

HB 1173

2026

A bill to be entitled  
An act relating to boating-restricted areas; amending  
s. 327.46, F.S.; revising the authority of  
municipalities and counties to establish ordinances  
for specified boating-restricted areas; requiring the  
boundaries of such areas to be clearly marked with  
specified markers; removing provisions requiring such  
ordinances to be reviewed and approved by the Fish and  
Wildlife Conservation Commission; providing an  
effective date.

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

Section 1. Subsection (1) of section 327.46, Florida Statutes, is amended to read:

327.46 Boating-restricted areas.—

(1) Boating-restricted areas, including, but not limited to, restrictions on vessel speed and operation, may be established as follows: of vessel speeds and vessel traffic, may be established on the waters of this state for any purpose necessary to protect the safety of the public if such restrictions are necessary based on boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards or to protect seagrasses on privately owned submerged lands.

26       (a) The commission may establish boating-restricted areas  
27 by rule pursuant to chapter 120.

28       (b) Municipalities and counties may establish the  
29 following boating-restricted areas by ordinance, including,  
30 notwithstanding the prohibition in s. 327.60(2)(c), within the  
31 portion of the Florida Intracoastal Waterway within their  
32 jurisdiction:

33       1. An ordinance establishing an idle speed, no wake  
34 boating-restricted area, if the area is:

35       a. Within 500 feet of any boat ramp, hoist, marine  
36 railway, or other launching or landing facility available for  
37 use by the general boating public on waterways more than 300  
38 feet in width or within 300 feet of any boat ramp, hoist, marine  
39 railway, or other launching or landing facility available for  
40 use by the general boating public on waterways not exceeding 300  
41 feet in width.

42       b. Within 500 feet of fuel pumps or dispensers at any  
43 marine fueling facility that sells motor fuel to the general  
44 boating public on waterways more than 300 feet in width or  
45 within 300 feet of the fuel pumps or dispensers at any licensed  
46 terminal facility that sells motor fuel to the general boating  
47 public on waterways not exceeding 300 feet in width.

48       c. Inside or within 300 feet of any lock structure.

49       2. An ordinance establishing a slow speed, minimum wake  
50 boating-restricted area if the area is:

51       a. Within 300 feet of any bridge fender system.

52       b. Within 300 feet of any bridge span presenting a

53       vertical clearance of less than 25 feet or a horizontal

54       clearance of less than 100 feet.

55       c. On a creek, stream, canal, or similar linear waterway

56       if the waterway is less than 75 feet in width from shoreline to

57       shoreline.

58       d. On a lake or pond of less than 10 acres in total

59       surface area.

60       e. Within the boundaries of a permitted public mooring

61       field and a buffer around the mooring field of up to 100 feet.

62       f. Within 500 feet of a sewage pumpout station at any

63       public or private nonresidential marina if the sewage pumpout

64       station is within 100 feet of the marked channel of the Florida

65       Intracoastal Waterway.

66       3. An ordinance establishing a vessel-exclusion zone if

67       the area is:

68       a. Designated as a public bathing beach or swim area,

69       except that such areas may not be created on waters that include

70       any portion of the Florida Intracoastal Waterway or that are

71       within 100 feet of the marked channel of the Florida

72       Intracoastal Waterway.

73       b. Within 300 feet of a dam, spillway, or flood control

74       structure.

76 Vessel exclusion zones created pursuant to this subparagraph  
77 must be marked with uniform waterway markers permitted by the  
78 commission in accordance with this chapter. Such zones may not  
79 be marked by ropes.

80 (c) Municipalities and counties may have the authority to  
81 establish by ordinance ~~the following~~ other boating-restricted  
82 areas to regulate vessel speed and operation:

83 1. ~~An ordinance establishing an idle speed, no wake  
boating restricted area, if the area is~~ within 300 feet of a  
84 confluence of water bodies presenting a blind corner up to a  
85 distance of 1,000 feet if the extended area is necessary to  
86 ensure safe navigation and visibility for approaching vessels.

87 The boundaries of such areas must be clearly marked with uniform  
88 waterway markers consistent with commission rules, ~~a bend in a~~  
89 ~~narrow channel or fairway, or such other area if an intervening~~  
90 ~~obstruction to visibility may obscure other vessels or other~~  
91 ~~users of the waterway.~~

92 2. ~~An ordinance establishing a slow speed, minimum wake,~~  
~~or numerical speed limit boating restricted area if the area is:~~

93 a. ~~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.~~

94 b. ~~Subject to unsafe levels of vessel traffic congestion.~~

101       e. ~~Subject to hazardous water levels or currents, or~~  
102 ~~containing other navigational hazards.~~

103       d. ~~An area that accident reports, uniform boating~~  
104 ~~citations, vessel traffic studies, or other creditable data~~  
105 ~~demonstrate to present a significant risk of collision or a~~  
106 ~~significant threat to boating safety.~~

107       3. ~~An ordinance establishing a vessel exclusion zone if~~  
108 ~~the area is reserved exclusively:~~

109       a. ~~As a canoe trail or otherwise limited to vessels under~~  
110 ~~oars or under sail.~~

111       b. ~~For a particular activity and user group separation~~  
112 ~~must be imposed to protect the safety of those participating in~~  
113 ~~such activity.~~

114

115 Any of the ordinances adopted pursuant to this paragraph shall  
116 not take effect until the commission has reviewed the ordinance  
117 and determined by substantial competent evidence that the  
118 ordinance is necessary to protect public safety pursuant to this  
119 paragraph. Any application for approval of an ordinance shall be  
120 reviewed and acted upon within 90 days after receipt of a  
121 completed application. Within 30 days after a municipality or  
122 county submits an application for approval to the commission,  
123 the commission shall advise the municipality or county as to  
124 what information, if any, is needed to deem the application  
125 complete. An application shall be considered complete upon

126 receipt of all requested information and correction of any error  
127 or omission for which the applicant was timely notified or when  
128 the time for such notification has expired. The commission's  
129 action on the application shall be subject to review under  
130 chapter 120. The commission shall initiate rulemaking no later  
131 than January 1, 2010, to provide criteria and procedures for  
132 reviewing applications and procedures for providing for public  
133 notice and participation pursuant to this paragraph.

134 (d) Owners of private submerged lands that are adjacent to  
135 Outstanding Florida Waters, as defined in s. 403.061(28), or an  
136 aquatic preserve established under ss. 258.39-258.399 may  
137 request that the commission establish boating-restricted areas  
138 solely to protect any seagrass and contiguous seagrass habitat  
139 within their private property boundaries from seagrass scarring  
140 due to propeller dredging. Owners making a request pursuant to  
141 this paragraph must demonstrate to the commission clear  
142 ownership of the submerged lands. The commission shall adopt  
143 rules to implement this paragraph, including, but not limited  
144 to, establishing an application process and criteria for meeting  
145 the requirements of this paragraph. Each approved boating-  
146 restricted area shall be established by commission rule. For  
147 marking boating-restricted zones established pursuant to this  
148 paragraph, owners of privately submerged lands shall apply to  
149 the commission for a uniform waterway marker permit in  
150 accordance with ss. 327.40 and 327.41, and shall be responsible

151 for marking the boating-restricted zone in accordance with the  
152 terms of the permit.

153 (e) As used in this section, the term "seagrass" has the  
154 same meaning as in s. 253.04.

155 **Section 2.** This act shall take effect July 1, 2026.