

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 1103](#)

TITLE: Local Administration of Vessel Restrictions

SPONSOR(S): Andrade

COMPANION BILL: [SB 1682](#) (Trumbull)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Natural Resources & Disasters](#)

18 Y, 0 N, As CS



[Intergovernmental Affairs](#)



[State Affairs](#)

SUMMARY

Effect of the Bill:

The bill authorizes counties and municipalities to administer, in coordination with the Florida Fish and Wildlife Conservation Commission (Commission) and subject to certain requirements, provisions of law concerning vessels at-risk of becoming derelict, long-term anchoring permits, and derelict vessels.

Fiscal or Economic Impact:

The bill may have a negative, but insignificant, fiscal impact on state expenditures.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

Vessels at Risk of Becoming Derelict

The bill authorizes a county or municipality to administer, in coordination with the Florida Fish and Wildlife Commission (Commission), the provision of law concerning [vessels at risk of becoming derelict](#) on state waters¹ if the county or municipality adopts an ordinance to do so. Specifically, the county or municipality can adopt an ordinance that allows it to assist in identifying, notifying, taking corrective action, relocating, removing, storing, destroying, or disposing of vessels at risk of becoming derelict within its jurisdiction. (Section [1](#))

The bill authorizes a county or municipality that adopts such ordinance to designate a code enforcement officer² to determine whether a vessel meets one or more at-risk conditions. The bill specifies that such code enforcement officer's determination is for administrative abatement purposes only and may be used solely to initiate notice, corrective action, relocation, storage, disposal, or cost-recovery actions in accordance with the respective statute and rules adopted by Commission. The bill further specifies such determination is not a criminal finding and may not serve as a basis for prosecution under the respective statute or any other criminal violation relating to vessel conditions or derelict vessels. (Section [1](#))

The bill requires the county or municipality to comply with all notice, documentation, environmental compliance, storage, and recordkeeping requirements established by the Commission and the respective statute before taking corrective action on a vessel. The bill authorizes the Commission to provide technical assistance and guidance to the county or municipality. (Section [1](#))

¹ "Waters of this state" are defined as any navigable waters of the United States within the territorial limits of the state, the marginal sea adjacent to the state, and the high seas when navigated as a part of a journey or ride to or from the shore of the state, and all the inland lakes, rivers, and canals under the jurisdiction of the state. See [s. 327.02\(48\), F.S.](#)

² The bill provides such county or municipality may designate a code enforcement officer as defined in [s. 162.21, F.S.](#), which defines "code enforcement officer" to mean any designated employee or agent of a county or municipality whose duty it is to enforce codes and ordinances enacted by the county or municipality. See [s. 162.21, F.S.](#)

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The bill provides such provisions may not be construed to prohibit a county or municipality from coordinating with law enforcement agencies for criminal investigation purposes or prosecution relating to violations of vessel safety or public nuisance laws. The bill further provides any such code enforcement officer may provide documentation, photographs, observations, statements, and other non-law enforcement support to a law enforcement agency, but may not make a criminal determination or take any action reserved for law enforcement officers. (Section [1](#))

The bill provides that for purposes of any Commission-administered program relating to the prevention, mitigation removal, relocation, storage, or destruction of vessels at risk of becoming derelict, including the Commission's derelict vessel prevent program, a designation of a vessel as at risk of becoming derelict by a county or municipal code enforcement officer must be treated as equivalent to such designation by a law enforcement officer if all documentation, photographic evidence, and verification materials, as required by the Commission, are submitted. (Section [1](#))

The bill authorizes the Commission to adopt rules to implement the bill's provisions related to counties and municipalities administering the provision of law concerning vessels at risk of becoming derelict. Such authorization includes procedures for:

- Verifying administrative designations.
- Ensuring statewide consistency in the application of at-risk criteria.
- Maintaining records of corrective actions or removals.
- Providing technical assistance to local governments.
- Auditing reimbursement or cost-recovery requests. (Section [1](#))

Long-term Anchoring Permits

The bill authorizes a county or municipality to administer, in coordination with the Commission, the provision of law concerning [long-term anchoring](#) permit requirements if the county or municipality adopts an ordinance to do so. (Section [2](#))

The bill authorizes a county or municipality that adopts such ordinance to designate a code enforcement officer³ to investigate, document, and cite violations of a person engaging in long-term anchoring without a valid long-term anchoring permit. The bill specifies such citations are noncriminal infractions⁴ and may be issued through local code enforcement procedures or the uniform boating citation system.⁵ Such citations do not constitute a criminal finding and may be used solely for the imposition of civil penalties, corrective actions, or cost recovery. (Section [2](#))

The bill requires that before a code enforcement officer may issue a citation or take other enforcement action, the county or municipality must comply with all Commission requirements for permit verification, documentation, notice, and recordkeeping. The bill authorizes the Commission to provide technical assistance, training, and guidance to the county or municipality. (Section [2](#))

The bill provides that such administrative enforcement does not preclude parallel enforcement by law enforcement officers and may not be construed to prohibit a county or municipality from coordinating with law enforcement agencies for criminal investigation purposes or prosecution relating to violations of vessel

³ *Supra* note 2.

⁴ Such noncriminal infractions are punished by fines, which are, for a first offense, no more than \$100; for a second offense, no more than \$250; and for a third or subsequent offense, no more than \$500. *See s. 327.73, F.S.*

⁵ A uniform boating citation is a document prepared by the Florida Fish and Wildlife Commission (Commission) and supplied to every law enforcement agency in the state that enforces the laws regulating the operation of vessels. A boating citation may be disposed of only by a court having jurisdiction over the alleged offense (or with its traffic violations bureau) by trial or another official action by a judge of the court, including forfeiture of bail, or by the deposit of sufficient bail with, or payment of a fine to, the traffic violations bureau. *See s. 374.74, F.S.*

safety or public nuisance laws. The bill further provides any such code enforcement officer may provide documentation, photographs, observations, statements, and other non-law enforcement support to a law enforcement agency, but may not make a criminal determination or take any action reserved for law enforcement officers. (Section [2](#))

The bill provides that for purposes of any Commission-administered program relating to anchoring regulation, vessel compliance, or public nuisance abatement, a noncriminal infraction citation issued by a code enforcement officer for a violation of long-term anchoring requirements must be treated as equivalent to a uniform boating citation issued by a law enforcement officer if all documentation, photographic evidence, location data, permit status verification, and other materials, as required by the Commission, are submitted. (Section [2](#))

The bill authorizes the Commission to adopt rules to implement the bill's provisions related to counties and municipalities administering the provision of law concerning long-term anchoring. Such authorization includes procedures for:

- Local designation of code enforcement officers.
- Verifying compliance with permit requirements.
- Ensure statewide consistency in enforcement criteria.
- Coordinating with the uniform boating citation system.
- Maintaining records of citations and resolutions.
- Providing technical assistance or training to counties and municipalities.
- Auditing any reimbursement or cost-sharing requests. (Section [2](#))

Derelict Vessels

The bill authorizes a county or municipality to administer, in coordination with the Commission, the provision of law concerning [derelict vessels](#) if the county or municipality adopts an ordinance to do so. Specifically, the county or municipality can adopt an ordinance that allows it to assist in identifying, removing, storing, destroying, or disposing of derelict vessels within its jurisdiction. (Section [3](#))

The bill authorizes a county or municipality that adopts such ordinance to designate a code enforcement officer⁶ to determine whether a vessel meets the definition of a derelict vessel for administrative abatement purposes only. The bill specifies such determination is not a criminal finding and may not serve as a basis for prosecution for a derelict vessel. Such determination may be used solely to initiate notice, removal, disposal, and cost-recovery actions in accordance with the respective statute and rules adopted by the Commission. (Section [3](#))

The bill requires the county or municipality to comply with all notice, documentation, storage, and environmental compliance requirements established by the Commission and the respective statute before removing or disposing of a vessel. The bill authorizes the Commission to provide technical assistance and guidance to the county or municipality. (Section [3](#))

The bill provides such provisions may not be construed to prohibit a county or municipality from coordinating with law enforcement agencies for criminal investigation purposes or prosecution relating to violations of vessel safety or public nuisance laws. The bill further provides any such code enforcement officer may provide documentation, photographs, observations, statements, and other non-law enforcement support to a law enforcement agency, but may not make a criminal determination or take any action reserved for law enforcement officers. (Section [3](#))

The bill provides that for purposes of the Derelict Vessel Removal Grant Program administered by the Commission, a designation of a vessel as derelict by a county or municipal code enforcement officer must be treated as equivalent to such designation by a law enforcement officer if all documentation, photographic evidence, and verification materials, as required by the Commission, are submitted. (Section [3](#))

⁶ *Supra* note 2.

The bill authorizes the Commission to adopt rules to implement the bill's provisions related to counties and municipalities administering the provision of law concerning derelict vessels. Such authorization includes procedures for:

- Verifying administrative designations.
- Maintaining records of removals.
- Providing technical assistance to local governments.
- Auditing reimbursement requests. (Section [3](#))

Effective Date

The effective date of the bill is July 1, 2026. (Section [4](#))

RULEMAKING:

The bill authorizes the Commission to adopt rules to implement the bill's provisions that authorize counties and municipalities to administer the provisions of law concerning vessels at-risk of becoming derelict, long-term anchoring permits, and derelict vessels

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have a negative, but insignificant, fiscal impact due to the authorization of the Commission to adopt implementing rules; however, the fiscal impact should be able to be absorbed within current resources.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Vessels at Risk of Becoming Derelict

To prevent neglected or deteriorating vessels from reaching a likely and foreseeable state of disrepair, current law prohibits a vessel that is at risk of becoming derelict (at-risk vessel) from being present on waters of the state.⁷ These vessels are a concern because they can “endanger marine life and habitat, pose threats to public safety, and cause property damage as they drift on or beneath the water’s surface.” They can also block navigable waterways, which also pose a navigational hazard.⁸

A vessel may be determined, by a Commission officer or a law enforcement agency, to be an at-risk vessel if any of the following conditions exist:

- The vessel is taking on or has taken on water without an effective means to dewater;
- Spaces on the vessel that are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time;
- The vessel has broken loose or is in danger of breaking loose from its anchor;
- The vessel is listing due to water intrusion;
- The vessel does not have an effective means of propulsion for safe navigation; or

⁷ S. [327.4107\(1\), F.S.](#)

⁸ Commission, Derelict and At-Risk Vessels, available at <https://myfwc.com/boating/waterway/derelict-vessels/> (last visited on Jan. 26, 2026)

- The vessel is tied to an unlawful or unpermitted structure or mooring.⁹

If a vessel does not have an effective means of propulsion, a vessel owner or operator may provide a receipt, proof of purchase, or other documentation showing that the parts necessary to repair the vessel have been ordered.¹⁰

It is a noncriminal infraction to anchor or moor an at-risk vessel on waters of the state, which is punishable by a civil penalty that increases for subsequent violations.¹¹ A first offense results in a \$100 fine, a second offense that occurs at least 30 days after the first results in a \$250 fine, and a third or subsequent offense that occurs at least 30 days after the previous offense results in a \$500 fine.¹²

The Commission, a Commission officer, or a law enforcement officer may relocate an at-risk vessel to a distance greater than 20 feet from mangroves or upland vegetation and is protected from liability for damages caused by relocating the vessel, unless the damage is the result of gross negligence or willful misconduct.¹³

Long-term Anchoring

Long-term anchoring is the anchoring of a vessel within one linear nautical mile of a documented anchorage point for 14 days or more within a 30-day period. Vessel owners or operators are required to obtain a long-term, no-cost anchoring permit when engaging in long-term anchoring. The Commission issues these free permits for long-term anchoring on waters of the state.

The permit application must also include information on the location where the vessel will be anchored, as well as certain identifying information of the vessel and vessel owner or operator. It must also provide notice that the permit may be revoked if the vessel is derelict, is at risk of becoming derelict, or is in violation of marine sanitation provisions.¹⁴

Current law allows a person to obtain more than one permit; however, each permit is specific to one vessel. A permit must be renewed or updated for each long-term anchoring location and expires one year from its date of issuance. A permit may be revoked if the permitted vessel is derelict, at risk of becoming derelict¹⁵, or is operated or occupied on waters of the state in violation of marine sanitation laws.^{16,17}

A long-term anchoring permit is not required if a vessel is docked at a public or private dock or moored to permitted mooring buoy. The following vessels are exempt from long-term permitting requirements: vessels owned or operated by a governmental entity for law enforcement, firefighting, military, or rescue purposes; construction or dredging vessels on an active job site; vessels actively engaged in commercial fishing; and vessels engaged in recreational fishing if the persons onboard are actively tending hook and line fishing gear or nets.¹⁸

⁹ *Id.*

¹⁰ *Id.*

¹¹ Ss. [327.4107\(3\)](#) and [327.73\(1\)\(aa\)](#), F.S.

¹² S. [327.73\(1\)\(aa\)](#), F.S.

¹³ S. [327.4107\(4\)](#), F.S.

¹⁴ [S. 327.4111\(1\)-\(2\)](#), F.S.

¹⁵ Under the provisions of [s. 823.11](#), F.S.

¹⁶ Marine sanitation laws are found in [s. 327.53](#), F.S.

¹⁷ [S. 327.4111\(3\)](#), F.S.

¹⁸ [S. 327.4111\(5\)-\(6\)](#), F.S.

[Derelict Vessels](#)

Derelict vessels can endanger marine life and habitats, threaten public safety, cause property damage, and create navigational hazards.¹⁹ A derelict vessel is a vessel that is in a wrecked,²⁰ junked,²¹ or substantially dismantled²² condition upon any public waters of the state²³; at a port in the state without the consent of the agency that has jurisdiction of the port; or docked, grounded, or beached on the property of another without their consent.²⁴ It is unlawful for a person, firm, or corporation to leave any derelict vessel on waters of the state.²⁵

A Commission officer, or other law enforcement agency or officer,²⁶ is authorized to relocate, remove, and store a derelict vessel if it obstructs or might obstruct navigation or if it endangers property, persons, or the environment.²⁷ Law enforcement officers who relocate, remove, and store a derelict vessel are protected from liability for damage to the vessel, unless the damage is the result of gross negligence or willful misconduct.²⁸

When a derelict vessel is docked, grounded, or beached on private property without the property owner's consent, the property owner may remove the vessel at the vessel owner's expense 60 days after providing written notice to the vessel owner.²⁹ The notice must be delivered in person or by certified mail and conspicuously posted at the marina and on the vessel.³⁰

Derelict Vessel Prevention Programs

Current law authorizes the Commission establish a derelict vessel prevention program to address at-risk vessels.³¹ The program is not required to, but may include:

- Removing, relocating, and destroying vessels that are declared a public nuisance, derelict or at risk of becoming derelict, or lost or abandoned.
- Creating a vessel turn-in program that allows the owner of an at-risk vessel to turn over their vessel and title to the Commission to be destroyed without penalty.
- Removing and destroying abandoned vessels.

¹⁹ Atkins and Vogel Group, *Florida's Long-Term Stored Vessel Study* (Sept. 2023), available at <https://myfwc.com/media/long-term-stored-vessel-study.pdf> at 61.

²⁰ A vessel is wrecked if it is sunken or sinking; aground without the ability to extricate itself absent mechanical assistance; or remaining after a marine casualty, including, but not limited to, a boating accident, extreme weather, or a fire. See S. [823.11\(1\)\(b\)1, F.S.](#)

²¹ A vessel is junked if it has been substantially stripped of vessel components, if vessel components have substantially degraded or been destroyed, or if the vessel has been discarded by the owner or operator. Attaching an outboard motor to a vessel that is otherwise junked will not cause the vessel to no longer be junked if the motor is not an effective means of propulsion. See S. [823.11\(1\)\(b\)1, F.S.](#)

²² A vessel is substantially dismantled if at least two of the three following vessel systems or components are missing, compromised, incomplete, inoperable, or broken: the steering system, the propulsion system, or the exterior hull integrity. Attaching an outboard motor to a vessel that is otherwise substantially dismantled will not cause the vessel to no longer be substantially dismantled if the motor is not an effective means of propulsion. See S. [823.11\(1\)\(b\)1, F.S.](#)

²³ [S. 823.11\(1\), F.S.](#)

²⁴ [S. 823.11\(1\)\(b\)3, F.S.](#)

²⁵ [S. 823.11\(2\), F.S.](#); The term "leave" means to allow a vessel to remain occupied or unoccupied on waters of the state for more than 24 hours.

²⁶ Law enforcement agencies or officers specified in s. [327.70, F.S.](#), include the Commission's Division of Law Enforcement and its officers, sheriffs and their deputies, municipal police officers, and any other law enforcement officer defined in s. [943.10, F.S.](#) As defined in s. [943.10\(1\), F.S.](#), a law enforcement officer is any person elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof who is vested with the authority to bear arms and make arrests and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

²⁷ [S. 823.11\(3\), F.S.](#)

²⁸ *Id.*

²⁹ [S. 823.11\(5\), F.S.](#)

³⁰ *Id.* These notice requirements are found in s. [328.17\(5\), F.S.](#)

³¹ Section [327.4107\(6\), F.S.](#)

- Purchasing anchor lines, anchors, and other equipment to secure at-risk vessels.
- Creating or acquiring moorings designated for securing at-risk vessels.³²

Pursuant to this authorization, the Commission established the Florida Vessel Turn-in Program, which allows vessel owners who have received a written citation or warning that their vessel is at risk to have the vessel removed, destroyed, and disposed of at no cost to the owner.³³ Removal of vessels eligible for the Vessel Turn-in Program and local government efforts to remove derelict and public nuisance vessels are funded by grants from the Commission.³⁴

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	CS/SB 830 - Disposition of Migrant Vessels	Mooney/ <i>Rodriguez</i>	The bill became law on July 1, 2025.
2025	CS/SB 164 - Vessel Accountability	Basabe/ <i>Rodriguez</i>	The bill became law on July 1, 2025, except Section 3, which was effective on January 1, 2026.
2024	CS/HB 487 - Lost and Abandoned Property	Chaney/ <i>Martin</i>	The bill became law on July 1, 2024.
2022	CS/CS/SB 494 - Fish and Wildlife Conservation Commission	Sirois/ <i>Hutson</i>	The bill became law on July 1, 2022, except Section 12, which was effective on July 1, 2023.

OTHER RESOURCES:

[Florida's Long-Term Stored Vessel Study](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Natural Resources & Disasters Subcommittee	18 Y, 0 N, As CS	1/28/2026	Skinner	Weiss
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Removed a reference to “migrant vessels” in the title, as the bill does not include such vessels. • Made a technical change. 			
Intergovernmental Affairs Subcommittee				
State Affairs Committee				

³² *Id.*

³³ Commission, *Florida Vessel Turn-in Program*, <https://myfwc.com/boating/waterway/vtip/> (last visited Jan. 26, 2026).

³⁴ *Id.*; Commission, *Derelict Vessel Removal Grant Program*, <https://myfwc.com/boating/grants-programs/derelict-vessel/> (last visited Jan. 26, 2026).

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
