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LEGISLATIVE ACTION

Senate

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House

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Senator Trumbull moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (24) and (35) through (47) of
section 327.02, Florida Statutes, are amended, and a new
subsection (47) is added to that section, to read:

327.02 Definitions.—As used in this chapter and in chapter
328, unless the context clearly requires a different meaning,
the term:

(24) "Livery vessel" means a leased or rented vessel



180386

12 ~~leased, rented, or chartered to another for consideration.~~

13 (35) ~~"Owner" means a person, other than a lienholder,~~
14 ~~having the property in or title to a vessel. The term includes a~~
15 ~~person entitled to the use or possession of a vessel subject to~~
16 ~~an interest in another person which is reserved or created by~~
17 ~~agreement and securing payment of performance of an obligation.~~
18 ~~The term does not include a lessee under a lease not intended as~~
19 ~~security.~~

20 ~~(36)~~ "Person" means an individual, partnership, firm,
21 corporation, association, or other entity.

22 (36)~~(37)~~ "Personal watercraft" means a vessel less than 16
23 feet in length which uses an inboard motor powering a water jet
24 pump as its primary source of motive power and which is designed
25 to be operated by a person sitting, standing, or kneeling on the
26 vessel, rather than in the conventional manner of sitting or
27 standing inside the vessel.

28 (37)~~(38)~~ "Portable toilet" means a device consisting of a
29 lid, seat, containment vessel, and support structure which is
30 specifically designed to receive, retain, and discharge human
31 waste and which is capable of being removed from a vessel by
32 hand.

33 (38)~~(39)~~ "Prohibited activity" means activity that will
34 impede or disturb navigation or creates a safety hazard on
35 waterways of this state.

36 (39)~~(40)~~ "Racing shell," "rowing scull," or "racing kayak"
37 means a manually propelled vessel that is recognized by national
38 or international racing associations for use in competitive
39 racing and in which all occupants, with the exception of a
40 coxswain, if one is provided, row, scull, or paddle and that is



180386

not designed to carry and does not carry any equipment not solely for competitive racing.

~~(40)(41)~~ "Recreational vessel" means a vessel:

(a) Manufactured and used primarily for noncommercial purposes; or

(b) Leased, rented, or chartered to a person for his or her noncommercial use.

~~(41)(42)~~ "Registration" means a state operating license on a vessel which is issued with an identifying number, an annual certificate of registration, and a decal designating the year for which a registration fee is paid.

~~(42)(43)~~ "Resident" means a citizen of the United States who has established residence in this state and has continuously resided in this state for 1 year and in one county for the 6 months immediately preceding the initiation of a vessel titling or registration action.

~~(43)(44)~~ "Sailboat" means a vessel whose sole source of propulsion is the wind.

~~(44)(45)~~ "Sustained wind speed" means a wind speed determined by averaging the observed wind speed rounded up to the nearest mile per hour over a 2-minute period.

~~(45)(46)~~ "Unclaimed vessel" means an undocumented vessel, including its machinery, rigging, and accessories, which is in the physical possession of a marina, garage, or repair shop for repairs, improvements, or other work with the knowledge of the vessel owner and for which the costs of such services have been unpaid for more than 90 days after the date written notice of the completed work is given by the marina, garage, or repair shop to the vessel owner.



180386

(46)~~(47)~~ "Vessel" is synonymous with boat as referenced in s. 1(b), Art. VII of the State Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(47) "Vessel owner" means a person, other than a lienholder or lessee under a lease that is not intended as security, having the property in or title to a vessel. The term includes all of the following:

(a) A person entitled to the use or possession of a vessel subject to an interest in another person which is reserved or created by agreement and securing payment of performance of an obligation. The term does not include a lessee under a lease not intended as security.

(b) A person identified in the records of the Department of Highway Safety and Motor Vehicles or other state equivalent, as the title certificate holder of the vessel.

(c) A person identified as the buyer, transferee, or new owner in a notice filed pursuant to s. 328.64(1).

(d) A person who has signed a written agreement for the purchase and sale of the vessel and paid the consideration, if any, required under the agreement.

(e) A person who has provided a written, signed receipt to the seller or transferor of the vessel acknowledging actual receipt and possession of the vessel.

Section 2. Subsection (5) of section 327.30, Florida Statutes, is amended to read:

327.30 Collisions, accidents, and casualties.—

(5) It is unlawful for a person operating a vessel involved



180386

in an accident or injury to leave the scene of the accident or injury without giving all possible aid to all persons involved and making a reasonable effort to locate the owner or persons affected and subsequently complying with and notifying the appropriate law enforcement official as required under this section.

(a) If a ~~Any~~ person ~~who~~ violates this subsection and the
~~with respect to an~~ accident ~~results~~ ~~resulting~~ in:

1. Property damage only, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

2. Injury to a person other than serious bodily injury, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Serious bodily injury, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. The death of another person or an unborn child, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) If a person operating a vessel involved in an accident that results in the death of another person or an unborn child provides a false statement to an investigating law enforcement officer, the person ~~personal injury~~ commits a felony of the third degree, punishable as provided in ~~s. 775.082, s. 775.083, or s. 775.084.~~ Any person who violates this subsection with respect to an accident resulting in property damage only commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.



180386

Section 3. Subsection (1) of section 327.33, Florida Statutes, is amended to read:

327.33 Reckless or careless operation of vessel.—

(1) It is unlawful to operate a vessel in a reckless manner. A person who operates any vessel, or manipulates any water skis, aquaplane, or similar device, in willful or wanton disregard for the safety of persons or property at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, or injure a person is guilty of reckless operation of a vessel. Reckless operation of a vessel includes, but is not limited to, a violation of s. 327.331(6). If a person who violates this subsection and the violation:

(a) Does not result in an accident, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Results in an accident that does not cause serious bodily injury, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Results in an accident that causes serious bodily injury, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Results in an accident that causes the death of another person or an unborn child, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 4. Section 327.35105, Florida Statutes, is created to read:

327.35105 Additional penalty for boating under the influence or reckless operation of vessel.—The driver license of



180386

a person convicted of a violation of s. 327.33(1)(b), (c), or (d) or s. 327.35 must be suspended until all orders of the court have been satisfied.

Section 5. Subsections (2) and (3) of section 327.4107, Florida Statutes, are amended, and paragraph (a) of subsection (7) of that section is reenacted and amended, to read:

327.4107 Vessels at risk of becoming derelict on waters of this state.—

(2) It is a noncriminal infraction punishable as provided in s. 327.73 for a person to anchor or moor ~~an officer of the commission or of a law enforcement agency specified in s. 327.70 may determine that~~ a vessel ~~is~~ at risk of becoming derelict on the waters of this state or to allow such vessel to occupy such waters. A vessel is at risk of becoming derelict if, as determined by an officer of the commission or a law enforcement agency, ~~if~~ any of the following conditions exist:

(a) The vessel is taking on or has taken on water without an effective means to dewater.

(b) Spaces on the vessel which ~~that~~ are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time.

(c) The vessel has broken loose or is in danger of breaking loose from its anchor.

(d) The vessel is listing due to water intrusion.

(e) The vessel does not have an effective means of propulsion, and the vessel owner or operator is unable to provide a receipt, proof of purchase, or other documentation of having ordered necessary parts for repair. If the owner or operator is present on the vessel, a law enforcement officer may



180386

require a test of the vessel's effective means of propulsion for safe navigation, to be conducted immediately. If the owner or operator is not present on the vessel, the owner or operator must, in the presence of law enforcement, conduct the test for effective means of propulsion for safe navigation within ~~48~~ 72 hours after the vessel owner or operator receives telephonic notice from a law enforcement officer, ~~in-person notice recorded on an agency-approved body camera, or written notice, which may be provided by facsimile, electronic mail, or other electronic means, stating such from an officer, and the vessel owner or operator is unable to provide a receipt, proof of purchase, or other documentation of having ordered necessary parts for vessel repair.~~ The commission may adopt rules to implement this paragraph.

(f) The vessel is tied to an unlawful or unpermitted structure or mooring.

~~(3) A person who anchors or moors a vessel at risk of becoming derelict on the waters of this state or allows such a vessel to occupy such waters commits a noncriminal infraction, punishable as provided in s. 327.73.~~

(6) ~~(7)~~ The commission may establish a derelict vessel prevention program to address vessels at risk of becoming derelict. Such program may, but is not required to, include:

(a) Removal, relocation, and destruction of vessels declared a public nuisance, derelict or at risk of becoming derelict, or lost or abandoned in accordance with s. 327.53(7), s. 327.73(1)(aa), s. 705.103(2) and (4), or s. 823.11(3).

The commission may adopt rules to implement this subsection.



180386

Implementation of the derelict vessel prevention program shall be subject to appropriation by the Legislature and shall be funded by the Marine Resources Conservation Trust Fund or the Florida Coastal Protection Trust Fund.

Section 6. Effective January 1, 2026, section 327.4111, Florida Statutes, is created to read:

327.4111 Long-term anchoring.—

(1) As used in this section, the term “long-term anchoring” means anchoring a vessel within 1 linear nautical mile of a documented anchorage point for 14 days or more within a 30-day period.

(2) The commission shall, at no cost to the applicant, issue a permit for the long-term anchoring of a vessel within the waters of this state upon receiving an application that includes, but is not limited to, all of the following information:

(a) For the vessel owner or operator:

1. Name.

2. Mailing address.

3. Telephone number.

4. E-mail address.

5. Birthdate.

6. Driver license number, if applicable.

(b) For the vessel:

1. Make.

2. Model.

3. Year.

4. Style.

5. Hull identification number.



180386

244 6. Registration number or United States Coast Guard
245 documentation, if applicable.

246 7. Vessel name, if applicable.

247 (c) Location where the vessel will be anchored.

248 (d) Notice that the long-term anchoring permit may be
249 revoked if the vessel is a derelict vessel as defined in s.
250 823.11, or is at risk of becoming derelict as provided in s.
251 327.4107, or is in violation of marine sanitation provisions in
252 s. 327.53.

253 (3) The long-term anchoring permit established under this
254 section is specific to one vessel only. However, a person may
255 obtain more than one permit. A permit must be renewed or updated
256 for each long-term anchoring location. Long-term anchoring
257 permits expire 1 year from the date of issuance and may be
258 revoked if the permitted vessel is a derelict vessel as defined
259 in s. 823.11, is at risk of becoming derelict, or is operated or
260 occupied on waters of this state in violation of s. 327.53.

261 (4) A person who engages in long-term anchoring of a vessel
262 within the waters of this state without a valid long-term
263 anchoring permit commits a noncriminal infraction, punishable as
264 provided in s. 327.73.

265 (5) This section does not apply to any of the following:

266 (a) Vessels owned or operated by a governmental entity for
267 law enforcement, firefighting, military, or rescue purposes.

268 (b) Construction or dredging vessels on an active job site.

269 (c) Vessels actively engaged in commercial fishing.

270 (d) Vessels engaged in recreational fishing if the persons
271 onboard are actively tending hook and line fishing gear or nets.

272 (6) A permit under this section is not required if a vessel



180386

is docked at a public or private dock or moored to a mooring buoy permitted as provided in s. 327.40.

(7) In implementing this section, the commission must use an electronic application and permitting system.

(8) The provisions of this section do not supersede any other anchoring limitations established pursuant to law.

(9) The commission may adopt rules to implement this section.

Section 7. Subsection (2) of section 327.45, Florida Statutes, is amended to read:

327.45 Protection zones for springs.—

(2) The commission may establish by rule protection zones that restrict the speed and operation of vessels, or that prohibit or modify the allowable means of anchoring, mooring, beaching, or grounding of vessels, to protect and prevent significant harm to first, second, and third magnitude springs and springs groups, including their associated spring runs, as determined by the commission using the most recent Florida Geological Survey springs bulletin. Significant ~~This~~ harm includes negative impacts to water quality, water quantity, hydrology, wetlands, and aquatic and wetland-dependent species where the operation, anchoring, mooring, beaching, or grounding of vessels is determined to be the predominant cause of negative impacts.

Section 8. Paragraph (c) of subsection (1) of section 327.54, Florida Statutes, is amended, and paragraph (d) of subsection (3) is reenacted to read:

327.54 Liveries; safety regulations; penalty.—

(1) As used in this section, the term:



180386

(c) "Livery" means a person who advertises and offers a livery vessel for use by another in exchange for any type of consideration when such person does not also provide or does not require the lessee or renter to provide as a condition of the rental or lease agreement a person licensed by the United States Coast Guard to serve as master of the vessel or to ~~with a captain, a crew, or any type of staff or personnel to operate, oversee, maintain, or~~ manage the vessel. The owner of a vessel who does not advertise his or her vessel for use by another for consideration and who loans or offers his or her vessel for use to another known to him or her either for consideration or without consideration is not a livery. A public or private school or postsecondary institution located within this state is not a livery. A vessel rented or leased by a livery is a livery vessel as defined in s. 327.02.

(3) A livery may not knowingly lease or rent a vessel to any person:

(d) When the vessel is not seaworthy, is a derelict vessel as defined in s. 823.11, or is at risk of becoming derelict as provided in s. 327.4107.

Section 9. Section 327.56, Florida Statutes, is amended to read:

327.56 Safety and marine sanitation equipment inspections; probable cause; qualified.-

(1) An ~~No~~ officer may not ~~shall~~ board any vessel or perform a vessel stop in this state unless ~~to make a safety or marine sanitation equipment inspection if the owner or operator is not aboard. When the owner or operator is aboard, an officer may board a vessel with consent or when the officer has probable~~



180386

cause ~~or knowledge~~ to believe that a violation of a ~~provision of~~
this chapter has occurred or is occurring.

(2) An officer may not perform a vessel stop or board a
vessel for the sole purpose of performing a safety or marine
sanitation equipment inspection. A violation of safety or marine
sanitation equipment requirements is a secondary offense, rather
than a primary offense ~~An officer may board a vessel when the~~
~~operator refuses or is unable to display the safety or marine~~
~~sanitation equipment required by law, if requested to do so by a~~
~~law enforcement officer, or when the safety or marine sanitation~~
~~equipment to be inspected is permanently installed and is not~~
~~visible for inspection unless the officer boards the vessel.~~

~~(2) Inspection of floating structures for compliance with~~
~~this section shall be as provided in s. 403.091.~~

Section 10. Subsection (2) and paragraph (a) of subsection
(3) of section 327.70, Florida Statutes, are amended, and
paragraph (e) is added to subsection (3) of that section, to
read:

327.70 Enforcement of this chapter and chapter 328.—

(2)(a)1. The commission, in coordination with the
Department of Highway Safety and Motor Vehicles, shall create a
"Florida Freedom Boater" safety inspection decal for issue at
the time of registration or renewal, signifying that the vessel
is deemed to have met the safety equipment carriage and use
requirements of this chapter. Upon demonstrated compliance with
the safety equipment carriage and use requirements of this
chapter at the time of registration or renewal ~~during a safety~~
~~inspection initiated by a law enforcement officer,~~ the operator
of a vessel shall be issued a "Florida Freedom Boater" safety



180386

inspection decal ~~signifying that the vessel is deemed to have met the safety equipment carriage and use requirements of this chapter at the time and location of such inspection.~~ The commission may designate by rule the timeframe for expiration of, and the specific design for, the Florida Freedom Boater safety inspection decal. However, a decal may not be valid for less than 1 calendar year or more than 5 years at the time of issue and, at a minimum, must meet the standards specified in this paragraph. ~~All decals issued by the commission on or before December 31, 2018, are no longer valid after that date.~~

2. The Florida Freedom Boater safety inspection decal, ~~if displayed,~~ must be located within 6 inches of the inspected vessel's properly displayed vessel registration decal. For nonmotorized vessels that are not required to be registered, the Florida Freedom Boater safety inspection decal, ~~if displayed,~~ must be located above the waterline on the forward half of the port side of the vessel.

(b) ~~If a vessel properly displays a valid safety inspection decal created or approved by the division, a law enforcement officer may not stop the vessel for the sole purpose of inspecting the vessel for compliance with the safety equipment carriage and use requirements of this chapter unless there is reasonable suspicion that a violation of a safety equipment carriage or use requirement has occurred or is occurring.~~ This subsection does not restrict a law enforcement officer from stopping a vessel for any other lawful purpose when the officer has probable cause to believe that a violation of this chapter has occurred or is occurring.

(3) (a) Noncriminal violations of the following statutes may



180386

be enforced by a uniform boating citation mailed to the registered owner of an unattended vessel anchored, aground, or moored on the waters of this state:

1. Section 327.33(3)(b), relating to navigation rules.

2. Section 327.44, relating to interference with navigation.

3. Section 327.50(2), relating to required lights and shapes.

4. Section 327.53, relating to marine sanitation.

5. Section 328.48(5), relating to display of decal.

6. Section 328.52(2), relating to display of number.

7. Section 327.4107, relating to vessels at risk of becoming derelict.

8. Section 327.4109, relating to prohibited anchoring or mooring.

9. Section 328.72(13), relating to expired registration.

10. Section 327.4111, relating to long-term anchoring.

(e) A noncriminal violation of s. 327.4111 may be enforced by a uniform boating citation issued to the owner or operator of a vessel engaged in unlawful long-term anchoring.

Section 11. Subsection (1) of section 327.73, Florida Statutes, is amended to read:

327.73 Noncriminal infractions.—

(1) Violations of the following provisions of the vessel laws of this state are noncriminal infractions:

(a) Section 328.46, relating to operation of unregistered and unnumbered vessels.

(b) Section 328.48(4), relating to display of number and possession of registration certificate.



180386

- 418 (c) Section 328.48(5), relating to display of decal.
- 419 (d) Section 328.52(2), relating to display of number.
- 420 (e) Section 328.54, relating to spacing of digits and
421 letters of identification number.
- 422 (f) Section 328.60, relating to military personnel and
423 registration of vessels.
- 424 (g) Section 328.72(13), relating to operation with an
425 expired registration, for which the penalty is:
- 426 1. For a first or subsequent offense of s. 328.72(13)(a),
427 up to a maximum of \$100.
- 428 2. For a first offense of s. 328.72(13)(b), up to a maximum
429 of \$250.
- 430 3. For a second or subsequent offense of s. 328.72(13)(b),
431 up to a maximum of \$500. A ~~Any~~ person cited for a noncriminal
432 infraction under this subparagraph may not have the provisions
433 of paragraph (4)(a) available to him or her but must appear
434 before the designated official at the time and location of the
435 scheduled hearing.
- 436 (h) Section 327.33(2), relating to careless operation.
- 437 (i) Section 327.37, relating to water skiing, aquaplaning,
438 parasailing, and similar activities.
- 439 (j) Section 327.44, relating to interference with
440 navigation.
- 441 (k) Violations relating to boating-restricted areas and
442 speed limits:
- 443 1. Established by the commission or by local governmental
444 authorities pursuant to s. 327.46.
- 445 2. Speed limits established pursuant to s. 379.2431(2).
- 446 (l) Section 327.48, relating to regattas and races.



180386

(m) Section 327.50(1) and (2), relating to required safety equipment, lights, and shapes.

(n) Section 327.65, relating to muffling devices.

(o) Section 327.33(3)(b), relating to a violation of navigation rules:

1. That does not result in an accident; or

2. That results in an accident not causing serious bodily injury or death, for which the penalty is:

a. For a first offense, up to a maximum of \$500.

b. For a second offense, up to a maximum of \$1,000.

c. For a third or subsequent offense, up to a maximum of \$1,500.

(p) Section 327.39(1), (2), (3), and (5), relating to personal watercraft.

(q) Section 327.53(1), (2), (3), and (8), relating to marine sanitation.

(r) Section 327.53(4), (5), and (7), relating to marine sanitation, and s. 327.60, relating to no-discharge zones, for which the civil penalty is \$250.

(s) Section 327.395, relating to boater safety education. However, a person cited for violating the requirements of s. 327.395 relating to failure to have required proof of boating safety education in his or her possession may not be convicted if, before or at the time of a county court hearing, the person produces proof of the boating safety education identification card or temporary certificate for verification by the hearing officer or the court clerk and the identification card or temporary certificate was valid at the time the person was cited.



180386

(t) Section 327.52(3), relating to operation of overloaded or overpowered vessels.

(u) Section 327.331, relating to divers-down warning devices, except for violations meeting the requirements of s. 327.33.

(v) Section 327.391(1), relating to the requirement for an adequate muffler on an airboat.

(w) Section 327.391(3), relating to the display of a flag on an airboat.

(x) Section 253.04(3)(a), relating to carelessly causing seagrass scarring, for which the civil penalty upon conviction is:

1. For a first offense, \$100.

2. For a second offense occurring within 12 months after a prior conviction, \$250.

3. For a third offense occurring within 36 months after a prior conviction, \$500.

4. For a fourth or subsequent offense occurring within 72 months after a prior conviction, \$1,000.

(y) Section 327.45, relating to protection zones for springs, for which the penalty is:

1. For a first offense, \$100.

2. For a second offense occurring within 12 months after a prior conviction, \$250.

3. For a third offense occurring within 36 months after a prior conviction, \$500.

4. For a fourth or subsequent offense occurring within 72 months after a prior conviction, \$1,000.

(z) Section 327.4108, relating to the anchoring of vessels



180386

in anchoring limitation areas, for which the penalty is:

1. For a first offense, up to a maximum of \$100.
2. For a second offense, up to a maximum of \$250.
3. For a third or subsequent offense, up to a maximum of \$500.

(aa) Section 327.4107, relating to vessels at risk of becoming derelict on waters of this state, for which the civil penalty is:

1. For a first offense, \$100.
2. For a second offense occurring 30 days or more after a first offense, \$250.
3. For a third or subsequent offense occurring 30 days or more after a previous offense, \$500.

A vessel that is the subject of three or more violations ~~issued pursuant to the same paragraph~~ of s. 327.4107(2) which occur within a 24-month ~~an 18-month~~ period and which result in dispositions other than acquittal or dismissal ~~must shall~~ be declared ~~to be~~ a public nuisance and subject to ss. 705.103(2) and (4) and 823.11(3). For purposes of this paragraph, failure to appear at a hearing or failure to pay the civil penalty constitutes a disposition other than acquittal or dismissal unless such failure to appear or such nonpayment is excused or set aside by the court for good cause shown. The commission, an officer of the commission, or a law enforcement agency or officer specified in s. 327.70 may relocate, remove, or cause to be relocated or removed such public nuisance vessels from waters of this state. The commission, an officer of the commission, or a law enforcement agency or officer acting pursuant to this



180386

paragraph upon waters of this state shall be held harmless for all damages to the vessel resulting from such relocation or removal unless the damage results from gross negligence or willful misconduct as these terms are defined in s. 823.11.

(bb) Section 327.4109, relating to anchoring or mooring in a prohibited area, for which the penalty is:

1. For a first offense, up to a maximum of \$100.
2. For a second offense, up to a maximum of \$250.
3. For a third or subsequent offense, up to a maximum of \$500.

(cc) Section 327.463(4)(a) and (b), relating to vessels creating special hazards, for which the penalty is:

1. For a first offense, \$100.
2. For a second offense occurring within 12 months after a prior offense, \$250.
3. For a third offense occurring within 36 months after a prior offense, \$500.

(dd) Section 327.371, relating to the regulation of human-powered vessels.

(ee) Section 328.03, relating to an improper transfer of title, for which the penalty is up to a maximum of \$500.

(ff) Section 328.48(9), relating to the failure to update vessel registration information, for which the penalty is up to a maximum of \$500.

(gg) Section 327.4111, relating to long-term anchoring, for which the penalty is:

1. For a first offense, up to a maximum of \$100.
2. For a second offense, up to a maximum of \$250.
3. For a third or subsequent offense, up to a maximum of



180386

\$500.

A vessel that is the subject of three or more violations of s. 327.4111 that occur within a 24-month period and that result in dispositions other than acquittal or dismissal must be declared a public nuisance and subject to ss. 705.103(2) and (4) and 823.11(3). For purposes of this paragraph, failure to appear at a hearing or failure to pay the civil penalty required by s. 327.72 constitutes a disposition other than acquittal or dismissal, unless such failure to appear or such nonpayment is excused or set aside by the court for good cause shown. The commission, an officer of the commission, or a law enforcement agency or officer specified in s. 327.70 may relocate, remove, or cause to be relocated or removed such public nuisance vessels from waters of this state. The commission, an officer of the commission, or a law enforcement agency or officer acting pursuant to this paragraph shall be held harmless for all damages to the vessel resulting from such relocation or removal unless the damage results from gross negligence or willful misconduct as those terms are defined in s. 823.11.

A ~~Any~~ person cited for a violation of this subsection is ~~shall~~ be deemed to be charged with a noncriminal infraction, must ~~shall~~ be cited for such an infraction, and must ~~shall~~ be cited to appear before the county court. The civil penalty for any such infraction is \$100, except as otherwise provided in this section. A ~~Any~~ person who fails to appear or otherwise properly respond to a uniform boating citation, in addition to the charge relating to the violation of the boating laws of this state,



180386

must be charged with the offense of failing to respond to such citation and, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A written warning to this effect must ~~shall~~ be provided at the time such uniform boating citation is issued.

Section 12. Present subsections (2), (3), and (4) of section 327.731, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and subsection (1) and present subsection (3) of that section are amended, to read:

327.731 Mandatory education for violators.—

(1) A person convicted of a criminal violation under this chapter, convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, or convicted of a two noncriminal infraction ~~infractions~~ as specified in s. 327.73(1)(h)-(k), ~~(m)~~, (o), (p), (t), (u), (w), (x), and (y) ~~and (s)-(y)~~, ~~the infractions occurring within a 12-month period~~, must:

(a) Enroll in, attend, and successfully complete, at his or her own expense, a classroom or online boating safety course that is approved by and meets the minimum standards established by commission rule;

(b) File with the commission within 90 days proof of successful completion of the course; and

(c) Refrain from operating a vessel until he or she has filed proof of successful completion of the course with the commission; ~~and~~

~~(d) Pay a fine of \$500. The clerk of the court shall remit all fines assessed and collected under this paragraph to the~~



180386

~~Department of Revenue to be deposited into the Marine Resources
Conservation Trust Fund to support law enforcement activities.~~

(2) A person convicted of a criminal violation under this
chapter, convicted of a noncriminal infraction under this
chapter if the infraction resulted in a reportable boating
accident, or convicted of two noncriminal infractions as
specified in s. 327.73(1)(h)-(k), (o), (p), (t), (u), (w), (x),
and (y), occurring within a 12-month period, must pay a fine of
\$500 and complete a boater safety education course that meets
the requirements of s. 327.395. The clerk of the court shall
remit all fines assessed and collected under this subsection to
the Department of Revenue to be deposited into the Marine
Resources Conservation Trust Fund to support law enforcement
activities.

(4) ~~(3)~~ The commission shall print on the reverse side of
the defendant's copy of the boating citation a notice of the
provisions of this section. Upon conviction, the clerk of the
court shall notify the defendant that it is unlawful for him or
her to operate any vessel until he or she has complied with this
section, but failure of the clerk of the court to provide such a
notice shall not be a defense to a charge of unlawful operation
of a vessel under subsection (3) ~~(2)~~.

Section 13. Section 327.75, Florida Statutes, is created to
read:

327.75 Watercraft Energy Source Freedom Act.—

(1) SHORT TITLE.—This section may be cited as the
"Watercraft Energy Source Freedom Act."

(2) DEFINITIONS.—For the purposes of this section, the
term:



180386

(a) "Energy source" means any source of energy used to power a watercraft, including, but not limited to, gasoline, diesel fuel, electricity, hydrogen, and solar power.

(b) "Watercraft" means any vessel or craft designed for navigation on water, including boats and personal watercraft.

(3) PROHIBITION ON RESTRICTIONS BASED ON ENERGY SOURCE.— Notwithstanding any other law to the contrary, a state agency, municipality, governmental entity, or county may not restrict the use or sale of a watercraft based on the energy source used to power the watercraft, including an energy source used for propulsion or used for powering other functions of the watercraft.

Section 14. Subsection (3) of section 379.226, Florida Statutes, is amended to read:

379.226 Florida Territorial Waters Act; alien-owned commercial fishing vessels; prohibited acts; enforcement.—

(3) No license shall be issued by the Fish and Wildlife Conservation Commission under s. 379.361, to any vessel owned in whole or in part by any alien power, ~~which subscribes to the doctrine of international communism, or any subject or national thereof, who subscribes to the doctrine of international communism, or any individual who subscribes to the doctrine of international communism, or who shall have signed a treaty of trade, friendship and alliance or a nonaggression pact with any communist power. The commission shall grant or withhold said licenses where other alien vessels are involved on the basis of reciprocity and retorsion, unless the nation concerned shall be designated as a friendly ally or neutral by a formal suggestion transmitted to the Governor of Florida by the Secretary of State~~



180386

~~of the United States. Upon the receipt of such suggestion
licenses shall be granted under s. 379.361, without regard to
reciprocity and retorsion, to vessels of such nations.~~

Section 15. Subsection (1), paragraph (a) of subsection
(2), and subsection (4) of section 705.103, Florida Statutes,
are amended to read:

705.103 Procedure for abandoned or lost property.—

(1) Whenever a law enforcement officer ascertains that an
article of lost or abandoned property is present on public
property and is of such nature that it can be easily removed,
the officer shall take such article into custody and shall make
a reasonable attempt to ascertain the rightful owner or
lienholder pursuant to the provisions of this section. For the
purposes of this section, the term "owner" includes a vessel
owner as defined in s. 327.02.

(2)(a)1. Whenever a law enforcement officer ascertains
that:

a. An article of lost or abandoned property other than a
derelict vessel or a vessel declared a public nuisance pursuant
to s. 327.73(1)(aa) is present on public property and is of such
nature that it cannot be easily removed, the officer shall cause
a notice to be placed upon such article in substantially the
following form:

NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED
PROPERTY. This property, to wit: ...(setting forth brief
description)... is unlawfully upon public property known as
...(setting forth brief description of location)... and must be
removed within 5 days; otherwise, it will be removed and



180386

disposed of pursuant to chapter 705, Florida Statutes. The owner will be liable for the costs of removal, storage, and publication of notice. Dated this: ...(setting forth the date of posting of notice)..., signed: ...(setting forth name, title, address, and telephone number of law enforcement officer)....

b. A derelict vessel or a vessel declared a public nuisance pursuant to s. 327.73(1)(aa) is present on the waters of this state, the officer shall cause a notice to be placed upon such vessel in substantially the following form:

NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED VESSEL. This vessel, to wit: ...(setting forth brief description of location)... has been determined to be ...(derelict or a public nuisance)... and is unlawfully upon the waters of this state ...(setting forth brief description of location)... and must be removed within 21 days; otherwise, it will be removed and disposed of pursuant to chapter 705, Florida Statutes. The owner and other interested parties have the right to a hearing to challenge the determination that this vessel is derelict or otherwise in violation of the law. Please contact ...(contact information for person who can arrange for a hearing in accordance with this section).... The owner of ~~or the party determined to be legally responsible for~~ the vessel on being ~~upon~~ the waters of this state in a derelict condition or as a public nuisance will be liable for the costs of removal, destruction, and disposal if this vessel is not removed by the owner. Dated this: ...(setting forth the date of posting of notice)..., signed: ...(setting forth name, title, address, and



180386

telephone number of law enforcement officer)....

2. The notices required under subparagraph 1. may not be less than 8 inches by 10 inches and must be sufficiently weatherproof to withstand normal exposure to the elements. In addition to posting, the law enforcement officer shall make a reasonable effort to ascertain the name and address of the owner. If such is reasonably available to the officer, he or she must ~~or he shall~~ mail a copy of such notice to the owner on the date of posting or as soon thereafter as is practical. If the property is a motor vehicle as defined in s. 320.01(1) or a vessel as defined in s. 327.02, the law enforcement agency must ~~shall~~ contact the Department of Highway Safety and Motor Vehicles in order to determine the name and address of the owner and any person who has filed a lien on the vehicle or vessel as provided in s. 319.27(2) or (3) or s. 328.15. On receipt of this information, the law enforcement agency shall mail a copy of the notice by certified mail, return receipt requested, to the owner and to the lienholder, if any, except that a law enforcement officer who has issued a citation for a violation of s. 823.11 to the owner of a derelict vessel is not required to mail a copy of the notice by certified mail, return receipt requested, to the owner. For a derelict vessel or a vessel declared a public nuisance pursuant to s. 327.73(1)(aa), the mailed notice must inform the owner ~~or responsible party~~ that he or she has a right to a hearing to dispute the determination that the vessel is derelict or otherwise in violation of the law. If a request for a hearing is made, a state agency must ~~shall~~ follow the processes as set forth in s. 120.569. Local governmental



180386

entities shall follow the processes set forth in s. 120.569, except that a local judge, magistrate, or code enforcement officer may be designated to conduct such a hearing. If, at the end of 5 days after posting the notice in sub-subparagraph 1.a., or at the end of 21 days after posting the notice in sub-subparagraph 1.b., and mailing such notice, if required, the owner or any person interested in the lost or abandoned article or articles described has not removed the article or articles from public property or shown reasonable cause for failure to do so, and, in the case of a derelict vessel or a vessel declared a public nuisance pursuant to s. 327.73(1)(aa), has not requested a hearing in accordance with this section, the following applies ~~shall apply~~:

a. For abandoned property other than a derelict vessel or a vessel declared a public nuisance pursuant to s. 327.73(1)(aa), the law enforcement agency may retain any ~~or all~~ of the property for its own use or for use by the state or unit of local government, trade such property to another unit of local government or state agency, donate the property to a charitable organization, sell the property, or notify the appropriate refuse removal service.

b. For a derelict vessel or a vessel declared a public nuisance pursuant to s. 327.73(1)(aa), the law enforcement agency or its designee may:

(I) Remove the vessel from the waters of this state and destroy and dispose of the vessel or authorize another governmental entity or its designee to do so; or

(II) Authorize the vessel's use as an artificial reef in accordance with s. 379.249 if all necessary federal, state, and



180386

local authorizations are received.

A law enforcement agency or its designee may also take action as described in this sub-subparagraph if, following a hearing pursuant to this section, the judge, magistrate, administrative law judge, or hearing officer has determined the vessel to be derelict as provided in s. 823.11 or otherwise in violation of the law in accordance with s. 327.73(1)(aa) and a final order has been entered or the case is otherwise closed.

(4) The owner of any abandoned or lost property, or in the case of a derelict vessel or a vessel declared a public nuisance pursuant to s. 327.73(1)(aa), the owner of ~~or other party~~ ~~determined to be legally responsible for~~ the vessel on being ~~upon~~ the waters of this state in a derelict condition or as a public nuisance, who, after notice as provided in this section, does not remove such property within the specified period is liable to the law enforcement agency, other governmental entity, or the agency's or entity's designee for all costs of removal, storage, destruction, and disposal of such property, less any salvage value obtained by disposal of the property. Upon final disposition of the property, the law enforcement officer or representative of the law enforcement agency or other governmental entity shall notify the owner, or in the case of a derelict vessel or vessel declared a public nuisance pursuant to s. 327.73(1)(aa), the owner ~~or other party determined to be legally responsible~~, if known, of the amount owed. In the case of an abandoned vessel or motor vehicle, a ~~any~~ person who neglects or refuses to pay such amount is not entitled to be issued a certificate of registration for such vessel or motor



180386

vehicle, or any other vessel or motor vehicle, until such costs have been paid. A person who has neglected or refused to pay all costs of removal, storage, disposal, and destruction of a vessel or motor vehicle as provided in this section, after having been provided written notice via certified mail that such costs are owed, and who applies for and is issued a registration for a vessel or motor vehicle before such costs have been paid in full commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The law enforcement officer or representative of the law enforcement agency or other governmental entity shall supply the Department of Highway Safety and Motor Vehicles with a list of persons whose vessel registration privileges and motor vehicle privileges have been revoked under this subsection. The department or a person acting as an agent of the department may not issue a certificate of registration to a person whose vessel and motor vehicle registration privileges have been revoked, as provided by this subsection, until such costs have been paid.

Section 16. Section 782.072, Florida Statutes, is amended to read:

782.072 Vessel homicide.—“Vessel homicide” means is the killing of a human being, including the death of an unborn child as defined in s. 775.021(5)(e) caused by injury to the mother, by the operation of a vessel as defined in s. 327.02 by another in a reckless manner likely to cause the death of, or great bodily harm to, another. Vessel homicide is:

(1) A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A felony of the first degree, punishable as provided in



180386

s. 775.082, s. 775.083, or s. 775.084, if:

(a) At the time of the accident, the person knew, or should have known, that the accident occurred; and

(b) The person failed to give information and render aid as required by s. 327.30(1).

This subsection does not require that the person knew that the accident resulted in injury or death.

Section 17. Paragraphs (a), (c), and (d) of subsection (2), paragraph (a) of subsection (3), paragraph (c) of subsection (4), and subsections (6) and (7) of section 823.11, Florida Statutes, are amended, paragraph (e) is added to subsection (2) of that section, and paragraph (b) of subsection (1) of that section is reenacted, to read:

823.11 Derelict vessels; relocation or removal; penalty.—

(1) As used in this section, the term:

(b) "Derelict vessel" means a vessel, as defined in s. 327.02, that is:

1. In a wrecked, junked, or substantially dismantled condition upon any waters of this state.

a. 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.

b. 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



180386

longer be junked if such motor is not an effective means of propulsion as required by s. 327.4107(2)(e) and associated rules.

c. A vessel is substantially dismantled if at least two of the three following vessel systems or components are missing, compromised, incomplete, inoperable, or broken:

(I) The steering system;

(II) The propulsion system; or

(III) 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 such motor is not an effective means of propulsion as required by s. 327.4107(2)(e) and associated rules.

2. At a port in this state without the consent of the agency having jurisdiction thereof.

3. Docked, grounded, or beached upon the property of another without the consent of the owner of the property.

(2)(a) A vessel owner as defined in s. 327.02 ~~person, firm, or corporation~~ may not leave any derelict vessel upon waters of this state. For purposes of this paragraph, the term "leave" means to allow a vessel to remain occupied or unoccupied on the waters of this state for more than 24 hours.

(c) The additional time provided in subparagraph (b)2. for an owner ~~or responsible party~~ to remove a derelict vessel from the waters of this state or to repair and remedy the vessel's derelict condition does not apply to a vessel that was derelict upon the waters of this state before the stated accident or



180386

event.

(d) Notwithstanding the additional 45 days provided in subparagraph (b)2.b. during which an owner ~~or a responsible party~~ may not be charged for a violation of this section, the commission, an officer of the commission, a law enforcement agency or officer specified in s. 327.70, or, during a state of emergency declared by the Governor, the Division of Emergency Management or its designee, may immediately begin the process set forth in s. 705.103(2)(a) and, once that process has been completed and the 45 days provided herein have passed, any vessel that has not been removed or repaired such that it is no longer derelict upon the waters of this state may be removed and destroyed as provided therein.

(e) The title of a derelict vessel is prima facie evidence of ownership for any derelict vessel left upon the waters of this state. An owner who attempts to transfer ownership of a vessel or derelict vessel through means other than the process outlined in s. 328.22 or s. 328.64 will not be exonerated from the responsibility of having a derelict vessel upon the waters of this state without a written agreement of ownership by the transferee or evidence of agreement to transfer ownership to the transferee and the exchange of consideration between the parties.

(3) The commission, an officer of the commission, or a law enforcement agency or officer specified in s. 327.70 may relocate, remove, and store or cause to be relocated, removed, and stored a derelict vessel from waters of this state as defined in s. 327.02 if the derelict vessel obstructs or threatens to obstruct navigation or in any way constitutes a



180386

danger to the environment, property, or persons. The commission, an officer of the commission, or any other law enforcement agency or officer acting pursuant to this subsection to relocate, remove, and store or cause to be relocated, removed, and stored a derelict vessel from waters of this state shall be held harmless for all damages to the derelict vessel resulting from such action unless the damage results from gross negligence or willful misconduct.

(a) All costs, including costs owed to a third party, incurred by the commission, another law enforcement agency, or a governmental subdivision, when the governmental subdivision has received authorization from a law enforcement officer or agency, in the relocation, removal, storage, destruction, or disposal of a derelict vessel are recoverable against the ~~vessel owner of or the party determined to be legally responsible for~~ the vessel on being upon the waters of this state in a derelict condition. The Department of Legal Affairs shall represent the commission in actions to recover such costs. As provided in s. 705.103(4), a person who neglects or refuses to pay such costs may not be issued a certificate of registration for such vessel or for any other vessel or motor vehicle until such costs have been paid. A person who has neglected or refused to pay all costs of removal, storage, destruction, or disposal of a derelict vessel as provided in this section, after having been provided written notice via certified mail that such costs are owed, and who applies for and is issued a registration for a vessel or motor vehicle before such costs have been paid in full commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.



180386

(4)

(c) The commission may establish a program to provide grants to local governments for the removal, storage, destruction, and disposal of derelict vessels from the waters of this state. This grant funding may also be used for the removal, storage, destruction, and disposal of vessels declared a public nuisance pursuant to s. 327.73(1)(aa) or the derelict vessel prevention program established pursuant to s. 327.4107(7). The program must be funded from the Marine Resources Conservation Trust Fund or the Florida Coastal Protection Trust Fund. Notwithstanding s. 216.181(11), funds available for these grants may only be authorized by appropriations acts of the Legislature. In a given fiscal year, if all funds appropriated pursuant to this paragraph are not requested by and granted to local governments for the removal, storage, destruction, and disposal of derelict vessels or vessels declared a public nuisance pursuant to s. 327.73(1)(aa) by the end of the third quarter, the Fish and Wildlife Conservation Commission may use the remainder of the funds to remove, store, destroy, and dispose of, or to pay private contractors to remove, store, destroy, and dispose of, derelict vessels or vessels declared a public nuisance pursuant to s. 327.73(1)(aa). The commission shall adopt by rule procedures for local governments to submit a grant application and criteria for allocating available funds. Such criteria must include, at a minimum, all of the following:

1. The number of derelict vessels within the jurisdiction of the applicant.

2. The threat posed by such vessels to public health or safety, the environment, navigation, or the aesthetic condition



180386

of the general vicinity.

3. The degree of commitment of the local government to maintain waters free of abandoned and derelict vessels and to seek legal action against those who abandon vessels in the waters of this state as defined in s. 327.02.

~~(6) A person, firm, or corporation violating this section commits a misdemeanor of the first degree and shall be punished as provided by law.~~ A conviction under this section does not bar the assessment and collection of a civil penalty. The court having jurisdiction over the criminal offense, notwithstanding any jurisdictional limitations on the amount in controversy, may order the imposition of such civil penalty in addition to any sentence imposed for the ~~first~~ criminal offense.

(a) For a first offense, a vessel owner who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) For a second offense, a vessel owner who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) For a third or subsequent offense, a vessel owner who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) A person may not reside or dwell on a vessel determined to be derelict by disposition of a court or administrative order, or where the vessel owner does not challenge the derelict determination pursuant to chapter 120. A person who violates this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Law enforcement has the power and duty to issue orders, perform



180386

investigations, complete reports, and perform arrests in connection with such violations to enforce this provision. If a vessel is returned to the waters of this state in a condition that is no longer derelict, a person may reside or dwell on such vessel. The commission may adopt rules to implement this section ~~If an owner or a responsible party of a vessel determined to be derelict through an administrative or criminal proceeding has been charged by an officer of the commission or any law enforcement agency or officer as specified in s. 327.70 under subsection (6) for a violation of subsection (2), a person may not reside or dwell on such vessel until the vessel is removed from the waters of the state permanently or returned to the waters of the state in a condition that is no longer derelict.~~

Section 18. For the purpose of incorporating the amendment made by this act to section 823.11, Florida Statutes, in a reference thereto, section 327.04, Florida Statutes, is reenacted to read:

327.04 Rules.—The commission may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter, the provisions of chapter 705 relating to vessels, and s. 823.11 conferring powers or duties upon it.

Section 19. For the purpose of incorporating the amendment made by this act to section 823.11, Florida Statutes, in a reference thereto, paragraph (d) of subsection (6) of section 327.4108, Florida Statutes, is reenacted to read:

327.4108 Anchoring of vessels in anchoring limitation areas.—

(6)

(d) A vessel that is the subject of more than three



180386

violations within 12 months which result in dispositions other than acquittal or dismissal shall be declared to be a public nuisance and subject to s. 705.103 or, for a derelict vessel, subject to s. 823.11.

Section 20. For the purpose of incorporating the amendment made by this act to section 327.73, Florida Statutes, in a reference thereto, subsection (1) of section 705.101, Florida Statutes, is reenacted to read:

705.101 Definitions.—As used in this chapter:

(1) “Abandoned property” means all tangible personal property that does not have an identifiable owner and that has been disposed on public property in a wrecked, inoperative, or partially dismantled condition or has no apparent intrinsic value to the rightful owner. The term includes derelict vessels as defined in s. 823.11 and vessels declared a public nuisance pursuant to s. 327.73(1)(aa).

Section 21. For the purpose of incorporating the amendment made by this act to section 705.103, Florida Statutes, in a reference thereto, subsection (1) of section 705.104, Florida Statutes, is reenacted to read:

705.104 Title to lost or abandoned property.—

(1) Title to lost or abandoned property is hereby vested in the finder upon the expiration of the 90-day custodial time period specified in s. 705.103(2)(b), provided the notice requirements of s. 705.103 have been met, unless the rightful owner or a lienholder claims the property within that time.

Section 22. For the purpose of incorporating the amendment made by this act to section 705.103, Florida Statutes, in a reference thereto, subsection (8) of section 713.585, Florida



180386

Statutes, is reenacted to read:

713.585 Enforcement of lien by sale of motor vehicle.—A person claiming a lien under s. 713.58 for performing labor or services on a motor vehicle may enforce such lien by sale of the vehicle in accordance with the following procedures:

(8) A vehicle subject to lien enforcement pursuant to this section must be sold by the lienor at public sale. Immediately upon the sale of the vehicle and payment in cash of the purchase price, the lienor shall deposit with the clerk of the circuit court the proceeds of the sale less the amount claimed by the lienor for work done and storage, if any, and all reasonable costs and expenses incurred in conducting the sale, including any attorney's fees and costs ordered by the court.

Simultaneously with depositing the proceeds of sale remaining after payment to the lienor, the lienor shall file with the clerk a verified report of the sale stating a description of the vehicle sold, including the vehicle identification number; the name and address of the purchaser; the date of the sale; and the selling price. The report shall also itemize the amount retained by the lienor pursuant to this section and shall indicate whether a hearing was demanded and held. All proceeds held by the court shall be held for the benefit of the owner of the vehicle or any lienholder whose lien is discharged by the sale and shall be disbursed only upon order of the court. Unless a proceeding is initiated to validate a claim to such proceeds within 1 year and a day from the date of the sale, the proceeds shall be deemed abandoned property and disposition thereof shall be governed by s. 705.103. The clerk shall receive 5 percent of the proceeds deposited with her or him, not to exceed \$25, for



180386

her or his services under this section.

Section 23. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

An act relating to vessels; amending s. 327.02, F.S.; revising the definition of the term "livery vessel"; deleting the term "owner"; defining the term "vessel owner"; amending s. 327.30, F.S.; revising and providing penalties for vessel collisions, accidents, and casualties; amending s. 327.33, F.S.; revising and providing penalties for reckless or careless operation of a vessel; creating s. 327.35105, F.S.; requiring the suspension of driver licenses for boating under the influence and reckless or careless operation of a vessel until certain conditions are met; reenacting and amending s. 327.4107, F.S.; providing a penalty for a person anchoring or mooring a vessel at risk of becoming derelict on the waters of this state; revising criteria for a vessel to be determined at risk of becoming derelict; revising the manner and timeframe for vessel owners or operators to demonstrate a vessel's effective means of propulsion for safe navigation; deleting provisions providing a penalty for a person who anchors or moors certain vessels on the waters of this state; creating s.



180386

1143 327.4111, F.S.; defining the term "long-term
1144 anchoring"; requiring the Fish and Wildlife
1145 Conservation Commission to issue, at no cost, a permit
1146 for the long-term anchoring of a vessel which includes
1147 specified information; providing specifications of
1148 such permit; providing a penalty for long-term
1149 anchoring without a permit; providing applicability;
1150 providing that a permit is not required under certain
1151 circumstances; requiring the commission to use an
1152 electronic application and permitting system;
1153 clarifying that certain provisions do not supersede
1154 any other anchoring limitations established pursuant
1155 to law; authorizing the commission to adopt rules;
1156 amending s. 327.45, F.S.; specifying that the
1157 commission's authorization to establish protection
1158 zones includes modifying the allowable means of
1159 certain vessel positioning to prevent significant harm
1160 to certain springs; revising what constitutes
1161 significant harm; reenacting and amending s. 327.54,
1162 F.S.; revising the definition of the term "livery";
1163 amending s. 327.56, F.S.; prohibiting an officer from
1164 performing a vessel stop or boarding a vessel without
1165 probable cause; prohibiting an officer from performing
1166 a vessel stop or boarding a vessel under certain
1167 circumstances; providing that a violation of safety or
1168 marine sanitation equipment requirements is a
1169 secondary rather than a primary offense; amending s.
1170 327.70, F.S.; requiring the commission, in
1171 coordination with the Department of Highway Safety and



180386

1172 Motor Vehicles, to create the "Florida Freedom Boater"
1173 safety inspection decal for specified purposes;
1174 providing for the award of such decal; providing
1175 requirements for such decal; authorizing an officer to
1176 stop a vessel for a lawful purpose when the officer
1177 has probable cause or knowledge to believe a violation
1178 of certain provisions has occurred or is occurring;
1179 authorizing the enforcement of certain noncriminal
1180 violations by citation mailed or issued to the owner
1181 of certain vessels; amending s. 327.73, F.S.;
1182 requiring that a vessel subject to a specified number
1183 of violations within a 24-month period which result in
1184 certain dispositions be declared a public nuisance;
1185 providing that failure to appear at a hearing or
1186 failure to pay civil penalties constitutes a certain
1187 disposition; providing penalties related to long-term
1188 anchoring; requiring that a vessel subject to a
1189 specified number of violations relating to long-term
1190 anchoring within a 24-month period which result in
1191 certain dispositions be declared a public nuisance;
1192 providing that failure to appear at a hearing or
1193 failure to pay a certain civil penalty constitutes a
1194 disposition other than acquittal or dismissal;
1195 providing an exception; authorizing certain entities
1196 and persons to relocate, remove, or cause to be
1197 relocated or removed certain vessels; requiring that
1198 such entities and persons be held harmless for all
1199 damages to a vessel resulting from such relocation or
1200 removal; providing exceptions; amending s. 327.731,



180386

1201 F.S.; requiring a person convicted of a certain
1202 criminal violation or certain noncriminal infractions
1203 within a specified period to complete a boater safety
1204 education course; creating s. 327.75, F.S.; providing
1205 a short title; defining the terms "energy source" and
1206 "watercraft"; prohibiting specified entities from
1207 restricting the use or sale of watercraft based on the
1208 energy source used by such watercraft; amending s.
1209 379.226, F.S.; revising provisions prohibiting the
1210 issuance of a license to a vessel owned by certain
1211 alien powers; amending s. 705.103, F.S.; defining the
1212 term "owner"; revising the notice placed upon a
1213 derelict vessel declared a public nuisance which is
1214 present upon the waters of this state; deleting a
1215 provision specifying that a party responsible for a
1216 derelict vessel or a vessel declared a public nuisance
1217 has the right to a certain hearing; deleting
1218 provisions assigning liability to a party deemed
1219 legally responsible for a derelict vessel or vessel
1220 declared a public nuisance; deleting provisions
1221 allowing a law enforcement officer or a representative
1222 of a law enforcement agency or other governmental
1223 entity to notify a party deemed legally responsible
1224 for a derelict vessel or a vessel declared a public
1225 nuisance of the final disposition of the derelict
1226 vessel; amending s. 782.072, F.S.; revising the
1227 definition of the term "vessel homicide"; reenacting
1228 and amending s. 823.11, F.S.; prohibiting a vessel
1229 owner from leaving a derelict vessel upon the waters



180386

1230 of this state; deleting provisions related to a party
1231 responsible for a derelict vessel; providing prima
1232 facie evidence of ownership or control of a derelict
1233 vessel left upon the waters of this state; providing a
1234 means of exonerating an owner of a vessel or derelict
1235 vessel of responsibility if such owner attempts to
1236 transfer ownership or control of such vessel;
1237 providing that the owner of a derelict vessel is
1238 exclusively responsible for all costs associated with
1239 the relocation, removal, storage, destruction, or
1240 disposal of the derelict vessel; authorizing the
1241 commission to use grant funds allocated for the
1242 removal, storage, destruction, and disposal of
1243 derelict vessels from the waters of this state for the
1244 derelict vessel prevention program; providing
1245 penalties; prohibiting a person from dwelling or
1246 residing on a derelict vessel; providing penalties;
1247 authorizing law enforcement officers to enforce such
1248 provisions; authorizing a person to reside on a vessel
1249 if the vessel is in a state or condition that is no
1250 longer derelict; authorizing the commission to adopt
1251 rules; reenacting ss. 327.04 and 327.4108(6)(d), F.S.,
1252 relating to rules and the anchoring of vessels in
1253 anchoring limitation areas, respectively, to
1254 incorporate the amendment made to s. 832.11, F.S., in
1255 references thereto; reenacting s. 705.101(1), F.S.,
1256 relating to definitions, to incorporate the amendment
1257 made to s. 327.73, F.S., in a reference thereto;
1258 reenacting ss. 705.104(1) and 713.585(8), F.S.,



180386

1259 relating to the title to lost or abandoned property
1260 and the enforcement of a lien by sale of motor
1261 vehicle, respectively, to incorporate the amendment
1262 made to s. 705.103, F.S., in references thereto;
1263 providing effective dates.