

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: SB 1682

INTRODUCER: Senator Trumbull

SUBJECT: Local Administration of Vessel Restrictions

DATE: February 3, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carroll	Rogers	EN	Favorable
2.	Reagan	Betta	AEG	Pre-meeting
3.			RC	

I. Summary:

SB 1682 authorizes counties and municipalities to administer laws relating to vessels at risk of becoming derelict, long-term anchoring permits, and derelict vessels within their jurisdictions. Local governments that elect to administer these laws must adopt ordinances and coordinate with the Florida Fish and Wildlife Conservation Commission (FWC).

Local governments that adopt such ordinances may designate code enforcement officers to:

- Determine whether a vessel meets one or more at-risk conditions;
- Investigate, document, and cite long-term anchoring permit violations; and
- Determine whether a vessel is derelict.

The bill specifies that a code enforcement officer's determination or citation is not a criminal finding. Code enforcement officers may support a law enforcement agency, but they may not make criminal determinations or take any action reserved for law enforcement officers. For specified purposes, a code enforcement officer's determination or citation is equivalent to a law enforcement officer's determination or citation. Additionally, local governments must comply with state law and FWC rules before taking corrective action or issuing a citation.

Regarding at-risk or derelict vessels, local governments are not prohibited from coordinating with law enforcement agencies for criminal investigation or prosecution. Regarding long-term anchoring permits, administrative enforcement by a local government does not preclude parallel enforcement by law enforcement officers.

The bill authorizes the FWC to adopt rules to implement the authorizations.

This bill may have a positive fiscal impact because it may hasten the removal process for at risk and derelict vessels. As the condition of a vessel worsens, it becomes more expensive to remove,

so removing vessels as early as possible reduces the associated cost. See Section V., Fiscal Impact Statement.

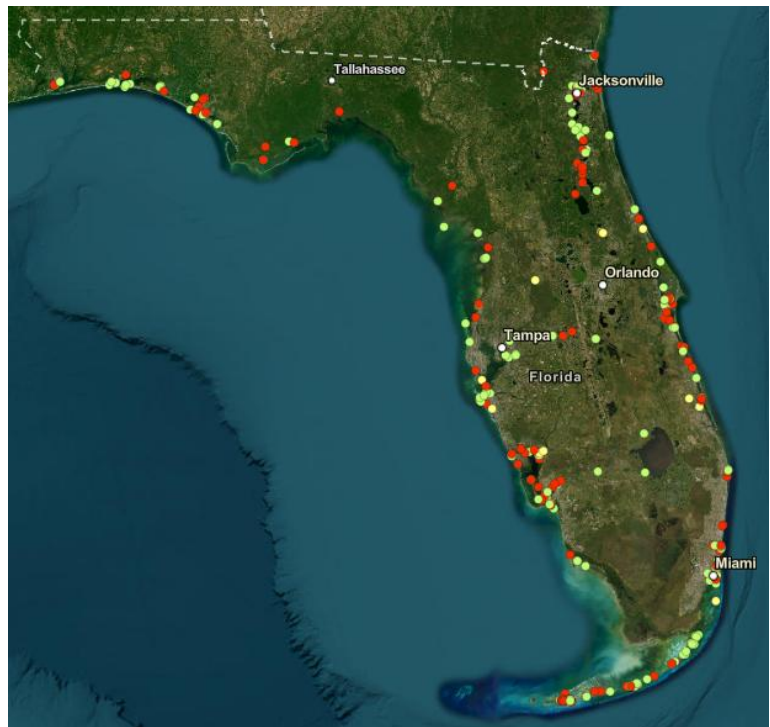
The bill has an effective date of July 1, 2026.

II. Present Situation:

Derelict Vessels

Derelict vessels can endanger marine life and habitats, threaten public safety, cause property damage, and create navigational hazards.¹ As of November 2025, there were 365 active cases for derelict vessels.²

A derelict vessel is a vessel that is in a wrecked,³ junked,⁴ or substantially dismantled⁵ condition upon any public waters of this state;⁶ 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.⁷ It is unlawful for a person, firm, or corporation to leave



¹ Atkins and Vogel Group, *Florida's Long-Term Stored Vessel Study*, 61 (Sept. 2023), available at <https://myfwc.com/media/longtermstoredvesselstudy.pdf>.

² Florida Fish and Wildlife Conservation Commission (FWC), *2025 Boating Legislation Implementation Presentation*, 6 (Oct. 7, 2025), available at <https://www.flsenate.gov/Committees/DownloadMeetingDocument/7816>; The map on this page may be found at the following location: FWC, *Derelict Vessels*,

<https://experience.arcgis.com/experience/decfb6b7ca024ac98f6f900d86784d09?views=View-5> (last visited Jan. 21, 2026).

³ 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. Section 823.11(1)(b), F.S.

⁴ 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. Section 823.11(1)(b), F.S.

⁵ 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. Section 823.11(1)(b), F.S.

⁶ "Waters of this state" are defined as any navigable waters of the United States within the territorial limits of this state, the marginal sea adjacent to this state, and the high seas when navigated as a part of a journey or ride to or from the shore of this state, and all the inland lakes, rivers, and canals under the jurisdiction of this state. Section 327.02(48), F.S.

⁷ Section 823.11(1)(b), F.S.

any derelict vessel on waters of this state.⁸

An FWC officer or other law enforcement agency or officer⁹ 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.¹⁰ 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.¹¹

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.¹²

It is a first degree misdemeanor to leave a derelict vessel on waters of the state and a court may order the imposition of a civil penalty in addition to any sentence imposed for the first offense.¹³ A conviction will not bar the assessment and collection of a civil penalty.¹⁴ If the owner or responsible party has been convicted of leaving a derelict vessel on waters of the state, they are prohibited from residing or dwelling on the vessel until it is permanently removed.¹⁵ They may reside or dwell on the vessel if it is returned to waters of the state when it is no longer derelict.¹⁶

Vessels at Risk of Becoming Derelict

To prevent neglected or deteriorating vessels from reaching a likely and foreseeable state of disrepair, a vessel that is at risk of becoming derelict may not be present on waters of this state.¹⁷

A vessel may be at risk of becoming derelict 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;

⁸ Section 823.11(2), F.S. The term "leave" means to allow a vessel to remain occupied or unoccupied on waters of this state for more than 24 hours.

⁹ Law enforcement agencies or officers specified in s. 327.70, F.S., include FWC's Division of Law Enforcement and its officers, sheriffs and their deputies, municipal police officers, and any other law enforcement officer defined in section 943.10, F.S. As defined in section 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.

¹⁰ Section 823.11(3), F.S.

¹¹ *Id.*

¹² Section 823.11(5), F.S.

¹³ Section 823.11(6), F.S.

¹⁴ *Id.*

¹⁵ Section 823.11(7), F.S.

¹⁶ *Id.*

¹⁷ Section 327.4107(1), F.S.

- The vessel does not have an effective means of propulsion and the owner or operator is unable to prove they have ordered the necessary parts for repair;¹⁸ or
- The vessel is tied to an unlawful or unpermitted structure or mooring.¹⁹

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.²⁰

It is a noncriminal infraction to anchor or moor a vessel at risk of becoming derelict on waters of the state, which is punishable by a civil penalty that increases for subsequent violations.²¹ 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.²²

A law enforcement officer may relocate a vessel that is at risk of becoming derelict 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.²³

A Vessel Declared a Public Nuisance

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 an 24-month period, the vessel may be declared a public nuisance.²⁴ Law enforcement officers may relocate or remove public nuisance vessels from waters of the state and are protected from liability for damage to the vessel, unless the damage is the result of gross negligence or willful misconduct.²⁵

Derelict and Public Nuisance Vessel Removal Procedure

If a law enforcement officer ascertains that a derelict vessel or a vessel declared a public nuisance is present on waters of the state, the officer must place a notice on the vessel stating that the vessel must be removed by the owner within 21 days.²⁶ The notice must inform the owner or interested parties that they have the right to a hearing to challenge the determination that the vessel is derelict or otherwise in violation of the law. It must also give notice that if the vessel is

¹⁸ If the owner or operator is present on the vessel, a law enforcement officer may require a test of the vessel's effective means of propulsion for safe navigation to be conducted immediately. If they are not present on the vessel, they must conduct the test in the presence of law enforcement and within 48 hours after receiving notice. Section 327.4107(2), F.S.

¹⁹ *Id.*

²⁰ *Id.*

²¹ Section 327.4107(3), F.S.; section 327.73(1)(aa), F.S.

²² Section 327.73(1)(aa), F.S.

²³ Section 327.4107(4), F.S.

²⁴ Section 327.73(1), F.S.

²⁵ *Id.* Gross negligence is defined as "conduct so reckless or wanting in care that it constitutes a conscious disregard or indifference to the safety of the property exposed to such conduct." Willful misconduct is defined as "conduct evidencing carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design or to show an intentional and substantial disregard of the interests of the vessel owner." Section 823.11(1)(c) and (d), F.S.

²⁶ Section 705.103(2)(a)1.b. and 2., F.S.

not removed by the owner, then the owner or responsible party will be liable for the costs of removal, destruction, and disposal.²⁷

In addition to posting the notice on the vessel, the law enforcement officer must also mail a copy of the notice to the owner, if the officer is able to determine the owner's name and address after reasonable efforts.²⁸ If the owner or any interested person has not removed the vessel or requested a hearing within 21 days of the notice being posted and mailed, the law enforcement agency or its designee may:

- Remove, destroy, and dispose of the vessel or authorize another governmental entity or its designee to do so; or
- Authorize the vessel's use as an artificial reef if all necessary authorizations are received.²⁹

The owner or responsible party who does not remove the derelict or public nuisance vessel from waters of the state following the receipt of notice will be liable for all costs of removal, storage, destruction, and disposal of the vessel, less any salvage value.³⁰ The owner or responsible party who refuses to pay these costs will not be issued a certificate of registration for the derelict or public nuisance vessel or any other vessel.³¹

Derelict Vessel Removal Programs

State law authorizes the FWC to establish a derelict vessel prevention program to address vessels at risk of becoming derelict.³² The program is not required to, but may include:

- Removing, relocating, and destroying vessels 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 a vessel at risk of becoming derelict to turn over their vessel and title to the FWC to be destroyed without penalty;
- Removing and destroying abandoned vessels;
- Purchasing anchor lines, anchors, and other equipment to secure vessels at risk of becoming derelict; and
- Creating or acquiring moorings designated for securing vessels at risk of becoming derelict.³³

Pursuant to this authorization, the FWC 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.³⁴

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 FWC's Derelict Vessel Removal Grant Program.³⁵

²⁷ Section 705.103(2)(a)2., F.S.

²⁸ *Id.*

²⁹ *Id.*

³⁰ Section 705.103(4), F.S.

³¹ *Id.*

³² Section 327.4107(6), F.S.

³³ *Id.*

³⁴ FWC, *Florida Vessel Turn-In Program*, <https://myfwc.com/boating/waterway/vtip/> (last visited Jan. 21, 2026).

³⁵ *Id.*; FWC, *Derelict Vessel Removal Grant Program*, <https://myfwc.com/boating/grants-programs/derelict-vessel/> (last visited Feb. 20, 2025).

The Derelict Vessel Removal Grant Program reimburses local governments and other political subdivisions of the state for removing, storing, destroying, and disposing of derelict and at-risk vessels.³⁶ The grant program allows the FWC to fully reimburse local governments for any eligible vessels in the grant contract.³⁷

Long-Term Anchoring Permits

Vessel owners or operators must obtain a long-term, no-cost anchoring permit when engaging in long-term anchoring.³⁸ Long-term anchoring is anchoring a vessel within one linear nautical mile of a documented anchorage point for 14 days or more within a 30-day period.³⁹

FWC-issued permits must include the vessel owner or operator's personal information, as well as information on the vessel itself.⁴⁰ The permit also must include where the vessel will be anchored and notice to the owner or operator that the permit may be revoked if the vessel is derelict, at risk of becoming derelict, or in violation of marine sanitation provisions.⁴¹

A person may obtain more than one permit; each permit is specific to one vessel.⁴² A permit must be renewed or updated for each long-term anchoring location and will expire one year from its date of issuance. The bill provides that a permit may be revoked if the permitted vessel is derelict, at risk of becoming derelict, or is operated or occupied on waters of the state in violation of marine sanitation laws.⁴³

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.⁴⁴ 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.⁴⁵

A person who engages in long-term anchoring without a valid permit commits a noncriminal infraction.⁴⁶ The penalty for a first offense is a maximum of \$100.⁴⁷ A second offense is a maximum of \$250 and a third or subsequent offense is a maximum of \$500. If a vessel is the

³⁶ FWC, *Derelict Vessel Removal Grant Program*; FWC, *FWC Derelict Vessel and At-Risk/Public Nuisance Vessel Removal Grant Program Guidelines*, 2 (Sept. 2024), available at <https://myfwc.com/media/nrhhfxsj/dv-grant-guidelines.pdf>.

³⁷ *Id.*

³⁸ Section 327.4111, F.S.

³⁹ Section 327.4111(1), F.S.

⁴⁰ Section 327.4111(2), F.S.

⁴¹ *Id.*

⁴² Section 327.4111(3), F.S.

⁴³ *Id.* Marine sanitation laws are found in section 327.53, F.S.

⁴⁴ Section 327.4111(6), F.S.

⁴⁵ Section 327.4111(5), F.S.

⁴⁶ Section 327.4111(4), F.S.

⁴⁷ Section 327.73(1)(gg), F.S.

subject of three or more violations within a 24-month period that result in dispositions other in acquittal or dismissal, it must be declared a public nuisance.⁴⁸

III. Effect of Proposed Changes:

Section 1 amends s. 327.4107, F.S., to authorize counties and municipalities to identify, provide notice, take corrective action, relocate, remove, store, destroy, or dispose of vessels at risk of becoming derelict within their jurisdictions, pursuant to the amended section, by adopting an ordinance to that effect.

A local government that elects to administer these laws must do so in coordination with the Florida Fish and Wildlife Conservation Commission (FWC).

The bill authorizes a local government that adopts such an ordinance to designate a code enforcement officer⁴⁹ to determine whether a vessel meets one or more at-risk conditions.⁵⁰

Regarding the code enforcement officer's determination:

- It is only for administrative abatement purposes;
- It may only be used to initiate notice, corrective action, relocation, storage, disposal, or cost-recovery actions pursuant to laws on vessels at risk of becoming derelict and in accordance with FWC rules; and
- It is not a criminal finding and may not serve as a basis for prosecution under this section or any other criminal violation relating to vessel conditions or derelict vessels.

A local government that adopts an ordinance on vessels at risk of becoming derelict must comply with all notice, documentation, environmental compliance, storage, and recordkeeping requirements established by the FWC and state law before taking corrective action on a vessel. The FWC may provide technical assistance and guidance to the local government.

The authorization does not prohibit a county or municipality from coordinating with law enforcement agencies for criminal investigation or prosecution for violations of vessel safety or public nuisance laws.⁵¹

Code enforcement officers may support a law enforcement agency by providing documentation, photographs, observations, statements, and other non-law enforcement support, but they may not make criminal determinations or take any action reserved for law enforcement officers in vessel safety laws.⁵²

The bill adds that, for any FWC-administered program relating to the prevention, mitigation, removal, relocation, storage, or destruction of at-risk vessels, including the derelict vessel prevention program, a code enforcement officer's designation of a vessel as at risk of becoming

⁴⁸ *Id.*

⁴⁹ A code enforcement officer is defined as "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." Section 162.21(1), F.S.

⁵⁰ See pages 3 and 4 of this analysis.

⁵¹ Specifically, chapters 327 and 823, F.S.

⁵² Specifically, chapter 327, F.S.

derelict must be treated as equivalent to the same designation by a law enforcement officer, provided the county or municipality submits all documentation, photographic evidence, and verification materials required by rule.

The bill authorizes the FWC to adopt rules to implement this authorization. The rules may include 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; and
- Auditing reimbursement or cost-recovery requests.

Section 2 amends s. 327.4111, F.S., to authorize counties and municipalities to enforce long-term anchoring permits within their jurisdictions by adopting an ordinance to that effect.

A local government that elects to enforce long-term anchoring permits must do so in coordination with the FWC.

The bill authorizes a local government that adopts such an ordinance to designate a code enforcement officer to investigate, document, and cite long-term anchoring permit violations. A citation for permit violations by a code enforcement officer is a noncriminal infraction that:

- May be issued through local code enforcement procedures or the uniform boating citation system, as determined by FWC rule or local ordinance;
- Does not constitute a criminal finding; and
- May only be used for the imposition of civil penalties, corrective actions, or cost recovery authorized under vessel safety laws.

A local government that adopts such an ordinance must comply with all permit verification, documentation, notice, and recordkeeping requirements established by the FWC before a code enforcement officer may issue a citation or take other enforcement action. The FWC may provide technical assistance, training, and guidance to the local government.

The bill provides that administrative enforcement by a local government does not preclude parallel enforcement by law enforcement officers. Additionally, a local government may coordinate with law enforcement agencies for criminal investigation or prosecution for violations of vessel safety or public nuisance laws.

Code enforcement officers 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 by vessel safety laws.

The bill further provides that, for any FWC-administered program relating to anchoring regulation, vessel compliance, or public nuisance abatement, a noncriminal infraction citation issued by a code enforcement officer must be treated as equivalent to a uniform boating citation issued by a law enforcement officer, provided the local government submits all documentation,

photographic evidence, location data, permit status verification, and other materials required by FWC rule.

The bill authorizes the FWC to adopt rules to implement this authorization. The rules may include procedures for:

- Local designation of code enforcement officers;
- Verifying compliance with permit requirements;
- Ensuring statewide consistency in enforcement criteria;
- Coordinating with the uniform boating citation system;
- Maintaining records of citations and resolutions;
- Providing technical assistance or training to local governments; and
- Auditing any reimbursement or cost-sharing requests.

Section 3 amends s. 823.11, F.S., to authorize counties and municipalities to identify, remove, store, destroy, or dispose of derelict vessels within their jurisdictions by adopting an ordinance to that effect.

A local government that elects to administer these laws must do so in coordination with the FWC.

The bill authorizes a local government that adopts such an ordinance to designate a code enforcement officer to determine whether a vessel is a derelict vessel. The code enforcement officer's determination is:

- For administrative abatement purposes only and may only be used to initiate notice, removal, disposal, and cost-recovery actions pursuant to the amended section and in accordance with FWC rules; and
- Not a criminal finding and may not serve as a basis for prosecution under the amended section.

A local government that adopts an ordinance must comply with all notice, documentation, storage, and environmental compliance requirements established by the FWC and the amended section before removing or disposing of a vessel. The FWC may provide technical assistance and guidance to the local government.

The bill provides that the authorization does not prohibit a local government from coordinating with law enforcement agencies for criminal investigation or prosecution of violations of vessel safety and public nuisance laws. A code enforcement officer may provide documentation, photographs, observations, statements, and other non-law enforcement support to a law enforcement agency, but may not make criminal determinations or take any action reserved for law enforcement officers.

The bill provides that for purposes of the Derelict Vessel Removal Grant Program administered by the FWC, a designation of a vessel as derelict by a code enforcement officer must be treated as equivalent to the same designation by a law enforcement officer, provided the local government submits all documentation, photographic evidence, location data, permit status verification, and other materials required by FWC rule.

The bill authorizes the FWC to adopt rules to implement this authorization, including procedures for:

- Verifying administrative designations;
- Maintaining records of removals;
- Providing technical assistance to local governments; and
- Auditing reimbursement requests.

The bill makes conforming changes.

Section 4 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill may have a positive fiscal impact because it may hasten the removal process for at risk and derelict vessels. As the condition of a vessel worsens, it becomes more

expensive to remove, so removing vessels as early as possible reduces the associated cost.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 327.4107, 327.4111, and 823.11

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.