

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: State Affairs Committee  
 2 Representative Overdorf offered the following:

**Amendment (with title amendment)**

Between lines 218 and 219, insert:

Section 2. Paragraph (s) of subsection (1) of section  
403.813, Florida Statutes, is amended to read:

403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter  
 373, chapter 61-691, Laws of Florida, or chapter 25214 or  
 chapter 25270, 1949, Laws of Florida, and a local government may  
 not require a person claiming this exception to provide further  
 department verification, for activities associated with the  
 following types of projects; however, except as otherwise  
 provided in this subsection, this subsection does not relieve an  
 applicant from any requirement to obtain permission to use or

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17 occupy lands owned by the Board of Trustees of the Internal  
18 Improvement Trust Fund or a water management district in its  
19 governmental or proprietary capacity or from complying with  
20 applicable local pollution control programs authorized under  
21 this chapter or other requirements of county and municipal  
22 governments:

23 (s) The construction, installation, operation, or  
24 maintenance of floating vessel platforms or floating boat lifts,  
25 provided that such structures:

26 1. Float at all times in the water for the sole purpose of  
27 supporting a vessel so that the vessel is out of the water when  
28 not in use;

29 2. Are wholly contained within a boat slip previously  
30 permitted under ss. 403.91-403.929, 1984 Supplement to the  
31 Florida Statutes 1983, as amended, or part IV of chapter 373, or  
32 do not exceed a combined total of 500 square feet, or 200 square  
33 feet in an Outstanding Florida Water, when associated with a  
34 dock that is exempt under this subsection or associated with a  
35 permitted dock with no defined boat slip or attached to a  
36 bulkhead on a parcel of land where there is no other docking  
37 structure;

38 3. Are not used for any commercial purpose or for mooring  
39 vessels that remain in the water when not in use, and do not  
40 substantially impede the flow of water, create a navigational

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41 hazard, or unreasonably infringe upon the riparian rights of  
42 adjacent property owners, as defined in s. 253.141;

43 4. Are constructed and used so as to minimize adverse  
44 impacts to submerged lands, wetlands, shellfish areas, aquatic  
45 plant and animal species, and other biological communities,  
46 including locating such structures in areas where seagrasses are  
47 least dense adjacent to the dock or bulkhead; and

48 5. Are not constructed in areas specifically prohibited  
49 for boat mooring under conditions of a permit issued in  
50 accordance with ss. 403.91-403.929, 1984 Supplement to the  
51 Florida Statutes 1983, as amended, or part IV of chapter 373, or  
52 other form of authorization issued by a local government.

53  
54 Structures that qualify for this exemption are relieved from any  
55 requirement to obtain permission to use or occupy lands owned by  
56 the Board of Trustees of the Internal Improvement Trust Fund  
57 and, with the exception of those structures attached to a  
58 bulkhead on a parcel of land where there is no docking  
59 structure, are ~~may~~ not ~~be~~ subject to any more stringent  
60 permitting requirements, registration requirements, or other  
61 regulation by any local government. Structures associated with a  
62 dock on a parcel of land under subparagraph 2. that comply with  
63 this paragraph create a presumption of compliance with any  
64 requirement to minimize adverse environmental impacts. A local  
65 government ~~governments~~ may require a permit ~~either permitting or~~

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66 one-time registration of floating vessel platforms to be  
67 attached to a bulkhead on a parcel of land where there is no  
68 other docking structure as necessary to ensure compliance with  
69 local ordinances, codes, or regulations. A local government  
70 ~~governments~~ may require a ~~either permitting or~~ one-time  
71 registration of all other floating vessel platforms only as  
72 necessary to ensure compliance with the exemption criteria in  
73 this section ~~or~~ or to ensure compliance with local electrical or  
74 plumbing ordinances, codes ~~that,~~ ~~or regulations relating to~~  
75 ~~building or zoning, which~~ are no more stringent than the  
76 exemption criteria in this section or address subjects other  
77 than subjects addressed by the exemption criteria in this  
78 section; and to ensure proper installation, maintenance, and  
79 precautionary or evacuation action following a tropical storm or  
80 hurricane watch of a floating vessel platform or floating boat  
81 lift that is proposed to be attached to a bulkhead or parcel of  
82 land where there is no other docking structure. The exemption  
83 provided in this paragraph is ~~shall be~~ in addition to the  
84 exemption provided in paragraph (b). The department shall adopt  
85 a general permit by rule for the construction, installation,  
86 operation, or maintenance of those floating vessel platforms or  
87 floating boat lifts that do not qualify for the exemption  
88 provided in this paragraph but do not cause significant adverse  
89 impacts to occur individually or cumulatively. The issuance of  
90 such general permit ~~shall~~ also constitutes ~~constitute~~ permission

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91 to use or occupy lands owned by the Board of Trustees of the  
92 Internal Improvement Trust Fund. A local government ~~governments~~  
93 may not impose a more stringent regulation, permitting  
94 requirement, registration requirement, or other regulation  
95 covered by such general permit. A local government ~~governments~~  
96 may require either permitting or one-time registration of  
97 floating vessel platforms as necessary to ensure compliance with  
98 the general permit in this section; to ensure compliance with  
99 local ordinances, codes, or regulations relating to building or  
100 zoning that are no more stringent than the general permit in  
101 this section; and to ensure proper installation and maintenance  
102 of a floating vessel platform or floating boat lift that is  
103 proposed to be attached to a bulkhead or parcel of land where  
104 there is no other docking structure. As used in this paragraph,  
105 the term "local government" includes a charter county, a county  
106 that is required to implement a manatee protection plan pursuant  
107 to s. 379.2431(2)(t), or a county or municipality that  
108 establishes and administers a local pollution control program  
109 under s. 403.182.

111 -----  
112 **T I T L E A M E N D M E N T**

113 Remove line 15 and insert:

114 rules; amending s. 403.813, F.S.; providing that specified  
115 structures associated with a dock create a presumption of

COMMITTEE/SUBCOMMITTEE AMENDMENT

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116 | compliance with certain environmental impact requirements;  
117 | providing a definition; amending s. 403.892, F.S.;  
118 | correcting a cross-