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2 An act relating to beaches; repealing s. 163.035,
3 F.S., relating to the establishment of recreational
4 customary use of beaches; providing a legislative
5 declaration establishing the erosion control line for
6 certain counties; providing a declaration of intent;
7 requiring the Board of Trustees of the Internal
8 Improvement Trust Fund to adopt the erosion control
9 line by resolution in certain circumstances;
10 authorizing the Department of Environmental Protection
11 to proceed with certain beach restoration projects;
12 providing that such projects do not require a public
13 easement; providing a legislative declaration of
14 public interest; providing applicability; providing an
15 effective date.

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

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19 Section 1. Section 163.035, Florida Statutes, is repealed.

20 Section 2. (1) Notwithstanding s. 161.161(5) and (6),
21 Florida Statutes, for the counties identified in subsection (4),
22 the Legislature declares the erosion control line shall be the
23 mean high-water line as determined by a survey conducted by the
24 Board of Trustees of the Internal Improvement Trust Fund. The
25 Legislature further declares that there is no intention on the
26 part of the state to deprive any upland or submerged land owner
27 of the legitimate and constitutional use and enjoyment of his or
28 her property.

29 (2) If an erosion control line has not been established for

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a critically eroded shoreline, the Board of Trustees of the
Internal Improvement Trust Fund must adopt the erosion control
line by resolution and file:

(a) In the official records of the respective county, a
copy of the resolution establishing the location of the erosion
control line; and

(b) In the book of plats of the respective county, a survey
showing the area of beach to be restored and the location of the
erosion control line.

(3) The Department of Environmental Protection may proceed
with beach restoration projects for any area designated by the
department as critically eroded in the Critically Eroded Beaches
in Florida report dated August 2024. Notwithstanding s. 161.141,
Florida Statutes, beach restoration projects conducted pursuant
to this section do not require a public easement. Any additions
to property seaward of the erosion control line which result
from the restoration project remain state sovereignty lands. The
Legislature declares that such projects are in the public
interest.

(4) This section applies to counties located adjacent to
the Gulf of America with:

(a) At least three municipalities; and

(b) An estimated population of less than 275,000, according
to the most recent population estimate prepared pursuant to s.
186.901, Florida Statutes, excluding the inmate population.

Section 3. This act shall take effect upon becoming a law.