

# FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

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

**TITLE:** Local Administration of Vessel Restrictions

**SPONSOR(S):** Andrade

**COMPANION BILL:** [CS/SB 1682](#) (Trumbull)

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 109 Y's 0 N's

**GOVERNOR'S ACTION:** Pending

## SUMMARY

### Effect of the Bill:

The bill makes several changes to provisions of law concerning vessel restrictions. The bill:

- Authorizes counties and municipalities, subject to certain requirements, to administer provisions of law concerning vessels at-risk of becoming derelict and long-term anchoring permits, as well as issue related uniform boating citations for such non-criminal infractions.
- Revises an exemption for vessel relocation from an anchoring limitation area in Monroe County for vessels used as domiciles.
- Allows cities and counties to adopt an ordinance to regulate vessel speed and operation within 300 feet of a confluence of water bodies presenting a blind corner, up to a distance of 1,000 feet, if the extended area is necessary to ensure safe navigation and visibility for approaching vessels.

### Fiscal or Economic Impact:

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

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## ANALYSIS

### EFFECT OF THE BILL:

#### Vessels at Risk of Becoming Derelict

The bill authorizes each county or municipality to authorize a code enforcement officer<sup>1</sup> to administer the provision of law concerning [vessels at risk of becoming derelict](#) on state waters<sup>2</sup> 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 and public nuisance vessels.<sup>3</sup> The ordinance does not take effect until it is reviewed and approved by the [Florida Fish and Wildlife Conservation Commission](#) (FWC). The bill requires FWC to adopt implementing rules. (Section [1](#))

The bill authorizes code enforcement officers to issue a [noncriminal infraction](#), pursuant to the uniform boating citation system, to persons who anchor or moor a vessel at risk of becoming derelict on state waters or who allow such vessels to occupy state waters. (Sections [1](#), [5](#), and [6](#))

Consistent with these provisions, the bill amends the provision of law related to noncriminal infractions for vessel violations to specify code enforcement officers may relocate, remove, or cause to be relocated or removed public nuisance vessels from state waters. (Section [5](#))

<sup>1</sup> The bill provides such county or municipality may authorize 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.](#)

<sup>2</sup> "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.](#)

<sup>3</sup> If a vessel is the subject of three or more violations issued because of the same condition of being at risk of becoming derelict within a 24-month period, the vessel may be declared a public nuisance. S. [327.73\(1\), F.S.](#)

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The bill also amends the provision of law related to uniform boating citations to require FWC to supply code enforcement officers with the appropriate boating citation form. The bill amends this provision to require code enforcement officers, consistent with law enforcement officers implementing this provision, to deposit the original boating citation with the court that has jurisdiction or its traffic violations bureau within five days after issuance. The bill also amends a provision of law where FWC is required to return certain record copies of boating citations to chief administrative officers of law enforcement agencies to also require FWC to return record copies to chief administrative officers of code enforcement offices. (Section [6](#))

### **Long-term Anchoring Permits**

The bill authorizes a county or municipality to authorize a code enforcement officer to administer the provision of law concerning [long-term anchoring](#) permit requirements within its jurisdiction if the county or municipality adopts an ordinance to do so. The ordinance does not take effect until it is reviewed and approved by FWC. The bill requires FWC to adopt implementing rules. (Section [2](#))

The bill authorizes code enforcement officers to issue a noncriminal infraction, pursuant to the uniform boating citation system, to persons who engage in long-term anchoring without a valid long-term anchoring permit. (Section [2](#), [5](#), and [6](#))

The bill amends the provision of law related to noncriminal infractions for vessel violations to specify that code enforcement officers may relocate, remove, or cause to be relocated or removed public nuisance vessels from state waters. (Section [5](#))

The bill also amends the provision of law related to uniform boating citations to require FWC to supply code enforcement officers with the appropriate boating citation form. The bill amends this provision to require code enforcement officers, consistent with law enforcement officers implementing this provision, to deposit the original boating citation with the court that has jurisdiction or its traffic violations bureau within five days after issuance. The bill also amends a provision of law where FWC is required to return certain record copies of boating citations to chief administrative officers of law enforcement agencies to also require FWC to return record copies to chief administrative officers of code enforcement offices. (Section [6](#))

### **Anchoring of Vessels in Anchoring Limitation Areas**

The bill revises the exemption for vessel relocation from an anchoring limitation area in Monroe County for vessels used as domiciles to provide that the exemption applies until 60 new moorings are available for public use within one mile of the Key West Bight City Dock instead of 100 new moorings. (Section [3](#))

### **Boating-restricted Areas**

The bill creates an additional circumstance where cities and counties may establish a boating-restricted area through ordinance, which must be approved by FWC before taking effect. The bill permits counties and cities to establish boating-restricted areas by adopting an ordinance that regulates vessel speed and operation within 300 feet of a confluence of water bodies presenting a blind corner, up to a distance of 1,000 feet, if the extended area is necessary to ensure safe navigation and visibility for approaching vessels. The boundaries of such areas are required to be clearly marked with [uniform waterway markers](#) consistent with FWC rules. (Section [4](#))

### **Effective Date**

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2026. (Section [7](#))

### **RULEMAKING:**

The bill requires FWC 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 and long-term anchoring permits.

*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 requirement for FWC to adopt implementing rules; however, the fiscal impact should be able to be absorbed within current resources.

## **RELEVANT INFORMATION**

#### **SUBJECT OVERVIEW:**

#### **[Florida Fish and Wildlife Conservation Commission](#)**

The Florida Fish and Wildlife Conservation Commission (FWC), created by Article IV, section 9 of the Florida Constitution, is responsible for regulating, managing, protecting, and conserving the state’s fish and wildlife resources. FWC is governed by a board of seven members who are appointed by the Governor and confirmed by the Senate.<sup>4</sup> Pursuant to its constitutional authority, FWC exercises the regulatory and executive powers of the state with respect to wild animal life, fresh water aquatic life, and marine life.<sup>5</sup>

FWC also regulates boating in the state. Through its Division of Law Enforcement, FWC manages the state’s waterways to ensure boating safety for residents and visitors to the state.<sup>6</sup> This responsibility includes enforcing boating rules and regulations, coordinating boating safety campaigns and education, managing public water and access to the waters, conducting boating accident investigations, identifying and removing derelict vessels, and investigating vessel theft and title fraud.<sup>7</sup>

#### **[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.<sup>8</sup> 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.<sup>9</sup>

A vessel may be determined by a FWC 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

<sup>4</sup> [Art. IV, s. 9, Fla. Cont.](#)

<sup>5</sup> *Id.* However, all license fees for taking wild animal life, fresh water aquatic life, and marine life and penalties for violating FWC regulations must be prescribed by general law.

<sup>6</sup> Fish and Wildlife Conservation Commission (FWC), *Boating*, <https://myfwc.com/boating/> (last visited Feb. 10, 2026).

<sup>7</sup> FWC, Law Enforcement, <https://myfwc.com/about/inside-fwc/le/> (last visited Feb. 10, 2026). See [S. 327.70\(1\) and \(4\), F.S.](#)

<sup>8</sup> [S. 327.4107\(1\), F.S.](#)

<sup>9</sup> FWC, 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.<sup>10</sup>

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.<sup>11</sup>

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.<sup>12</sup> 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.<sup>13</sup>

FWC, a FWC 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.<sup>14</sup>

### [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.<sup>15</sup> Vessel owners or operators are required to obtain a long-term, no-cost anchoring permit when engaging in long-term anchoring. FWC issues these free permits for long-term anchoring on waters of the state.<sup>16</sup>

The permit application must 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.<sup>17</sup> 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.<sup>18</sup>

Current law allows a person to obtain more than one permit; however, each permit is specific to one vessel.<sup>19</sup> 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 derelict,<sup>20</sup> or is operated or occupied on waters of the state in violation of marine sanitation laws.<sup>21,22</sup>

A long-term anchoring permit is not required if a vessel is docked at a public or private dock or moored to a 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.<sup>23</sup>

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> [Ss. 327.4107\(2\) and 327.73\(1\)\(aa\), F.S.](#)

<sup>13</sup> [S. 327.73\(1\)\(aa\), F.S.](#)

<sup>14</sup> [S. 327.4107\(4\), F.S.](#)

<sup>15</sup> [S. 327.4111\(1\), F.S.](#)

<sup>16</sup> [S. 327.4111\(2\), F.S.](#)

<sup>17</sup> *Id.*

<sup>18</sup> [S. 327.4111\(1\)-\(2\), F.S.](#)

<sup>19</sup> [S. 327.4111\(3\), F.S.](#)

<sup>20</sup> Under the provisions of [s. 823.11, F.S.](#)

<sup>21</sup> Marine sanitation laws are found in [s. 327.53, F.S.](#)

<sup>22</sup> [S. 327.4111\(3\), F.S.](#)

<sup>23</sup> [S. 327.4111\(5\)-\(6\), F.S.](#)

### [Anchoring Limitation Areas](#)

State law designates certain densely populated urban areas as anchoring limitation areas.<sup>24</sup> These areas usually have narrow state waterways, residential docking facilities, and significant recreational boating traffic.<sup>25</sup> Counties may create more anchoring limitation areas under certain circumstances.<sup>26</sup> In 2021, Monroe County was designated as an anchoring limitation area within which a vessel on waters of the state may only be anchored in the same location for a maximum of 90 days.<sup>27</sup> This limitation does not apply to a vessel that has been established as a domicile until at least 100 new moorings for public use are available within one mile of the Key West Bight City Dock.<sup>28</sup> Until such time, FWC is required to designate the area within one mile of Key West Bright City Dock as a priority for the investigation and removal of derelict vessels.<sup>29</sup>

### [Boating-restricted Areas](#)

Current law authorizes FWC to establish boating-restricted areas by rule pursuant to the Administrative Procedure Act.<sup>30,31</sup> Boating-restricted areas, which include restrictions of vessel speeds and traffic, may be established on the waters of the state for any purpose necessary to protect the safety of the public, taking into account boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards, as well as seagrass protection on privately-owned submerged lands.<sup>32</sup>

It is unlawful for any person to operate a vessel in a prohibited manner or to carry on any prohibited activity within a boating-restricted area that has been clearly marked by regulatory markers as an authorized restricted area.<sup>33</sup> These restrictions do not apply in the case of an emergency or to a law enforcement, firefighting, or rescue vessel owned or operated by a government entity.<sup>34</sup>

#### *Local Government Authority to Establish Boating-restricted Areas in the Florida Intracoastal Waterway*

Local governments are generally prohibited from regulating any vessel upon the Florida Intercoastal Waterway.<sup>35</sup> However, local governments have been delegated authority to establish certain boating-restricted areas by ordinance, including within a portion of the Florida Intercoastal Waterway that is within their jurisdiction.<sup>36</sup> A municipality or county may adopt an ordinance that establishes an idle speed, no wake boating-restricted area, if the area is within the portion of the Florida Intracoastal Waterway within its jurisdiction and is:

- Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.
- Within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width.
- Inside or within 300 feet of any lock structure.<sup>37</sup>

<sup>24</sup> [S. 327.4108, F.S.](#)

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> [Ch. 2021-192, Laws of Fla.](#)

<sup>28</sup> [S. 327.4108, F.S.](#)

<sup>29</sup> *Id.*

<sup>30</sup> [Ch. 120, F.S.](#)

<sup>31</sup> [S. 327.46\(1\)\(a\), F.S.](#)

<sup>32</sup> [S. 327.46\(1\), F.S.](#)

<sup>33</sup> [S. 327.46\(3\), F.S.](#)

<sup>34</sup> [S. 327.46\(4\), F.S.](#)

<sup>35</sup> [S. 327.60\(2\)\(c\), F.S.](#)

<sup>36</sup> [S. 327.46\(1\)\(b\), F.S.](#)

<sup>37</sup> [S. 327.46\(1\)\(b\)1., F.S.](#)

A municipality or county may adopt an ordinance that establishes a slow speed, minimum wake boating-restricted area, if the area is within the portion of the Florida Intracoastal Waterway within their jurisdiction and is:

- Within 300 feet of any bridge fender system.
- Within 300 feet of any bridge span presenting a vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet.
- On a creek, stream, canal, or similar linear waterway if the waterway is less than 75 feet in width from shoreline to shoreline.
- On a lake or pond of less than 10 acres in total surface area.
- Within the boundaries of a permitted public mooring field and a buffer around the mooring field of up to 100 feet.
- Within 500 feet of a sewage pumpout station at any public or private nonresidential marina if the sewage pumpout station is within 100 feet of the marked channel of the Florida Intracoastal Waterway.<sup>38</sup>

A municipality or county may adopt an ordinance that establishes a vessel-exclusion zone if the area, is within the portion of the Florida Intracoastal Waterway within their jurisdiction and is:

- Designated as a public bathing beach or swim area, except that such areas may not be created on waters that include any portion of the Florida Intracoastal Waterway or that are within 100 feet of the marked channel of the Florida Intracoastal Waterway.
- Within 300 feet of a dam, spillway, or flood control structure.<sup>39</sup>

#### *Local Government Authority to Establish Other Boating-Restricted Areas*

A municipality or county may adopt an ordinance that establishes the following other boating-restricted areas:

- An idle speed, no wake boating-restricted area, if the area is within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.
- A slow speed, minimum wake, or numerical speed limit boating-restricted area if the area is:
  - Within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.
  - Subject to unsafe levels of vessel traffic congestion.
  - Subject to hazardous water levels or currents, or containing other navigational hazards.
  - An area that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a significant risk of collision or a significant threat to boating safety.
- A vessel-exclusion zone if the area is reserved exclusively:
  - As a canoe trail or otherwise limited to vessels under oars or under sail.
  - For a particular activity and user group separation must be imposed to protect the safety of those participating in such activity.<sup>40</sup>

Current law requires FWC to approve a municipal or county ordinance establishing these boating-restricted areas.<sup>41</sup> Any such ordinance may not take effect until FWC has reviewed and determined by substantial competent evidence that the ordinance is necessary to protect public safety.<sup>42</sup> FWC must review and take action on an application for approval of an ordinance within 90 days after receipt of a completed application and within 30 days after receipt, FWC is required to advise the municipality or county as to what information, if any, is needed to deem the application complete.<sup>43</sup> An application must be considered complete upon receipt of all requested information

<sup>38</sup> [S. 327.46\(1\)\(b\)2., F.S.](#)

<sup>39</sup> [S. 327.46\(1\)\(b\)3., F.S.](#)

<sup>40</sup> [S. 327.46\(1\)\(c\), F.S.](#)

<sup>41</sup> The requirement that a municipality or county ordinance establishing a boating-restricted area be approved by FWC before taking effect does not apply to those ordinances establishing boating-restricted areas within the Florida Intracoastal Waterway. See [s. 327.46\(1\)\(c\), F.S.](#), and r. 68D-21.001, F.A.C.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired.<sup>44</sup> FWC's action on an application is subject to review under the Administrative Procedure Act.<sup>45</sup>

FWC has adopted rules regarding the procedure for and review of these municipal or county ordinances establishing boating-restricted areas.<sup>46</sup>

#### [Florida Fish and Wildlife Commission's Uniform Waterway Markers](#)

The standards for uniform waterway markers in Florida Waters are outlined in Florida's Administrative Code.<sup>47</sup> These rules lay out a permitting procedure for all persons, local governments, or other governmental entities<sup>48</sup> to place or maintain markers in, on, or over the waters of the state or the shores.<sup>49</sup> If the application is for regulatory markers to implement boating-restricted areas that were required to be approved by FWC, then a copy of the approved ordinance must be provided.<sup>50</sup>

Additionally, these rules outline the procedures and requirements for markers, including the design, characteristics and coloring, construction, placement, and maintenance.<sup>51</sup> These rules ensure that these markers conform with federal standards to ensure consistency with other markers within the United States and often beyond.<sup>52</sup>

#### **OTHER RESOURCES:**

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

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<sup>44</sup> *Id.*

<sup>45</sup> [S. 327.46\(c\), F.S.](#)

<sup>46</sup> *See* Ch. 68D-21, F.A.C.

<sup>47</sup> *See* r. 68D-23, F.A.C.

<sup>48</sup> These rules do not apply to the United States Government or its agencies, nor to any aid to navigation, marker, mooring buoy, or other similar device placed thereby. *See* r. 68D-23.112, F.A.C.

<sup>49</sup> R. 68D-23.104, F.A.C.

<sup>50</sup> R. 68D-23.104(2)(f)1.b., F.A.C.

<sup>51</sup> R. 68D-23.102, F.A.C.

<sup>52</sup> R. 68D-23.101, F.A.C.