooring field or a lesser distance if approved by the
120 commission upon request of a local government within which the
121 mooring field is located. The commission may adopt rules to
122 implement this subparagraph.

123 4. Within a zone established by the commission at the
124 request of a seaport pursuant to s. 311.104.

125 (5) A violation of this section is a noncriminal
126 infraction, punishable as provided in s. 327.73(1)(bb).

127 Section 3. For the purpose of incorporating the amendment
128 made by this act to section 327.4109, Florida Statutes, in a
129 reference thereto, paragraph (bb) of subsection (1) of section
130 327.73, Florida Statutes, is reenacted to read:

131 327.73 Noncriminal infractions.—

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

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

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

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

138 3. For a third or subsequent offense, up to a maximum of
139 \$500.

140

141 Any person cited for a violation of this subsection shall be
142 deemed to be charged with a noncriminal infraction, shall be
143 cited for such an infraction, and shall be cited to appear
144 before the county court. The civil penalty for any such
145 infraction is \$100, except as otherwise provided in this

596-02132-25

2025594c1

146 section. Any person who fails to appear or otherwise properly
147 respond to a uniform boating citation, in addition to the charge
148 relating to the violation of the boating laws of this state,
149 must be charged with the offense of failing to respond to such
150 citation and, upon conviction, be guilty of a misdemeanor of the
151 second degree, punishable as provided in s. 775.082 or s.
152 775.083. A written warning to this effect shall be provided at
153 the time such uniform boating citation is issued.

154 Section 4. This act shall take effect July 1, 2025.