

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/HB 1173](#)

TITLE: Boating-restricted Areas

SPONSOR(S): Sirois

COMPANION BILL: None

LINKED BILLS: None

RELATED BILLS: [CS/CS/HB 1103](#) Andrade

Committee References

[Natural Resources & Disasters](#)

16 Y, 0 N, As CS



[Intergovernmental Affairs](#)



[State Affairs](#)

SUMMARY

Effect of the Bill:

The bill 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. The boundaries of such areas must be clearly marked by uniform waterway regulatory markers consistent with Fish and Wildlife Conservation Commission rules.

Fiscal or Economic Impact:

None.

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ANALYSIS

EFFECT OF THE BILL:

The bill creates an additional circumstance where cities and counties may establish a boating-restricted area through ordinance, which must be approved by the [Florida Fish and Wildlife Conservation Commission](#) (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 [1](#))

The effective date of the bill is July 1, 2026. (Section [2](#))

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.¹ 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.²

¹ Article [IV, s. 9, Fla. Cont.](#)

² *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.

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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.³ 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.⁴

Boating Restricted Areas

Current law authorizes FWC to establish boating-restricted areas by rule pursuant to Administrative Procedures Act.⁵ 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.⁶

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 which has been clearly marked by regulatory markers as an authorized restricted area.⁷ 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.⁸

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.⁹ 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.¹⁰ 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 their 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.¹¹

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.

³ Fish and Wildlife Conservation Commission (FWC), *Boating*, <https://myfwc.com/boating/> (last visited Feb. 10, 2026).

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

⁵ [S. 327.46\(1\)\(a\), F.S.](#)

⁶ [S. 327.46\(1\), F.S.](#)

⁷ [S. 327.46\(3\), F.S.](#)

⁸ [S. 327.46\(4\), F.S.](#)

⁹ [S. 327.60\(2\)\(c\), F.S.](#)

¹⁰ [S. 327.46\(1\)\(b\), F.S.](#)

¹¹ [S. 327.46\(1\)\(b\)1., F.S.](#)

- 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.¹²

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.¹³

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.¹⁴

Current law requires FWC to approve a municipality or county ordinance establishing these boating-restricted areas.¹⁵ 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.¹⁶ 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.¹⁷ An application must be considered complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired.¹⁸ FWC's action on an application is subject to review under the Administrative Procedures Act (ch. 120, F.S.).¹⁹

¹² [S. 327.46\(1\)\(b\)2., F.S.](#)

¹³ [S. 327.46\(1\)\(b\)3., F.S.](#)

¹⁴ [S. 327.46\(1\)\(c\), F.S.](#)

¹⁵ 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.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ [S. 327.46\(c\), F.S.](#)

FWC has adopted rules regarding the procedure for and review of these municipality or county ordinances establishing boating-restricted areas.²⁰

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.²¹ These rules lay out a permitting procedure for all persons, local governments, or other governmental entities²² to place or maintain markers in, on, or over the waters of the state or the shores.²³ 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.²⁴

Additionally, these rules outline the procedures and requirements for markers, including the design, characteristics and coloring, construction, placement, and maintenance.²⁵ These rules ensure that these markers conform with federal standards to ensure consistency with other markers within the United States and often beyond.²⁶

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2022	CS/CS/SB 494 - Fish and Wildlife Conservation Commission	Sirois/ <i>Hutson</i>	The bill became law on May 26, 2022, except Section 12 was effective on July 1, 2023.
2021	CS/CS/SB 1086 - Operation and Safety of Motor Vehicles and Vessels	Sirois/ <i>Hutson</i>	The bill became law on June 6, 2021, except Sections 1, 2, 6, 8, were effective on October 1, 2021, and Sections 25 and 28 were effective on July 1, 2023.

²⁰ See Ch. 68D-21, F.A.C.

²¹ See r. 68D-23, F.A.C.

²² 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.

²³ R. 68D-23.104, F.A.C.

²⁴ R. 68D-23.104(2)(f)b., F.A.C.

²⁵ *Id.*

²⁶ R. 68D-23.101, F.A.C.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Natural Resources & Disasters Subcommittee	16 Y, 0 N, As CS	2/12/2026	Skinner	Weiss
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Narrowed the scope of the bill by retaining current law that authorizes municipalities and counties to establish certain boating-restricted areas. Retained current law that requires FWC to approve county and municipality ordinances establishing certain boating-restricted areas before such ordinances take effect. 			
Intergovernmental Affairs Subcommittee				
State Affairs Committee				

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