

**By** the Committees on Environment and Natural Resources; and  
Transportation; and Senator Rodriguez

592-02512-25

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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 timeframe;  
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

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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 2,500 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

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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

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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

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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.

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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

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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.