

By the Committee on Environment and Natural Resources; and
Senators Garcia and Jones

592-02472-26

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A bill to be entitled

An act relating to coral reefs; amending s. 403.93345, F.S.; revising legislative findings; providing a legislative designation; providing an effective date.

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

Section 1. Present subsections (5) through (12) of section 933.45, Florida Statutes, are redesignated as subsections (6) through (13), respectively, a new subsection (5) is added to section, and subsection (4) and present subsections (7) and (8) of that section are amended, to read:

403.93345 Coral reef protection.—

(4)(a) The Legislature finds that coral reefs are valuable natural resources that contribute ecologically, aesthetically, and economically to the state. Therefore, the Legislature declares it is in the best interest of the state to clarify the department's powers and authority to protect coral reefs through timely and efficient recovery of monetary damages resulting from vessel groundings and anchoring-related injuries.

(b) The Legislature further finds that coral reefs can help mitigate the risks and related loss and damage from floods, climate change, and natural disasters. The Legislature recognizes that studies have shown that healthy coral reefs can protect coastal properties from climate change-related risks and disaster events, including storms, high wave events, sea level rise, and flooding. The Federal Emergency Management Agency (FEMA) is responsible for responding to natural disasters and providing technical and financial hazard mitigation support,

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30 primarily distributed as grant funding through FEMA's hazard
31 mitigation assistance programs. Coral reef restoration for risk
32 reduction, known as CR4, is an active restoration strategy with
33 the aim of increasing the structural integrity and complexity of
34 coral reef ecosystems to attenuate wave energy and reduce
35 coastal flooding. Legislative recognition of coral reefs as
36 critical natural infrastructure and a nature-based solution
37 demonstrates political support for nature-based solutions.

38 (c) It is the intent of the Legislature that the department
39 be recognized as the state's lead trustee for coral reef
40 resources located within waters of the state or on sovereignty
41 submerged lands unless preempted by federal law. This section
42 does not divest other state agencies and political subdivisions
43 of the state of their interests in protecting coral reefs.

44 (5) The Legislature designates coral reefs as critical
45 natural infrastructure and as a nature-based solution that helps
46 mitigate climate change-related risks and disaster events,
47 including storms, high wave events, sea level rise, and
48 flooding. As such, the Legislature further designates the
49 protection of corals, coral reefs, and coral reef-associated
50 hardbottom in Broward, Martin, Miami-Dade, Monroe, and Palm
51 Beach Counties as being in the public interest.

52 (8) The department may use habitat equivalency analysis
53 as the method by which the compensation described in subsection
54 (7) is calculated. The parameters for calculation by this
55 method may be prescribed by rule adopted by the department.

56 (9) In addition to the compensation described in
57 subsection (7), the department may assess, per occurrence,
58 civil penalties according to the following schedule:

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59 (a) For any anchoring of a vessel on a coral reef or for
60 any other damage to a coral reef totaling less than or equal to
61 an area of 1 square meter, \$225, provided that a responsible
62 party who has anchored a recreational vessel as defined in s.
63 327.02 which is lawfully registered or exempt from registration
64 pursuant to chapter 328 is issued, at least once, a warning
65 letter in lieu of penalty; with aggravating circumstances, an
66 additional \$225; occurring within a state park or aquatic
67 preserve, an additional \$225.

68 (b) For damage totaling more than an area of 1 square meter
69 but less than or equal to an area of 10 square meters, \$450 per
70 square meter; with aggravating circumstances, an additional \$450
71 per square meter; occurring within a state park or aquatic
72 preserve, an additional \$450 per square meter.

73 (c) For damage exceeding an area of 10 square meters,
74 \$1,500 per square meter; with aggravating circumstances, an
75 additional \$1,500 per square meter; occurring within a state
76 park or aquatic preserve, an additional \$1,500 per square meter.

77 (d) For a second violation, the total penalty may be
78 doubled.

79 (e) For a third violation, the total penalty may be
80 tripled.

81 (f) For any violation after a third violation, the total
82 penalty may be quadrupled.

83 (g) The total of penalties levied may not exceed \$375,000
84 per occurrence.

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