

26 governmental or proprietary capacity or from complying with
 27 applicable local pollution control programs authorized under
 28 this chapter or other requirements of county and municipal
 29 governments:

30 (s) The construction, installation, operation, or
 31 maintenance of floating vessel platforms or floating boat
 32 lifts, ~~provided that such structures:~~

33 1. To qualify for an exemption under this paragraph, the
 34 structure must:

35 a. Float at all times in the water for the sole purpose of
 36 supporting a vessel so that the vessel is out of the water when
 37 not in use;

38 ~~b.2.~~ Be ~~Are~~ wholly contained within a boat slip previously
 39 permitted under ss. 403.91-403.929, 1984 Supplement to the
 40 Florida Statutes 1983, as amended, or part IV of chapter 373, or
 41 ~~do~~ not exceed a combined total of 500 square feet, or 200 square
 42 feet in an Outstanding Florida Water, when associated with a
 43 dock that is exempt under this subsection or associated with a
 44 permitted dock with no defined boat slip or attached to a
 45 bulkhead on a parcel of land where there is no other docking
 46 structure;

47 ~~c.3.~~ Not be ~~Are not~~ used for any commercial purpose or for
 48 mooring vessels that remain in the water when not in use, and ~~do~~
 49 not substantially impede the flow of water, create a
 50 navigational hazard, or unreasonably infringe upon the riparian

51 rights of adjacent property owners, as defined in s. 253.141;
 52 ~~d.4. Be~~ Are constructed and used so as to minimize adverse
 53 impacts to submerged lands, wetlands, shellfish areas, aquatic
 54 plant and animal species, and other biological communities,
 55 including locating such structures in areas where seagrasses are
 56 least dense adjacent to the dock or bulkhead; and
 57 ~~e.5. Are Not~~ be constructed in areas specifically
 58 prohibited for boat mooring under conditions of a permit issued
 59 in accordance with ss. 403.91-403.929, 1984 Supplement to the
 60 Florida Statutes 1983, as amended, or part IV of chapter 373, or
 61 other form of authorization issued by a local government.
 62 2. The owner of a structure ~~Structures~~ that qualifies
 63 ~~qualify for an this~~ exemption under this paragraph is not
 64 required ~~are relieved from any requirement~~ to obtain permission
 65 to use or occupy lands owned by the Board of Trustees of the
 66 Internal Improvement Trust Fund, and, with the exception of
 67 those structures attached to a bulkhead on a parcel of land
 68 where there is no docking structure, the structure may not be
 69 subject to any more stringent permitting requirements,
 70 registration requirements, or other regulation by any local
 71 government. For a floating vessel platform to be attached to a
 72 bulkhead on a parcel of land where there is no docking
 73 structure, a local government ~~governments~~ may require the
 74 platform owner to obtain a permit ~~either permitting~~ or one-time
 75 registration of the floating vessel platform ~~platforms to be~~

76 | ~~attached to a bulkhead on a parcel of land where there is no~~
 77 | ~~other docking structure~~ as necessary to ensure compliance with
 78 | local ordinances, codes, or regulations. A local government
 79 | ~~governments~~ may require only a ~~either permitting or~~ one-time
 80 | registration of all other floating vessel platforms where the
 81 | platform owner self-certifies ~~as necessary to ensure~~ compliance
 82 | with the exemption criteria in this section; to ensure
 83 | compliance with ~~local~~ ordinances, codes, state-delegated or
 84 | state-mandated plans or programs, or regulations relating to
 85 | building or zoning, which may not be applied more stringently
 86 | ~~are no more stringent than,~~ or inconsistent with, the exemption
 87 | criteria in this section and ~~or~~ address subjects other than
 88 | subjects addressed by the exemption criteria in this section;
 89 | and to ensure proper installation, maintenance, and
 90 | precautionary or evacuation action following a tropical storm or
 91 | hurricane watch of a floating vessel platform or floating boat
 92 | lift that is proposed to be attached to a bulkhead or parcel of
 93 | land where there is no other docking structure.

94 | 3. The exemption provided in this paragraph ~~is shall be~~ in
 95 | addition to the exemption provided in paragraph (b). The
 96 | department shall adopt a general permit by rule for the
 97 | construction, installation, operation, or maintenance of those
 98 | floating vessel platforms or floating boat lifts that do not
 99 | qualify for the exemption provided in this paragraph but do not
 100 | cause significant adverse impacts to occur individually or

101 cumulatively. The issuance of such general permit constitutes
102 ~~shall also constitute~~ permission to use or occupy lands owned by
103 the Board of Trustees of the Internal Improvement Trust Fund. A
104 local government ~~governments~~ may not impose a more stringent
105 regulation, permitting requirement, registration requirement, or
106 other regulation covered by such general permit. A local
107 government ~~governments~~ may require a structure owner to obtain
108 either a permit ~~permitting~~ or one-time registration of floating
109 vessel platforms as necessary to ensure compliance with the
110 general permit in this section; to ensure compliance with local
111 ordinances, codes, or regulations relating to building or zoning
112 that are no more stringent than the general permit in this
113 section; and to ensure proper installation and maintenance of a
114 floating vessel platform or floating boat lift that is proposed
115 to be attached to a bulkhead or parcel of land where there is no
116 other docking structure.

117 Section 2. This act shall take effect July 1, 2023.