

# WEEK 1 REPORT

// 2023 LEGISLATIVE SESSION

+ MARINE INDUSTRIES ASSOCIATION OF FLORIDA

MARCH 6-10, 2023



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The 2023 Legislative Session is currently underway. The Legislature is moving quickly after Legislative Special Sessions appear to have created a bottleneck of legislative issues. Legislators wasted zero time picking up steam and moving quickly to get bills moving through the process as the 60 day clock begins to start ticking.

After the opening ceremonies, the Florida House of Representatives and Florida Senate did not waste any time taking up, passing, and amending many bills in committee and the Senate passed bills off the floor during the first week.

We are tracking numerous bills this Session for Marine Industries Association of Florida. We have had a busy interim and first week tagging, tracking and reviewing bills related to the industry. We will highlight several bills in this report and attach the bills for your convenience. Please note, this is a very long report, and I would recommend not printing the report in full as it becomes very lengthy.

Marine Industries Association of Florida will be in Tallahassee this year on April 11th and 12th. We hope you can join us as we advocate for the marine industry. The schedule of events includes presentations by speakers about marine and boating issues, a reception and dinner on the 11th and a breakfast on the 12th as well as a day of advocacy at the Florida Capitol. If you have not registered and would like more information you can find it on the Marine Industries Association of Florida webpage [marineindustriesassociationflorida.com](http://marineindustriesassociationflorida.com).

As expected, several bills have been filed that we have serious concerns with, and we continue to have dialogue on these issues and are prepared to oppose them if necessary. We have been in discussions with other boating groups and with sponsors of some of the bills regarding our concerns. Below you will find a few of the bills we have highlighted and some of the actions on the bills this week.

### Bills of Interest

**HB 571** by Representative Hinson and **SB 1602** by Senator Rouson relating to **Storage of Firearms in Private Conveyances and Vessels** - The House Bill has three committee references. The first committee reference is the House Criminal Justice Subcommittee. The House Bill was not heard during the first week. The Senate Bill also has three committee references. The first committee stop is the Senate Criminal Justice Committee. The bill was not heard during the first week of the Legislative Session. We will watch these bills

carefully as the bill requires a person to store their firearm loaded or unloaded from ordinary observation and in a locked trunk, utility or glove box or another locked container or secured device mechanism that is securely affixed to the private conveyance or vessel. This is a separate bill and is not currently part of the permitless carry bill anticipated to pass this Legislative Session.

**HB 261** by Representative Botana relating to **Boating Safety** and **SB 728** by Senator Garcia relating to **Liveries**-These bills are currently not identical and are comparable. We anticipate these bills to become companion bills as they move forward. These bills were originally supposed to be glitch bills to fix the livery insurance issue from last Legislative Session. MIAF was on board to fix the livery issues, but unfortunately the House Bill went further than just a glitch fix for liveries and was originally filed to make everyone boating in Florida have a boating safety card. (Currently Florida law is anyone born on or after January 1, 1988, may not operate a vessel with ten horsepower or more unless they have a state issued identification card or drivers license indication they are in possession of a boating safety card issued by the commission, an International Certificate of Competency, a boating safety card or certificate from another state or U.S. Territory, or a Canadian Pleasure Craft Operator card.) The House Bill was placed on the agenda this week in House Agriculture, Conservation and Resiliency Committee. The bill was amended to now state that anyone born on or after January 1, 1960, now must take the boating safety course.

Marine Industries Association of Florida has registered their opposition to the sponsor, Representative Botana, on this issue several times. Even with the latest amendment MIAF still opposes this change and will try to continue to work with the sponsor. We have asked to have this language removed so we could work on substantial boating safety legislation for next Session. The bill has two more committee stops before it is ready for the House floor.

The Senate bill is scheduled to be heard in the Senate Environmental and Natural Resources Committee meeting on March 14th at 8:30 a.m. The bill currently does not have boating safety in it, but the amendment deadline is 8:30 a.m. Monday morning.

**House Bill 1385** by Representative Basabe and **Senate Bill 1502** by Rodriguez relating to **Vessel Owner and Operation Requirements**-MIAF has concerns with provisions of these bills as filed. We met this week with Representative Basabe and FWC to discuss our issues with the bill. We had a wonderful meeting with the Representative and his staff. We discussed our concerns with the four hour limitation and the national criminal search components of the bill. We anticipate an amendment will be filed to the bill and eliminate these issues. The bill will still add anchoring restrictions to specific waterbodies in Miami Dade. We also suggested proviso language for more on the water law enforcement in the Miami area. House Bill 1385 has three committees of reference and was not heard during the first week of the Legislative Session. The Senate companion, Senate Bill 1502 is identical to House Bill 1385. The Senate Bill also has three committees of reference and was not heard during the first week of Session and is not on the agenda for the second week of Session. The Senate Bill is sponsored by the Chair of the Senate Environment and Natural Resources Committee, Senator Rodriguez.

**House Bill 1103** by Representative Tramont and **Senate Bill 1314** by Senator Wright relating to **Boating Restricted Areas**-Both the House Bill and Senate Bill have three committees of reference. Neither bill was heard in their first committee during the first week of Session. The Senate bill is not scheduled for the Senate Environment and Natural Resources Committee agenda during the second week. The bill would add to the Boating Restricted area statute an ordinance establishing a slow speed, minimum wake boating-restricted area, if the area is within 500 feet of any private or public marina pumpout. This new language adds "private" to the statute and does not require fuel. We are trying to meet with the sponsors now to gain more information on this bill.

**SB1640** by Senator Gruters relating to **Waterway Markers**-The Senate Bill does not have a linked companion bill currently. The bill has three committees of reference and was not heard the first week and is not scheduled on the Senate Environment and Natural Resources Committee during the second week. Simply, the bill requires all waterway markers including informational markers placed by local governments to be attached to a plastic breakaway structure or floating buoy. It bans state and local governments from affixing waterway markers to steel or wood pilings.

**HB 847** by Representative Stark and **SB 1082** by Senator DiCeglie relating to **Floating Vessel Platforms**-MIAF sent both bills out for review. As of the writing of this report we have not received any commentary back from membership on these bills. We will continue to monitor these bills for any amendments and keep you informed as they move through the process. SB 1082 was not heard during the first week of Session and is not scheduled to be heard during the second week of Session. The bill has three committees of reference. The House Bill was scheduled to be heard in its first committee of reference, House Water Quality, Supply and Treatment Subcommittee. The bill was temporarily passed. We will report next week if the bill is on the next subcommittee agenda.

These are just a few of the bills we re tracking for you this Legislative Session. We have attached our entire tracking list as amendments get filed daily and we have numerous vehicles to watch for these amendments.

Sixty days will fly by quickly. Sine Die is May 5th this year.

Thank you for allowing us to be your voice in Tallahassee!

A handwritten signature in dark blue ink, reading "Margaret Timmins". The signature is stylized with a large, flowing "M" and a long, sweeping underline that extends to the right.

Margaret "Missy" Timmins  
President  
Timmins Consulting, LLC

*Below are some of the highlighted bills we are tracking this session.*

## // BOATING SAFETY / LIVERIES

**Senate Bill 728 // Sen. Garcia // Referred to: Senate Environment and Natural Resources (Current Reference); Senate Commerce and Tourism; Senate Rules**

**House Bill 261 // Rep. Botana // Referred to: House Agriculture, Conservation & Resiliency Subcommittee; House Agriculture & Natural Resources Appropriations Subcommittee (Current Reference); House Infrastructure Strategies Committee**

HOUSE/SENATE BILL RELATIONSHIP: *COMPARE*

**Senate Bill 728:** Revising safety requirements for liveries and requiring hands-on instruction that meets specified requirements; revising insurance requirements for liveries and renters; authorizing the Fish and Wildlife Conservation Commission to enter into agreements with qualified contractors to perform compliance inspections of liveries; requiring liveries to make facilities and records available for inspection by the qualified contractors within a specified timeframe, etc. Effective Date: 7/1/2023

**Most Recent Action:** On Committee agenda - Environment and Natural Resources, 03/14/23, 8:30 am

**House Bill 261:** Boating Safety: Revises requirement for persons born before specified date to have certain identification & boating safety documentation in their possession while operating vessel; requires liveries to provide hands-on instruction that meets specified requirements; provides exemption from certain safety requirements if renters or lessees hire professional captain; removes requirement that livery obtain & carry insurance that also insures renters & lessees. Effective Date: July 1, 2023

**Most Recent Action:** 03/10/2023 HOUSE Now in Agriculture & Natural Resources Appropriations Subcommittee

## // STORAGE OF FIREARMS IN PRIVATE CONVEYANCES AND VESSELS

**Senate Bill 1602 // Sen. Rouson // Referred to: Senate Criminal Justice (Current Reference); Senate Appropriations Committee on Criminal and Civil Justice; Senate Fiscal Policy**

**House Bill 571 // Rep. Hinson // Referred to: House Criminal Justice Subcommittee (Current Reference); House Local Administration, Federal Affairs & Special Districts Subcommittee; House Judiciary Committee**

RELATIONSHIP: *SIMILAR*

**Senate Bill 1602:** Storage of Firearms in Private Conveyances and Vessels; Prohibiting the storage of firearms in unoccupied private conveyances and vessels unless done in a specified manner; providing definitions; requiring local law enforcement agencies to engage in a certain promotional campaign, etc. Effective Date: 7/1/2023

**Most Recent Action:** 03/09/2023 SENATE Referred to Criminal Justice; Appropriations Committee on Criminal and Civil Justice; Fiscal Policy

**House Bill 571:** Storage of Firearms in Private Conveyances and Vessels: Prohibits storage of firearms in unoccupied private conveyances & vessels unless done in specified manner; requires law enforcement agencies to engage in promotional campaign; directs counties to adopt specified ordinances concerning parental responsibility for gun thefts from conveyances & vessels by their minor children. Effective Date: July 1, 2023

**Most Recent Action:** 02/07/2023 HOUSE Now in Criminal Justice Subcommittee

## // VESSEL OWNER AND OPERATION REQUIREMENTS

**Senate Bill 1502 // Sen. Rodriguez // Referred to: Senate Environment and Natural Resources (Current Reference); Senate Appropriations Committee on Agriculture, Environment, and General Government; Senate Fiscal Policy**

**House Bill 1385 // Rep. Basabe // Referred to: House Agriculture, Conservation & Resiliency Subcommittee (Current Reference); House Agriculture & Natural Resources Appropriations Subcommittee; House Infrastructure Strategies Committee**

HOUSE/SENATE BILL RELATIONSHIP: *IDENTICAL*

**Senate Bill 1502:** Vessel Owner and Operation Requirements; Revising anchoring limitation areas in certain sections of Biscayne Bay in Miami-Dade County; revising the timeframe during which a person may anchor a vessel in an anchoring limitation area within which such anchoring would otherwise be unlawful; requiring law enforcement officers to conduct national criminal background checks for vessel owners who are issued citations for specified violations, etc. Effective Date: 7/1/2023

**Most Recent Action:** 03/09/2023 SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

**House Bill 1385:** Vessel Owner and Operation Requirements: Revises anchoring limitation areas in certain sections of Biscayne Bay in Miami-Dade County; revises timeframe during which person may anchor vessel in anchoring limitation area within which such anchoring would otherwise be unlawful; requires law enforcement officers to conduct national criminal background checks for vessel owners who are issued citations for specified violations. Effective Date: July 1, 2023

**Most Recent Action:** 03/09/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

## // BOATING-RESTRICTED AREAS

**Senate Bill 1314 // Sen. Wright // Referred to: Environment and Natural Resources; Community Affairs; Rules**

**House Bill 1103 // Rep. Tramont // Referred to: House Agriculture, Conservation & Resiliency Subcommittee (Current Reference); House Local Administration, Federal Affairs & Special Districts Subcommittee; House Infrastructure Strategies Committee**

HOUSE/SENATE BILL RELATIONSHIP: *IDENTICAL*

**Senate Bill 1314:** Authorizes counties & municipalities to establish within certain portions of Florida Intracoastal Waterway slow speed, minimum wake boating-restricted areas within specified distance from private or public marina pumpouts. Effective Date: July 1, 2023

**Most Recent Action:** Now in Agriculture, Conservation & Resiliency Subcommittee

**House Bill 1103:** Boating-restricted Areas: Authorizes counties & municipalities to establish within certain portions of Florida Intracoastal Waterway slow speed, minimum wake boating-restricted areas within specified distance from private or public marina pumpouts. Effective Date: July 1, 2023

**Most Recent Action:** 02/28/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

## // FLOATING VESSEL PLATFORMS AND FLOATING BOAT LIFTS

**Senate Bill 1082 // Sen. DiCeglie // Referred to: Environment and Natural Resources; Community Affairs; Rules**

**House Bill 847 // Rep. Stark // Referred to: House Water Quality, Supply & Treatment Subcommittee (Current Reference); House Agriculture & Natural Resources Appropriations Subcommittee; House Infrastructure Strategies Committee**

**Senate Bill 1082:** Removing a provision authorizing local governments to require permitting for certain floating vessel platforms; revising conditions under which local governments may require one-time registrations of floating vessel platforms, etc. Effective Date: 7/1/2023

**Most Recent Action:** Referred to Environment and Natural Resources; Community Affairs; Rules

**House Bill 847:** Floating Vessel Platforms and Floating Boat Lifts: Provides that specified structures associated with docks on parcels of land create presumption of compliance with certain environmental impact requirements. Effective Date: July 1, 2023

**Most Recent Action:** 03/08/2023 HOUSE Temporarily Postponed by Water Quality, Supply & Treatment Subcommittee

## // INSTALLATION OF WATERWAY MARKERS

**Senate Bill 1640 // Sen. Gruters // Referred to: Senate Environment and Natural Resources (Current Reference); Senate Appropriations Committee on Agriculture, Environment, and General Government; Senate Fiscal Policy**

**Senate Bill 1640:** Installation of Waterway Markers; Revising the application requirements for marking certain waters of this state; requiring all waterway markers to be affixed to certain structures or buoys beginning on a specified date; requiring state and local governmental entities to conform to such requirements by a specified date, etc. Effective Date: 7/1/2023

**Most Recent Action:** 03/09/2023 SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

By Senator Garcia

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A bill to be entitled  
An act relating to liveries; amending s. 327.54, F.S.;  
revising safety requirements for liveries and  
requiring hands-on instruction that meets specified  
requirements; providing an exemption from certain  
safety requirements when a renter hires a professional  
captain; revising insurance requirements for liveries  
and renters; authorizing the Fish and Wildlife  
Conservation Commission to enter into agreements with  
qualified contractors to perform compliance  
inspections of liveries; providing requirements for  
such contracted inspections; requiring liveries to  
make facilities and records available for inspection  
by the qualified contractors within a specified  
timeframe; providing an effective date.

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

Section 1. Section 327.54, Florida Statutes, is amended to  
read:

327.54 Liveries; safety regulations; penalty.—

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

(a) "Advertise" means to describe or draw attention to a  
vessel and its availability for lease or rental in any medium  
for the purpose of promoting the lease or rental of the vessel.

(b) "Conviction" means any judicial disposition other than  
acquittal or dismissal.

(c) "Livery" means a person who advertises and offers a  
livery vessel for use by another in exchange for any type of

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30 consideration when such person does not also provide the lessee  
31 or renter with a captain, a crew, or any type of staff or  
32 personnel to operate, oversee, maintain, or manage the vessel.  
33 The owner of a vessel who does not advertise his or her vessel  
34 for use by another for consideration and who loans or offers his  
35 or her vessel for use to another known to him or her either for  
36 consideration or without consideration is not a livery. A public  
37 or private school or postsecondary institution located within  
38 this state is not a livery. A vessel rented or leased by a  
39 livery is a livery vessel as defined in s. 327.02.

40 (d) "Seaworthy" means the vessel and all of its parts and  
41 equipment, including, but not limited to, engines, bilge pumps,  
42 and kill switches, are functional and reasonably fit for their  
43 intended purpose.

44 (2) A livery may not offer a vessel for lease or rent  
45 without first being issued a no-cost livery permit by the  
46 commission. The permit must be renewed annually. To qualify for  
47 issuance or renewal of a livery permit, an applicant must  
48 provide the commission with a list of all vessels offered by the  
49 livery for lease or rent by another, have valid insurance  
50 pursuant to subsection (8) ~~(7)~~, have an amount of United States  
51 Coast Guard-approved lawful personal floatation devices on site  
52 sufficient to accommodate the capacity of all vessels offered by  
53 the livery for rent or lease by another, have on site all safety  
54 equipment required by s. 327.50 and the Code of Federal  
55 Regulations sufficient to equip all vessels offered by the  
56 livery for rent or lease by another, and display the information  
57 required by paragraph (3)(f). If, before the annual renewal of  
58 the permit, the information required by this subsection changes,

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the livery must provide the commission with the updated information within 10 days after the change.

(a) The commission may adopt rules to implement this subsection.

(b) A person who violates this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

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

(a) When the number of persons intending to use the vessel exceeds the number considered to constitute a maximum safety load for the vessel as specified on the authorized persons capacity plate of the vessel.

(b) When the horsepower of the motor exceeds the capacity of the vessel.

(c) When the vessel does not contain the safety equipment required under s. 327.50.

(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.

(e) Unless the livery provides hands-on pre-rental or pre-ride instruction in compliance with rules established by the commission.

1. The instruction must include, but need not be limited to:

a. Operational characteristics of the vessel to be rented.

b. Safe vessel operation and vessel right-of-way.

c. The responsibility of the vessel operator for the safe and proper operation of the vessel.

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d. Local characteristics of the waterway where the vessel will be operated, such as navigational hazards, the presence of boating-restricted areas, ~~and~~ water depths, and education on any safety, regulatory, informational, or navigation markers in the geographic vicinity.

e. Emergency procedures, such as appropriate responses to capsizing, falls overboard, taking on water, and vessel accidents.

f. A notice of the prohibition against boating under the influence pursuant to s. 327.35.

2. Any person receiving instruction in the safe handling of livery vessels pursuant to this paragraph must provide the livery with a written statement attesting to each component of the instruction.

a. The commission shall establish by rule the content of the statement form.

b. The statement form must be signed by the individual providing the instruction.

c. The livery shall maintain the statement form for no less than 90 days and, upon request, make the form available for inspection by law enforcement or an authorized agent of the commission pursuant to subsection (10).

(f) Unless the livery displays boating safety information in a place visible to the renting public. The commission shall prescribe by rule, pursuant to chapter 120, the contents and size of the boating safety information to be displayed.

(g) Unless the livery has a written agreement with the renter or lessee. The written agreement must include the name, address, and date of birth for the renter and the number of

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117 people aboard the vessel, as well as the time the vessel is  
118 required to be returned to the livery or another specified  
119 location and an emergency contact name, address, and telephone  
120 number. The livery shall maintain each agreement for no less  
121 than 1 year and, upon request, make each agreement available for  
122 inspection by law enforcement or an authorized agent of the  
123 commission pursuant to subsection (10).

124 (4) If a renter or lessee retains a professional captain  
125 who holds an active license issued by the United States Coast  
126 Guard to command the vessel as required by an agreement between  
127 the livery and the renter or lessee, and the livery confirms  
128 that a professional captain has been retained, the renter or  
129 lessee and the livery are not subject to paragraph (3)(e).

130 (5) A livery may not knowingly lease or rent a vessel to a  
131 person who is required to comply with s. 327.395 unless such  
132 person presents to the livery the documentation required by s.  
133 327.395(2) for the operation of a vessel or meets the exemption  
134 provided under s. 327.395(6)(f).

135 ~~(6)~~ (5) If a vessel rented or leased by a livery is  
136 unnecessarily overdue more than 4 hours after the contracted  
137 vessel rental time has expired, the livery must notify law  
138 enforcement.

139 ~~(7)~~ (6) A livery may not knowingly lease or rent a livery  
140 vessel, other than a human-powered vessel, to any person who is  
141 under 18 years of age.

142 ~~(8)~~ (7) A livery may not lease or rent or offer to lease or  
143 rent any livery vessel unless the livery first obtains and  
144 carries in full force and effect a policy from a licensed  
145 insurance carrier in this state which insures the livery and the

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146 renter against any accident, loss, injury, property damage, or  
147 other casualty caused by or resulting from the operation of the  
148 livery vessel. The insurance policy must provide coverage of at  
149 least \$500,000 per person and \$1 million per event. The livery  
150 shall have proof of such insurance available for inspection at  
151 the location where livery vessels are being leased or rented, or  
152 offered for lease or rent, and shall provide to each renter the  
153 insurance carrier's name and address and the insurance policy  
154 number. A livery may choose to limit insurance covering the  
155 renter if the renter or lessee meets one of the following  
156 requirements:

157 (a) Has a Florida boating safety identification card issued  
158 by the commission, a temporary certificate, or another form of  
159 boating certification authorized pursuant to s. 327.395.

160 (b) Hires a professional captain who holds an active  
161 license issued by the United States Coast Guard.

162  
163 This subsection does not apply to human-powered vessels.

164 (9)~~(8)~~ Notwithstanding the person's age or any exemptions  
165 provided in s. 327.395, any person delivering instruction  
166 regarding the safe operation of vessels or hands-on pre-rental  
167 or pre-ride instruction in accordance with subsection (3) must  
168 have successfully completed a boating safety education course  
169 approved by the National Association of State Boating Law  
170 Administrators and this state.

171 (10) To enhance enforcement efforts, the commission may  
172 enter into agreements with qualified contractors to perform  
173 inspections of liveries to ensure compliance with this section.  
174 Inspections may be performed by an authorized agent working

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under the supervision of a qualified contractor. The qualified contractor shall provide a copy of a written, signed inspection report to the livery upon completion of the inspection and to the commission within 30 days after the inspection. The commission may develop the contents of the inspection report.

~~(11)(9)~~ If a vessel rented or leased by a livery is involved in an accident, the livery must report the accident to the division.

~~(12)(10)~~ A livery shall make its facilities and records available for inspection upon request by law enforcement or an authorized agent of the commission pursuant to subsection (10) no later than 24 hours after receiving notice from law enforcement or an authorized agent of the commission.

~~(13)(a)(11)(a)~~ Any person convicted of violating this section, other than subsection (2), who has not been convicted of a violation of this section within the past 3 years commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Unless the stricter penalties in paragraph (c) apply, a person who violates this section, other than subsection (2), within 3 years after a previous conviction of a violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, with a minimum mandatory fine of \$500.

(c) A person who violates this section, other than subsection (2), within 5 years after two previous convictions for a violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, with a minimum mandatory fine of \$1,000.

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204        (14)~~(12)~~ A person who commits more than one violation of  
205        this section, other than subsection (2), within a 3-year period  
206        may not act as a livery during a 90-day period immediately after  
207        being charged with that violation. The commission may revoke or  
208        refuse to issue a permit under subsection (2) based on repeated  
209        violations of this section.

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

**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.)

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Prepared By: The Professional Staff of the Committee on Environment and Natural Resources

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BILL: SB 728

INTRODUCER: Senator Garcia

SUBJECT: Liveries

DATE: March 13, 2023

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Carroll	Rogers	EN	<b>Pre-meeting</b>
2. _____	_____	CM	_____
3. _____	_____	RC	_____

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## I. Summary:

SB 728 specifies that a livery's pre-rental or pre-ride instruction must be hands-on. The instruction must include education on safety, regulatory, informational, or navigation markers in the geographic vicinity, and on the prohibition against boating under the influence.

The bill exempts a renter or lessee and livery from the pre-rental or pre-ride instruction requirement if the renter or lessee retains a professional captain with an active U.S. Coast Guard license, as required by the agreement between the livery and the renter or lessee.

The bill allows a livery to limit insurance covering the renter if the renter or lessee has a boating certification authorized by statute or if the renter or lessee hires a professional captain.

The bill allows the Florida Fish and Wildlife Conservation Commission (FWC) to enter into agreements with qualified contractors to inspect liveries for compliance with statutory requirements.

## II. Present Situation:

### Fish and Wildlife Conservation Commission

The Fish and Wildlife Conservation Commission (FWC) is responsible for regulating, managing, protecting, and conserving the state's fish and wildlife resources.<sup>1</sup> FWC is governed by a board of seven members who are appointed by the Governor and confirmed by the Florida Senate.<sup>2</sup> Under Article IV, Section 9 of the Florida Constitution, FWC has the authority to exercise the regulatory and executive powers of the state with respect to wild animal life, fresh water aquatic life, and marine life.

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<sup>1</sup> FLA. CONST. art. IV, s. 9.

<sup>2</sup> *Id.*; see also s. 379.102(1), F.S.

Chapter 327, F.S., concerning vessel safety is enforced by FWC's Division of Law Enforcement and its officers, county sheriffs and deputies, municipal police officers, and any other law enforcement officer.<sup>3</sup> The Division of Law Enforcement manages the state's waterways to ensure boating safety for Florida residents and visitors.<sup>4</sup> This includes enforcing boating rules and regulations, coordinating boating safety campaigns and education, managing public waters and access to the waters, conducting boating accident investigations, identifying and removing derelict vessels, and investigating vessel theft and title fraud.<sup>5</sup>

### **Boating Safety Education**

A person operating a vessel powered by a motor of 10 horsepower or greater must possess photographic identification and a Florida boating safety identification card; a state-issued identification card or driver license indicating possession of the boating safety identification card; or photographic identification and a temporary certificate issued or approved by FWC, an International Certificate of Competency, a boating safety card or certificate from another state or U.S. territory, or a Canadian Pleasure Craft Operator Card.<sup>6</sup> A person is exempt from this requirement if he or she:

- Was born before January 1, 1988;<sup>7</sup>
- Is or has been licensed by the U.S. Coast Guard;
- Operates a vessel only on a private lake or pond;
- Is accompanied by an adult who meets boating safety requirements and who is attendant to the operation of the vessel and responsible for safe operation of the vessel;
- Is a nonresident who possesses photographic identification and proof of completion of a boating safety education course or examination that meets or exceeds the minimum requirements established by the National Association of State Boating Law Administrators;
- Is operating a vessel within 90 days after purchase and possesses the bill of sale; or
- Is exempted by FWC rule.<sup>8</sup>

A Florida boating safety identification card is issued after successful completion of a boating safety education course approved by FWC.<sup>9</sup> The card is valid for a person's life.<sup>10</sup> A temporary certificate requires passing an FWC-approved examination and is valid for 90 days after the date of issuance.<sup>11</sup> An FWC-approved boating safety education course or temporary certificate examination must contain information regarding:

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<sup>3</sup> Section 327.70(1), F.S.; *see* s. 943.10(1), F.S., which defines "law enforcement officer" as any person who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with 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. The definition also includes all certified supervisory and command personnel whose duties include, in whole or in part, the supervision, training, guidance, and management responsibilities of full-time law enforcement officers, part-time law enforcement officers, or auxiliary law enforcement officers but does not include support personnel employed by the employing agency.

<sup>4</sup> Fish and Wildlife Conservation Commission (FWC), *Boating*, <https://myfwc.com/boating/> (last visited March 6, 2023).

<sup>5</sup> FWC, *Law Enforcement*, <https://myfwc.com/about/inside-fwcl/> (last visited March 6, 2023). *See* s. 327.70(1) and (4), F.S.

<sup>6</sup> Section 327.395(1), (2), F.S.

<sup>7</sup> Section 327.395(1), F.S.

<sup>8</sup> Section 327.395(6), F.S.

<sup>9</sup> Section 327.395(3), F.S.

<sup>10</sup> Section 327.395(5), F.S.

<sup>11</sup> Section 327.395(3), (5), F.S.

- Diving vessels, awareness of divers in the water, divers-down warning devices, and navigation around divers;
- The danger associated with:
  - A passenger riding on a vessel area not designed and designated for seating,
  - A passenger falling overboard,
  - Operating a vessel near a person in the water,
  - Starting a vessel with the engine in gear, and
  - Leaving the vessel running when a passenger is boarding or disembarking; and
- The proper use and lifesaving benefits of an engine cutoff switch for motorboats and personal watercraft.<sup>12</sup>

### **Regulation of Liveries**

A livery is defined as a person who advertises and offers a livery vessel<sup>13</sup> for use by another in exchange for any type of consideration, when the livery does not also provide the lessee or renter with a captain, crew, or any type of staff or personnel to operate, oversee, maintain, or manage the vessel.<sup>14</sup> The statute specifies two exemptions from the definition:

- Vessel owners who do not advertise their vessel for use by another for consideration and who loan or offer the vessel to a person they know; and
- A public or private school or postsecondary institution located in the state.<sup>15</sup>

A livery may not offer a vessel for lease or rent without obtaining an annual, no-cost livery permit from FWC.<sup>16</sup> To qualify for the issuance or renewal of the permit, a livery must:

- Provide FWC with a list of all vessels available for lease or rent;
- Have valid insurance;
- Have enough U.S. Coast Guard-approved lawful personal flotation devices on site to accommodate the capacity of all available vessels;
- Have enough safety equipment required by statute and the Code of Federal Regulations on site to equip all available vessels; and
- Display boating safety information in a place visible to the renting public.

If the information required to qualify for the permit changes before the annual renewal of the permit, a livery must provide the updated information to FWC within 10 days of the change.<sup>17</sup>

Regarding boating safety, the law prohibits a livery from knowingly leasing or renting a vessel to any person:

- When the number of persons intending to use the vessel exceeds the maximum safety load for the vessel;
- When the horsepower of the motor exceeds the capacity of the vessel;

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<sup>12</sup> Section 327.395(4), F.S.

<sup>13</sup> A livery vessel is defined as a vessel that is leased, rented, or chartered to another for consideration. Section 327.02(24), F.S.

<sup>14</sup> Section 327.54(1), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> Section 327.54(2), F.S.

<sup>17</sup> *Id.*

- When the vessel does not contain required safety equipment;
- When the vessel is not seaworthy, is derelict, or is at risk of becoming derelict;
- Unless the livery provides pre-rental or pre-ride instruction that reviews, at a minimum:
  - The operational characteristics of the livery vessel,
  - Safe vessel operation and right-of-way,
  - The responsibility of the vessel operator for the safe and proper operation of the vessel,
  - Local characteristics of the waterway, and
  - Emergency procedures;
- Unless the livery displays boating safety information in a place visible to the renting public; and
- Unless the livery has a written agreement with the renter or lessee.<sup>18</sup>

A livery also may not knowingly lease or rent a vessel to a person who is required to have a boating safety identification card or other boating safety certificate unless the person presents the card or certificate and photographic identification to the livery.<sup>19</sup> A person must be 18 years or more to rent a livery vessel other than a human-powered vessel.<sup>20</sup> Liveries must notify law enforcement if a vessel is unnecessarily overdue by more than four hours or if an accident occurs.<sup>21</sup>

Liveries must also obtain and carry in full force and effect a policy from a licensed insurance carrier in the state, which insures the livery and the renter against any accident, loss, injury, property damage, or other casualty caused by or resulting from the operation of the livery vessel. The policy must cover at least \$500,000 per person and \$1 million per event. Proof of insurance must be available for inspection where vessels are rented or leased. The insurance requirement only applies to human-powered vessels.<sup>22</sup>

A livery is required to make its facilities and records available for inspection upon request of law enforcement within 24 hours of receiving notice.<sup>23</sup>

### ***The Boating Safety Act of 2022***

The Legislature passed the Boating Safety Act of 2022 in part to increase protections for individuals who rent or lease livery vessels.<sup>24</sup> The Act provided the current statutory definition of a livery as a person who advertises and offers a livery vessel for use by another in exchange for any type of consideration, when the livery does not also provide a captain, crew, or any type of staff or personnel to operate, oversee, maintain, or manage the vessel. It also required liveries to obtain a no-cost, annual livery permit, as well as an insurance policy that insures both the livery and the renter. The Act added additional components to FWC-approved boating safety education courses and temporary certificate examinations.<sup>25</sup>

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<sup>18</sup> Section 327.54(3), F.S.

<sup>19</sup> Section 327.54(4), F.S.; *See generally* s. 327.395, F.S.

<sup>20</sup> Section 327.54(6), F.S.

<sup>21</sup> Section 327.54(5) and (9), F.S.

<sup>22</sup> Section 327.54(7), F.S.

<sup>23</sup> Section 327.54(10), F.S.

<sup>24</sup> Chapter 2022-197, Laws of Fla.

<sup>25</sup> *Id.*

### III. Effect of Proposed Changes:

**Section 1** amends s. 327.54, F.S., to specify that a livery's pre-rental or pre-ride instruction must be hands-on. The bill requires that the instruction include education on any safety, regulatory, informational, or navigation markers in the geographic vicinity, as well as notice of the prohibition against boating under the influence.

The bill provides that if a renter or lessee retains a professional captain who holds an active U.S. Coast Guard license to command the livery vessel as required by the agreement between the livery and the renter or lessee, and the livery confirms that the captain has been retained, the renter or lessee and the livery will be exempt from the pre-rental or pre-ride instruction requirement.

The bill allows a livery to limit insurance covering the renter if the renter or lessee:

- Has a Florida boating safety identification card issued by the Florida Fish and Wildlife Conservation Commission (FWC), a temporary certificate, or another authorized form of boating certification; or
- Hires a professional captain who holds an active U.S. Coast Guard license.

To enhance enforcement efforts, the bill allows FWC to enter into agreements with qualified contractors to perform inspections of liveries to ensure compliance with statutory requirements. The inspections may be performed by an authorized agent working under the supervision of a qualified contractor. The bill requires the qualified contractor to provide a copy of a written, signed inspection report to the livery upon completion of the inspection and to FWC within 30 days of the inspection. FWC may develop the contents of the inspection report.

The bill requires that a livery must make the statement form attesting to pre-rental or pre-ride instruction and the written agreement between the livery and the renter or lessee available for inspection by an authorized agent of FWC. The bill further requires that a livery make its facilities and records available for inspection by an authorized agent of FWC no later than 24 hours after receiving notice from the authorized agent.

The bill makes technical changes.

**Section 2** provides an effective date of July 1, 2023.

### 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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 327.54 of the Florida Statutes.

**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.

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1                   A bill to be entitled  
2       An act relating to boating safety; amending s.  
3       327.395, F.S.; revising the requirement for persons  
4       born before a specified date to have certain  
5       identification and boating safety documentation in  
6       their possession while operating a vessel; amending s.  
7       327.54, F.S.; conforming a cross-reference; requiring  
8       liveries to provide hands-on instruction that meets  
9       specified requirements; providing an exemption from  
10      certain safety requirements if renters or lessees hire  
11      a professional captain; deleting the requirement that  
12      a livery obtain and carry insurance that also insures  
13      renters and lessees; conforming a provision to changes  
14      made by the act; providing an effective date.

15  
16   Be It Enacted by the Legislature of the State of Florida:

17  
18       Section 1. Subsection (1) of section 327.395, Florida  
19   Statutes, is amended to read:

20       327.395 Boating safety education.—

21       (1) A person born on or after January 1, 1960 ~~1988~~, may  
22   not operate a vessel powered by a motor of 10 horsepower or  
23   greater unless such person has in his or her possession aboard  
24   the vessel the documents required by subsection (2).

25       Section 2. Subsections (4) through (12) of section 327.54,

Florida Statutes, are renumbered as subsections (5) through (13), respectively, subsection (2), paragraph (e) of subsection (3), present subsections (7) and (8) are amended, and a new subsection (4) is added to that section, to read:

327.54 Liveries; safety regulations; penalty.—

(2) A livery may not offer a vessel for lease or rent without first being issued a no-cost livery permit by the commission. The permit must be renewed annually. To qualify for issuance or renewal of a livery permit, an applicant must provide the commission with a list of all vessels offered by the livery for lease or rent by another, have valid insurance pursuant to subsection (8) ~~(7)~~, have an amount of United States Coast Guard-approved lawful personal floatation devices on site sufficient to accommodate the capacity of all vessels offered by the livery for rent or lease by another, have on site all safety equipment required by s. 327.50 and the Code of Federal Regulations sufficient to equip all vessels offered by the livery for rent or lease by another, and display the information required by paragraph (3) (f). If, before the annual renewal of the permit, the information required by this subsection changes, the livery must provide the commission with the updated information within 10 days after the change.

(a) The commission may adopt rules to implement this subsection.

(b) A person who violates this subsection commits a

51 misdemeanor of the first degree, punishable as provided in s.  
52 775.082 or s. 775.083.

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

55 (e) Unless the livery provides hands-on pre-rental or pre-  
56 ride instruction in compliance with rules established by the  
57 commission.

58 1. The instruction must include, but need not be limited  
59 to:

60 a. Operational characteristics of the vessel to be rented.

61 b. Safe vessel operation and vessel right-of-way.

62 c. The responsibility of the vessel operator for the safe  
63 and proper operation of the vessel.

64 d. Local characteristics of the waterway where the vessel  
65 will be operated, such as navigational hazards, the presence of  
66 boating-restricted areas, ~~and~~ water depths, and education on any  
67 safety, regulatory, information, or navigation markers in the  
68 geographic vicinity.

69 e. Emergency procedures, such as appropriate responses to  
70 capsizing, falls overboard, taking on water, and vessel  
71 accidents.

72 f. Proper use of personal floatation devices.

73 g. A notice of the prohibition against boating under the  
74 influence pursuant to s. 327.35.

75 2. Any person receiving instruction in the safe handling

76 of livery vessels pursuant to this paragraph must provide the  
77 livery with a written statement attesting to each component of  
78 the instruction.

79 a. The commission shall establish by rule the content of  
80 the statement form.

81 b. The statement form must be signed by the individual  
82 providing the instruction.

83 c. The livery shall maintain the statement form for no  
84 less than 90 days and, upon request, make the form available for  
85 inspection by law enforcement.

86 (4) If a renter or lessee retains a professional captain  
87 who holds an active license issued by the United States Coast  
88 Guard to command the vessel as required by an agreement between  
89 the livery and the renter or lessee, and the livery confirms  
90 that a professional captain has been retained, the renter or  
91 lessee and the livery are not subject to paragraph (3)(e).

92 (8)(7) A livery may not lease or rent or offer to lease or  
93 rent any livery vessel unless the livery first obtains and  
94 carries in full force and effect a policy from a licensed  
95 insurance carrier in this state which insures the livery ~~and the~~  
96 ~~renter~~ against any accident, loss, injury, property damage, or  
97 other casualty caused by or resulting from the operation of the  
98 livery vessel. The insurance policy must provide coverage of at  
99 least \$500,000 per person and \$1 million per event. The livery  
100 shall have proof of such insurance available for inspection at

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101 the location where livery vessels are being leased or rented, or  
102 offered for lease or rent, and shall provide to each renter the  
103 insurance carrier's name and address and the insurance policy  
104 number. This subsection does not apply to human-powered vessels.

105       ~~(9)(8)~~ Notwithstanding the person's age or any exemptions  
106 provided in s. 327.395, any person delivering instruction  
107 regarding the safe operation of vessels or hands-on pre-rental  
108 or pre-ride instruction in accordance with subsection (3) must  
109 have successfully completed a boating safety education course  
110 approved by the National Association of State Boating Law  
111 Administrators and this state.

112       Section 3. This act shall take effect July 1, 2023.

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 261 Boating Safety

**SPONSOR(S):** Agriculture, Conservation & Resiliency Subcommittee, Botana

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture, Conservation & Resiliency Subcommittee	16 Y, 1 N, As CS	Mamontoff	Moore
2) Agriculture & Natural Resources Appropriations Subcommittee			
3) Infrastructure Strategies Committee			

### SUMMARY ANALYSIS

The Fish and Wildlife Conservation Commission (FWC) is responsible for regulating, managing, protecting, and conserving the state's fish and wildlife resources. FWC is also the agency responsible for regulating boating safety in the state. This responsibility includes enforcing boating rules and regulations, coordinating boating safety campaigns and education, managing public water and access to the waters, conducting boating accident investigations, identifying and removing derelict vessels, and investigating vessel theft and title fraud.

In Florida, any person born on or after January 1, 1988, must complete a boating safety education course approved by the National Association of State Boating Law Administrators in order to operate a vessel powered by a motor of 10 horsepower or greater. Any operator required by statute to complete the boating safety education course must carry a boating education ID card and a photo ID while operating any qualifying vessel.

According to an FWC report, in 2021, 751 boating accidents, 469 injuries, and 60 fatalities were reported. Most of these boating accidents (77 percent) occurred on owner-operated vessels rather than livery vessels. In 39 percent of reportable boating accidents, the operator's age was 51 years old or older. In 27 percent of reportable accidents, the operator was between the ages of 36 and 50 years old. According to the report, 83 percent of vessel operators involved in boating accidents had no formal boater education.

During the 2022 Regular Session, the Legislature passed CS/SB 606, which created new regulations relating to boating safety and liveries. The new regulations require liveries to provide pre-rental or pre-ride instructions and to carry a policy from a licensed insurance carrier that insures both the livery and the renter.

The bill expands requirements related to operating a vessel by requiring any person born on or after January 1, 1960, operating a vessel powered by a motor of 10 horsepower or greater to have in their possession a photo ID and a boating safety ID card or temporary certificate issued by FWC, rather than only a person born on or after January 1, 1988.

The bill requires a livery to provide hands-on pre-rental and pre-ride instruction that must include education on any safety, regulatory, information, or navigation markers in the geographic vicinity; the proper use of personal flotation devices; and a notice of the prohibition against boating under the influence. The bill exempts a renter, lessee, and livery from providing hands-on pre-rental or pre-ride instruction if the renter or lessee retains a professional captain who holds an active license issued by the United States Coast Guard.

The bill removes the requirement for a livery to carry a policy that insures a renter against any accident, loss, injury, property damage, or other casualty caused by or resulting from the operation of the livery vessel.

The bill may have an indeterminate positive fiscal impact on state government.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Background

###### Fish and Wildlife Conservation Commission

The Fish and Wildlife Conservation Commission (FWC), created by Article IV, section 9, of the Florida Constitution, is responsible for regulating, managing, protecting, and conserving the state's fish and wildlife resources. FWC is governed by a board of seven members who are appointed by the Governor and confirmed by the Senate.<sup>1</sup> Pursuant to its constitutional authority, FWC exercises the regulatory and executive powers of the state with respect to wild animal life, fresh water aquatic life, and marine life.

FWC is also the agency responsible for regulating boating safety in the state. Through its Division of Law Enforcement, FWC manages the state's waterways to ensure boating safety for residents and visitors to the state.<sup>2</sup> This responsibility includes enforcing boating rules and regulations, coordinating boating safety campaigns and education, managing public water and access to the waters, conducting boating accident investigations, identifying and removing derelict vessels, and investigating vessel theft and title fraud.<sup>3</sup>

###### Boating Accidents

In the event of a boating collision, accident, or other casualty, current law imposes a duty on a vessel operator involved in the incident to give notice of the accident, by the quickest means available, to one of the following agencies: FWC's Division of Law Enforcement; the sheriff of the county within which the accident occurred; or the police chief of the municipality within which the accident occurred.<sup>4</sup> According to an FWC report, in 2021, 751 boating accidents, 469 injuries, and 60 fatalities were reported.<sup>5</sup> Most of these boating accidents (77 percent) occurred on owner-operated vessels rather than livery vessels. In 39 percent of reportable boating accidents, the operator's age was 51 years old or older. In 27 percent of reportable accidents, the operator was between the ages of 36 and 50 years old. According to the report, 83 percent of vessel operators involved in boating accidents had no formal boater education.<sup>6</sup>

###### Boating Education

Current law requires any person born on or after January 1, 1988, to complete a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA) in order to operate a vessel powered by a motor of 10 horsepower or greater.<sup>7</sup> Any operator required by statute to complete the boating safety education course must carry a boating safety ID card and a photo ID while operating any qualifying vessel.<sup>8</sup>

NASBLA provides the minimum standards that apply to all basic boating courses in the United States and its territories. The minimum standards are reviewed every five years with the purpose of establishing a national standard for all courses across the country. Under current NASBLA standards, courses must describe state-required equipment. Courses offered in Florida that meet NASBLA's eight-hour instruction requirement range in price from free to \$50.<sup>9</sup> A boating safety education course card is

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<sup>1</sup> Article IV, s. 9, FLA. CONST.

<sup>2</sup> Fish and Wildlife Conservation Commission (FWC), *Boating*, <https://myfwc.com/boating/> (last visited Feb. 23, 2023).

<sup>3</sup> FWC, *Law Enforcement*, <https://myfwc.com/about/inside-fwc/le/> (last visited Feb. 23, 2023). See s. 327.70(1) and (4), F.S.

<sup>4</sup> Section 327.30(2), F.S.

<sup>5</sup> FWC, *Boating Accident Statistical Report*, <https://myfwc.com/boating/safety-education/accidents/> (last visited March 7, 2023).

<sup>6</sup> *Id.*

<sup>7</sup> Section 327.395(1), F.S.

<sup>8</sup> Section 327.395(2), F.S.

<sup>9</sup> FWC, *Boating Safety Courses*, <https://myfwc.com/boating/safety-education/courses/> (last visited March 7, 2023).

valid for life unless it was obtained through a temporary examination, in which case it is valid for only 90 days.<sup>10</sup>

### Regulation of Liveries

A livery vessel is a vessel that is leased, rented, or chartered to another for consideration.<sup>11</sup> A facility that rents and leases such vessels is called a livery.<sup>12</sup> During the 2022 Regular Session, the Legislature passed CS/SB 606 (ch. 2022-197, L.O.F.), which created new regulations relating to boating safety and liveries.

A livery is now required to carry a policy from a licensed insurance carrier that insures the livery and the renter of a livery vessel against any accident, loss, injury, property damage, or other casualty caused by or resulting from the operation of the vessel. Coverage for at least \$500,000 per person and \$1 million per event must be provided. Proof of insurance must be available for inspection at the location where livery vessels are being leased or rented. Previously, a livery was not required to carry a policy for the renter. Since the passage of these new regulations, there has been growing concern that most insurance companies do not offer the type of insurance policy for renters that is now legally required for liveries.<sup>13</sup>

Additionally, liveries are now required to provide pre-rental or pre-ride instructions to renters, which must include:<sup>14</sup>

- Operational characteristics of the vessel to be rented;
- Safe vessel operation and vessel right-of-way;
- The responsibility of the vessel operator for the safe and proper operation of the vessel;
- Local characteristics of the waterway where the vessel will be operated, such as navigational hazards, boating restricted areas, and water depths; and
- Emergency procedures, such as appropriate responses to capsizing, falling overboard, taking on water, and vessel accidents.

Any person providing the instruction must have successfully completed a boating safety education course approved by NASBLA and the state. A person who receives the instruction regarding the safe operation of vessels or pre-rental or pre-ride instruction must provide the livery with a signed form attesting to each component of the instruction.

### **Effect of the Bill**

The bill expands requirements related to operating a vessel by requiring any person born on or after January 1, 1960, operating a vessel powered by a motor of 10 horsepower or greater to have in their possession a photo ID and a boating safety ID card or temporary certificate issued by FWC, rather than any person born on or after January 1, 1988.

The bill requires a livery to provide hands-on pre-rental and pre-ride instruction. The livery's pre-rental or pre-ride instruction must include education on any safety, regulatory, information, or navigation markers in the geographic vicinity; the proper use of personal floatation devices; and a notice of the prohibition against boating under the influence.

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<sup>10</sup> Section 327.395 (5), F.S.

<sup>11</sup> Section 327.02(24), F.S.

<sup>12</sup> "Livery" means a person who advertises and offers a livery vessel for use by another person in exchange for any type of consideration when such person does not also provide the lessee or renter 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. Section 327.54(1)(c).

<sup>13</sup> WUSF Public Media, *Three words in a new law threaten Florida's rental boat industry*, <https://wusfnews.wusf.usf.edu/economy-business/2022-12-20/three-words-new-law-threaten-florida-rental-boat-industry> (Dec. 20, 2022).

<sup>14</sup> Section 327.54(3)(e), F.S.

The bill exempts a renter, lessee, and livery from providing hands-on pre-rental or pre-ride instruction if the renter or lessee retains a professional captain who holds an active license issued by the United States Coast Guard to command the vessel.

The bill removes the requirement for a livery to carry an insurance policy that insures a renter against any accident, loss, injury, property damage, or other casualty caused by or resulting from the operation of the livery vessel.

**B. SECTION DIRECTORY:**

Section 1. Amends s. 327.395, F.S., relating to boating safety.

Section 2. Amends s. 327.54, F.S., relating to liveries.

Section 3. Provides an effective date of July 1, 2023.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

**1. Revenues:**

The bill may have an indeterminate positive fiscal impact on FWC related to the increase in the number of boating safety identification cards being issued.

**2. Expenditures:**

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

**1. Revenues:**

None.

**2. Expenditures:**

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

The bill may have an indeterminate positive fiscal impact on companies that teach boating safety education courses due to the increased number of individuals who will need a boating safety ID.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

**1. Applicability of Municipality/County Mandates Provision:**

None. The bill does not appear to affect county or municipal governments.

**2. Other:**

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On March 9, 2023, the Agriculture, Conservation & Resiliency Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment:

- Expanded requirements related to operating a vessel by requiring any person born after January 1, 1960, operating a vessel powered by a motor of 10 horsepower or greater to have in their possession a photo ID and a boating safety ID card or temporary certificate issued by FWC;
- Required a livery to provide hands-on pre-rental and pre-ride instruction;
- Required a livery's pre-rental or pre-ride instruction to include education on any safety, regulatory, information, or navigation markers in the geographic vicinity; proper use of personal floatation devices; and a notice of the prohibition against boating under the influence; and
- Exempted the renter, lessee, and livery from providing hands-on pre-rental or pre-ride instruction if the renter or lessee retains a professional captain who holds an active license issued by the United States Coast Guard to command the vessel.

This analysis is drafted to the committee substitute as approved by the Agriculture, Conservation & Resiliency Subcommittee.

By Senator Rouson

16-00479B-23

20231602\_\_

A bill to be entitled  
An act relating to storage of firearms in private conveyances and vessels; amending s. 790.25, F.S.; prohibiting the storage of firearms in unoccupied private conveyances and vessels unless done in a specified manner; providing definitions; requiring local law enforcement agencies to engage in a certain promotional campaign; providing a finding of important state interest; providing an effective date.

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

Section 1. Subsection (5) of section 790.25, Florida Statutes, is amended to read:

790.25 Lawful ownership, possession, and use of firearms and other weapons.—

(5) POSSESSION IN PRIVATE CONVEYANCE.—

(a) Except as provided in paragraph (b), notwithstanding subsection (2), it is lawful and is not a violation of s. 790.01 for a person 18 years of age or older to possess a concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private conveyance, without a license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing in this paragraph ~~herein contained~~ prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use. Nothing in this paragraph ~~herein contained~~ shall be construed to authorize the carrying of a concealed firearm or other weapon on

16-00479B-23

20231602\_\_

the person. This ~~paragraph subsection~~ shall be liberally construed in favor of the lawful use, ownership, and possession of firearms and other weapons, including lawful self-defense as provided in s. 776.012.

(b)1. A person may not store a firearm, loaded or unloaded, in an unoccupied, unsecured private conveyance or vessel unless the firearm is kept from ordinary observation and view and locked within a trunk, utility or glove box, or another locked container or secured with a device or mechanism that is securely affixed to the private conveyance or vessel.

2. As used in subparagraph 1., the term:

a. "Private conveyance" includes any motor vehicle as defined in s. 790.251(2) (b) other than a public conveyance.

b. "Unsecured" means a private conveyance interior or vessel interior that is unlocked or otherwise left open to entry.

c. "Vessel" has the same meaning as provided in s. 327.02.

3. Each law enforcement agency shall engage in a promotional campaign to educate the public and gun owners of the requirements of subparagraph 1. and that with gun ownership comes responsibility.

Section 2. It is the intent of the Legislature to provide for the most efficient and effective deterrent to juvenile theft of firearms from vessels and conveyances, tailored to local conditions and resources. Therefore, the Legislature determines and declares that the provisions of this act fulfill an important state interest.

Section 3. This act shall take effect July 1, 2023.

HB 571

2023

1                   A bill to be entitled  
2       An act relating to storage of firearms in private  
3       conveyances and vessels; amending s. 790.25, F.S.;  
4       prohibiting the storage of a firearms in unoccupied  
5       private conveyances and vessels unless done so in a  
6       specified manner; providing definitions; requiring  
7       local law enforcement agencies to engage in a  
8       promotional campaign; providing legislative findings;  
9       directing counties to adopt specified ordinances  
10      concerning parental responsibility for gun thefts from  
11      conveyances and vessels by their minor children;  
12      providing a finding of important state interest;  
13      providing an effective date.

14  
15   Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Subsection (5) of section 790.25, Florida  
18   Statutes, is amended to read:

19       790.25 Lawful ownership, possession, and use of firearms  
20   and other weapons.—

21       (5) POSSESSION IN PRIVATE CONVEYANCE.—

22       (a) Except as provided in paragraph (b), notwithstanding  
23   subsection (2), it is lawful and is not a violation of s. 790.01  
24   for a person 18 years of age or older to possess a concealed  
25   firearm or other weapon for self-defense or other lawful purpose

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26 within the interior of a private conveyance, without a license,  
27 if the firearm or other weapon is securely encased or is  
28 otherwise not readily accessible for immediate use. Nothing in  
29 this paragraph ~~herein contained~~ prohibits the carrying of a  
30 legal firearm other than a handgun anywhere in a private  
31 conveyance when such firearm is being carried for a lawful use.  
32 Nothing in this paragraph ~~herein contained~~ shall be construed to  
33 authorize the carrying of a concealed firearm or other weapon on  
34 the person. This paragraph ~~subsection~~ shall be liberally  
35 construed in favor of the lawful use, ownership, and possession  
36 of firearms and other weapons, including lawful self-defense as  
37 provided in s. 776.012.

38 (b)1. A person may not store a firearm, loaded or  
39 unloaded, in an unoccupied, unsecured private conveyance or  
40 vessel unless the firearm is kept from ordinary observation and  
41 view and locked within a trunk, utility or glove box, or another  
42 locked container or secured with a device or mechanism that is  
43 securely affixed to the private conveyance or vessel.

44 2. As used in subparagraph 1., the term:

45 a. "Private conveyance" includes any "motor vehicle" as  
46 defined in s. 790.251(2)(b) other than a public conveyance.

47 b. "Unsecured" means a private conveyance interior or  
48 vessel interior that is unlocked or otherwise left open to  
49 entry.

50 c. "Vessel" has the same meaning as provided in s. 327.02.

51        3. Each law enforcement agency shall engage in a  
52 promotional campaign to educate the public and gun owners of the  
53 requirements of subparagraph 1. and that with gun ownership  
54 comes responsibility as prescribed in the local ordinance  
55 adopted under subparagraph 4.

56        4. The Legislature finds that it is the responsibility of  
57 parents to supervise their children under 18 years of age.  
58 Therefore, a parent of a child under 18 years of age who has  
59 been found to have stolen a firearm from a conveyance or vessel  
60 is subject to sanctions. Each county shall, no later than  
61 January 1, 2024, adopt a local ordinance containing such  
62 sanctions for parents of such minor offenders and direct local  
63 law enforcement agencies to engage in a promotional campaign to  
64 educate the public and gun owners in the county of their  
65 responsibilities under the ordinance.

66        Section 2. It is the intent of the Legislature to provide  
67 for the most efficient and effective deterrent to juvenile theft  
68 of firearms from vessels and conveyances, tailored to local  
69 conditions and resources. Therefore, the Legislature determines  
70 and declares that the provisions of this act fulfill an  
71 important state interest.

72        Section 3. This act shall take effect July 1, 2023.

By Senator Rodriguez

40-01732D-23

20231502\_\_

A bill to be entitled  
An act relating to vessel owner and operation requirements; amending s. 327.4108, F.S.; revising anchoring limitation areas in certain sections of Biscayne Bay in Miami-Dade County; revising the timeframe during which a person may anchor a vessel in an anchoring limitation area within which such anchoring would otherwise be unlawful; amending s. 327.70, F.S.; requiring law enforcement officers to conduct national criminal background checks for vessel owners who are issued citations for specified violations; providing an effective date.

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

Section 1. Subsection (1) and paragraph (c) of subsection (4) of section 327.4108, Florida Statutes, are amended to read:  
327.4108 Anchoring of vessels in anchoring limitation areas.—

(1) The following densely populated urban areas, which have narrow state waterways, residential docking facilities, and significant recreational boating traffic, are designated as and shall be considered to be grandfathered-in anchoring limitation areas, within which, except as provided in subsections (4) and (5), a person may not anchor a vessel at any time during the period between one-half hour after sunset and one-half hour before sunrise and, at any other time, for more than 4 hours in a single day ~~except as provided in subsections (4) and (5):~~

(a) The section of Middle River lying between Northeast

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21st Court and the Intracoastal Waterway in Broward County.

(b) Sunset Lake in Miami-Dade County.

(c) The sections of Biscayne Bay in Miami-Dade County lying between:

1. Rivo Alto Island and Di Lido Island.

2. Di Lido Island and San Marino Island.

3.2- San Marino Island and San Marco Island.

4.3- San Marco Island and Biscayne Island.

5. Star Island and MacArthur Causeway.

6. Palm Island and MacArthur Causeway.

7. Hibiscus Island and Palm Island.

8. Julia Tuttle Causeway and Kennedy Causeway.

9. The Sunset Islands.

10. Belle Isle and Rivo Alto Island.

For the purposes of this paragraph, the term "lying between" includes, without limitation, all of the area 200 yards to the west from the western shore of the Sunset Islands and Di Lido Island, all of the area 200 yards to the north from the northern shore of the Sunset Islands, and all of the area 200 yards to the east from the eastern shore of Di Lido Island.

(4) Notwithstanding subsections (1), (2), and (3), a person may anchor a vessel in an anchoring limitation area during a time that would otherwise be unlawful:

(c) For the duration of ~~During~~ events described in s. 327.48 or ~~other special events, including, but not limited to, public music performances, local government waterfront activities, or fireworks displays. A vessel may anchor for the lesser of the duration of the special event or 3 days, whichever~~

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59 is less.

60 Section 2. Present subsection (5) of section 327.70,  
61 Florida Statutes, is redesignated as subsection (6), and a new  
62 subsection (5) is added to that section, to read:

63 327.70 Enforcement of this chapter and chapter 328.—

64 (5) When a law enforcement officer issues a citation to a  
65 vessel owner for a violation of this chapter, the law  
66 enforcement officer must conduct a national criminal background  
67 check on the vessel owner.

68 Section 3. This act shall take effect July 1, 2023.

HB 1385

2023

1                   A bill to be entitled  
2       An act relating to vessel owner and operation  
3       requirements; amending s. 327.4108, F.S.; revising  
4       anchoring limitation areas in certain sections of  
5       Biscayne Bay in Miami-Dade County; revising the  
6       timeframe during which a person may anchor a vessel in  
7       an anchoring limitation area within which such  
8       anchoring would otherwise be unlawful; amending s.  
9       327.70, F.S.; requiring law enforcement officers to  
10      conduct national criminal background checks for vessel  
11      owners who are issued citations for specified  
12      violations; providing an effective date.

13  
14   Be It Enacted by the Legislature of the State of Florida:

15  
16       Section 1. Subsection (1) and paragraph (c) of subsection  
17      (4) of section 327.4108, Florida Statutes, are amended to read:  
18       327.4108 Anchoring of vessels in anchoring limitation  
19      areas.—

20       (1) The following densely populated urban areas, which  
21      have narrow state waterways, residential docking facilities, and  
22      significant recreational boating traffic, are designated as and  
23      shall be considered to be grandfathered-in anchoring limitation  
24      areas, within which, except as provided in subsections (4) and  
25      (5), a person may not anchor a vessel at any time during the

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period between one-half hour after sunset and one-half hour before sunrise and, at any other time, for more than 4 hours in a single day ~~except as provided in subsections (4) and (5):~~

(a) The section of Middle River lying between Northeast 21st Court and the Intracoastal Waterway in Broward County.

(b) Sunset Lake in Miami-Dade County.

(c) The sections of Biscayne Bay in Miami-Dade County lying between:

1. Rivo Alto Island and Di Lido Island.

2. Di Lido Island and San Marino Island.

3.2. San Marino Island and San Marco Island.

4.3. San Marco Island and Biscayne Island.

5. Star Island and MacArthur Causeway.

6. Palm Island and MacArthur Causeway.

7. Hibiscus Island and Palm Island.

8. Julia Tuttle Causeway and Kennedy Causeway.

9. The Sunset Islands.

10. Belle Isle and Rivo Alto Island.

For the purposes of this paragraph, the term "lying between" includes, without limitation, all of the area 200 yards to the west from the western shore of the Sunset Islands and Di Lido Island, all of the area 200 yards to the north from the northern shore of the Sunset Islands, and all of the area 200 yards to the east from the eastern shore of Di Lido Island.

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51           (4) Notwithstanding subsections (1), (2), and (3), a  
52 person may anchor a vessel in an anchoring limitation area  
53 during a time that would otherwise be unlawful:

54           (c) For the duration of ~~During~~ events described in s.  
55 327.48 or ~~other special events, including, but not limited to,~~  
56 ~~public music performances, local government waterfront~~  
57 ~~activities, or fireworks displays. A vessel may anchor for the~~  
58 ~~lesser of the duration of the special event or 3 days, whichever~~  
59 is less.

60           Section 2. Present subsection (5) of section 327.70,  
61 Florida Statutes, is redesignated as subsection (6), and a new  
62 subsection (5) is added to that section, to read:

63           327.70 Enforcement of this chapter and chapter 328.—

64           (5) When a law enforcement officer issues a citation to a  
65 vessel owner for a violation of this chapter, the law  
66 enforcement officer must conduct a national criminal background  
67 check on the vessel owner.

68           Section 3. This act shall take effect July 1, 2023.

By Senator Wright

8-01353-23

20231314\_\_

1 A bill to be entitled  
2 An act relating to boating-restricted areas; amending  
3 s. 327.46, F.S.; authorizing counties and  
4 municipalities to establish within certain portions of  
5 the Florida Intracoastal Waterway slow speed, minimum  
6 wake boating-restricted areas within a specified  
7 distance from private or public marina pumpouts;  
8 reenacting s. 327.41(2), F.S., relating to uniform  
9 waterway regulatory markers, to incorporate the  
10 amendment made to s. 327.46, F.S., in a reference  
11 thereto; providing an effective date.  
12

13 Be It Enacted by the Legislature of the State of Florida:  
14

15 Section 1. Paragraph (b) of subsection (1) of section  
16 327.46, Florida Statutes, is amended to read:

17 327.46 Boating-restricted areas.—

18 (1) Boating-restricted areas, including, but not limited  
19 to, restrictions of vessel speeds and vessel traffic, may be  
20 established on the waters of this state for any purpose  
21 necessary to protect the safety of the public if such  
22 restrictions are necessary based on boating accidents,  
23 visibility, hazardous currents or water levels, vessel traffic  
24 congestion, or other navigational hazards or to protect  
25 seagrasses on privately owned submerged lands.

26 (b) Municipalities and counties may establish the following  
27 boating-restricted areas by ordinance, including,  
28 notwithstanding the prohibition in s. 327.60(2)(c), within the  
29 portion of the Florida Intracoastal Waterway within their

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jurisdiction:

1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is:

a. Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.

b. Within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width.

c. Inside or within 300 feet of any lock structure.

2. An ordinance establishing a slow speed, minimum wake boating-restricted area if the area is:

a. Within 300 feet of any bridge fender system.

b. Within 300 feet of any bridge span presenting a vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet.

c. On a creek, stream, canal, or similar linear waterway if the waterway is less than 75 feet in width from shoreline to shoreline.

d. On a lake or pond of less than 10 acres in total surface area.

e. Within the boundaries of a permitted public mooring

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field and a buffer around the mooring field of up to 100 feet.

f. Within 500 feet of any private or public marina pumpout.

3. An ordinance establishing a vessel-exclusion zone if the area is:

a. Designated as a public bathing beach or swim area, except that such areas may not be created on waters that include any portion of the Florida Intracoastal Waterway or that are within 100 feet of the marked channel of the Florida Intracoastal Waterway.

b. Within 300 feet of a dam, spillway, or flood control structure.

Vessel exclusion zones created pursuant to this subparagraph must be marked with uniform waterway markers permitted by the commission in accordance with this chapter. Such zones may not be marked by ropes.

Section 2. For the purpose of incorporating the amendment made by this act to section 327.46, Florida Statutes, in a reference thereto, subsection (2) of section 327.41, Florida Statutes, is reenacted to read:

327.41 Uniform waterway regulatory markers.—

(2) Any county or municipality which has been granted a boating-restricted area designation, by rule of the commission pursuant to s. 327.46(1)(a), for a portion of the Florida Intracoastal Waterway within its jurisdiction or which has adopted a boating-restricted area by ordinance pursuant to s. 327.46(1)(b) or (c) or s. 379.2431(2)(p), or any other governmental entity which has legally established a boating-restricted area, may apply to the commission for permission to

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88 place regulatory markers within the boating-restricted area.

89 Section 3. This act shall take effect July 1, 2023.

HB 1103

2023

1                   A bill to be entitled  
2       An act relating to boating-restricted areas; amending  
3       s. 327.46, F.S.; authorizing counties and  
4       municipalities to establish within certain portions of  
5       the Florida Intracoastal Waterway slow speed, minimum  
6       wake boating-restricted areas within a specified  
7       distance from private or public marina pumpouts;  
8       reenacting s. 327.41(2), F.S., relating to uniform  
9       waterway regulatory markers, to incorporate the  
10      amendment made to s. 327.46, F.S., in a reference  
11      thereto; providing an effective date.

12  
13   Be It Enacted by the Legislature of the State of Florida:

14  
15       Section 1. Paragraph (b) of subsection (1) of section  
16   327.46, Florida Statutes, is amended to read:

17       327.46 Boating-restricted areas.—

18       (1) Boating-restricted areas, including, but not limited  
19   to, restrictions of vessel speeds and vessel traffic, may be  
20   established on the waters of this state for any purpose  
21   necessary to protect the safety of the public if such  
22   restrictions are necessary based on boating accidents,  
23   visibility, hazardous currents or water levels, vessel traffic  
24   congestion, or other navigational hazards or to protect  
25   seagrasses on privately owned submerged lands.

(b) Municipalities and counties may establish the following boating-restricted areas by ordinance, including, notwithstanding the prohibition in s. 327.60(2)(c), within the portion of the Florida Intracoastal Waterway within their jurisdiction:

1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is:

a. Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.

b. Within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width.

c. Inside or within 300 feet of any lock structure.

2. An ordinance establishing a slow speed, minimum wake boating-restricted area if the area is:

a. Within 300 feet of any bridge fender system.

b. Within 300 feet of any bridge span presenting a

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vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet.

c. On a creek, stream, canal, or similar linear waterway if the waterway is less than 75 feet in width from shoreline to shoreline.

d. On a lake or pond of less than 10 acres in total surface area.

e. Within the boundaries of a permitted public mooring field and a buffer around the mooring field of up to 100 feet.

f. Within 500 feet of any private or public marina pumpout.

3. An ordinance establishing a vessel-exclusion zone if the area is:

a. Designated as a public bathing beach or swim area, except that such areas may not be created on waters that include any portion of the Florida Intracoastal Waterway or that are within 100 feet of the marked channel of the Florida Intracoastal Waterway.

b. Within 300 feet of a dam, spillway, or flood control structure.

Vessel exclusion zones created pursuant to this subparagraph must be marked with uniform waterway markers permitted by the commission in accordance with this chapter. Such zones may not be marked by ropes.

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76           Section 2. For the purpose of incorporating the amendment  
77 made by this act to section 327.46, Florida Statutes, in a  
78 reference thereto, subsection (2) of section 327.41, Florida  
79 Statutes, is reenacted to read:

80           327.41 Uniform waterway regulatory markers.—

81           (2) Any county or municipality which has been granted a  
82 boating-restricted area designation, by rule of the commission  
83 pursuant to s. 327.46(1)(a), for a portion of the Florida  
84 Intracoastal Waterway within its jurisdiction or which has  
85 adopted a boating-restricted area by ordinance pursuant to s.  
86 327.46(1)(b) or (c) or s. 379.2431(2)(p), or any other  
87 governmental entity which has legally established a boating-  
88 restricted area, may apply to the commission for permission to  
89 place regulatory markers within the boating-restricted area.

90           Section 3. This act shall take effect July 1, 2023.

By Senator DiCeglie

18-00374-23

20231082\_\_

A bill to be entitled

An act relating to floating vessel platforms; amending s. 403.813, F.S.; removing a provision authorizing local governments to require permitting for certain floating vessel platforms; revising conditions under which local governments may require one-time registrations of floating vessel platforms; making technical changes; providing an effective date.

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

Section 1. 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 occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(s) The construction, installation, operation, or

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30 maintenance of floating vessel platforms or floating boat  
31 lifts., ~~provided that such structures:~~

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

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

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

46 ~~c.3. Not be~~ Are not used for any commercial purpose or for  
47 mooring vessels that remain in the water when not in use, and ~~do~~  
48 not substantially impede the flow of water, create a  
49 navigational hazard, or unreasonably infringe upon the riparian  
50 rights of adjacent property owners, as defined in s. 253.141;

51 ~~d.4. Be~~ Are constructed and used so as to minimize adverse  
52 impacts to submerged lands, wetlands, shellfish areas, aquatic  
53 plant and animal species, and other biological communities,  
54 including locating such structures in areas where seagrasses are  
55 least dense adjacent to the dock or bulkhead; and

56 ~~e.5. Are~~ Not be constructed in areas specifically  
57 prohibited for boat mooring under conditions of a permit issued  
58 in accordance with ss. 403.91-403.929, 1984 Supplement to the

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Florida Statutes 1983, as amended, or part IV of chapter 373, or other form of authorization issued by a local government.

2. The owner of a structure ~~Structures~~ that qualifies ~~qualify~~ for an ~~this~~ exemption under this paragraph is not ~~required~~ ~~are relieved from any requirement~~ to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund, and, with the exception of those structures attached to a bulkhead on a parcel of land where there is no docking structure, the structure may not be subject to any more stringent permitting requirements, registration requirements, or other regulation by any local government. For a floating vessel platform to be attached to a bulkhead on a parcel of land where there is no docking structure, a local government ~~governments~~ may require the platform owner to obtain a permit ~~either permitting or one-time registration of the floating vessel platform~~ ~~platforms to be attached to a bulkhead on a parcel of land where there is no other docking structure~~ as necessary to ensure compliance with local ordinances, codes, or regulations. A local government ~~governments~~ may require only a ~~either permitting or one-time registration of all other floating vessel platforms~~ where the platform owner self-certifies ~~as necessary to ensure~~ compliance with the exemption criteria in this section, to ensure compliance with ~~local~~ ordinances, codes, state-delegated or state-mandated plans or programs, or regulations relating to building or zoning, which may not be applied more stringently ~~are no more stringent than, or inconsistent with,~~ the exemption criteria in this section and ~~or~~ address subjects other than subjects addressed by the exemption criteria in this section;

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and to ensure proper installation, maintenance, and precautionary or evacuation action following a tropical storm or hurricane watch of a floating vessel platform or floating boat lift that is proposed to be attached to a bulkhead or parcel of land where there is no other docking structure.

3. The exemption provided in this paragraph ~~is shall be~~ in addition to the exemption provided in paragraph (b). The department shall adopt a general permit by rule for the construction, installation, operation, or maintenance of those floating vessel platforms or floating boat lifts that do not qualify for the exemption provided in this paragraph but do not cause significant adverse impacts to occur individually or cumulatively. The issuance of such general permit constitutes ~~shall also constitute~~ permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund. A local government ~~governments~~ may not impose a more stringent regulation, permitting requirement, registration requirement, or other regulation covered by such general permit. A local government ~~governments~~ may require a structure owner to obtain either a permit permitting or one-time registration of floating vessel platforms as necessary to ensure compliance with the general permit in this section; to ensure compliance with local ordinances, codes, or regulations relating to building or zoning that are no more stringent than the general permit in this section; and to ensure proper installation and maintenance of a floating vessel platform or floating boat lift that is proposed to be attached to a bulkhead or parcel of land where there is no other docking structure.

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

HB 847

2023

1                   A bill to be entitled  
2       An act relating to floating vessel platforms and  
3       floating boat lifts; amending s. 403.813, F.S.;  
4       providing that specified structures associated with a  
5       dock on a parcel of land create a presumption of  
6       compliance with certain environmental impact  
7       requirements; providing a definition; providing an  
8       effective date.  
9

10   Be It Enacted by the Legislature of the State of Florida:  
11

12       Section 1. Paragraph (s) of subsection (1) of section  
13   403.813, Florida Statutes, is amended to read:

14       403.813 Permits issued at district centers; exceptions.—

15       (1) A permit is not required under this chapter, chapter  
16   373, chapter 61-691, Laws of Florida, or chapter 25214 or  
17   chapter 25270, 1949, Laws of Florida, and a local government may  
18   not require a person claiming this exception to provide further  
19   department verification, for activities associated with the  
20   following types of projects; however, except as otherwise  
21   provided in this subsection, this subsection does not relieve an  
22   applicant from any requirement to obtain permission to use or  
23   occupy lands owned by the Board of Trustees of the Internal  
24   Improvement Trust Fund or a water management district in its  
25   governmental or proprietary capacity or from complying with

26 applicable local pollution control programs authorized under  
27 this chapter or other requirements of county and municipal  
28 governments:

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

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

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

44           3. Are not used for any commercial purpose or for mooring  
45 vessels that remain in the water when not in use, and do not  
46 substantially impede the flow of water, create a navigational  
47 hazard, or unreasonably infringe upon the riparian rights of  
48 adjacent property owners, as defined in s. 253.141;

49           4. Are constructed and used so as to minimize adverse  
50 impacts to submerged lands, wetlands, shellfish areas, aquatic

51 plant and animal species, and other biological communities,  
52 including locating such structures in areas where seagrasses are  
53 least dense adjacent to the dock or bulkhead; and

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

59  
60 Structures that qualify for this exemption are relieved from any  
61 requirement to obtain permission to use or occupy lands owned by  
62 the Board of Trustees of the Internal Improvement Trust Fund  
63 and, with the exception of those structures attached to a  
64 bulkhead on a parcel of land where there is no docking  
65 structure, are ~~may~~ not ~~be~~ subject to any more stringent  
66 permitting requirements, registration requirements, or other  
67 regulation by any local government. Structures associated with a  
68 dock on a parcel of land as specified in subparagraph 2. that  
69 comply with this subsection create a presumption of compliance  
70 with any requirement to minimize adverse environmental impacts.  
71 A local government ~~governments~~ may require a permit ~~either~~  
72 ~~permitting~~ or one-time registration of floating vessel platforms  
73 to be attached to a bulkhead on a parcel of land where there is  
74 no other docking structure as necessary to ensure compliance  
75 with local ordinances, codes, or regulations. A local government

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76 ~~governments~~ may require a permit ~~either permitting~~ or one-time  
77 registration of all other floating vessel platforms as necessary  
78 to ensure compliance with the exemption criteria in this  
79 section; to ensure compliance with local ordinances, codes, or  
80 regulations relating to building or zoning, which are not ~~ne~~  
81 more stringent than the exemption criteria in this section or  
82 address subjects other than subjects addressed by the exemption  
83 criteria in this section; and to ensure proper installation,  
84 maintenance, and precautionary or evacuation action following a  
85 tropical storm or hurricane watch of a floating vessel platform  
86 or floating boat lift that is proposed to be attached to a  
87 bulkhead or parcel of land where there is no other docking  
88 structure. The exemption provided in this paragraph is ~~shall be~~  
89 in addition to the exemption provided in paragraph (b). The  
90 department shall adopt a general permit by rule for the  
91 construction, installation, operation, or maintenance of those  
92 floating vessel platforms or floating boat lifts that do not  
93 qualify for the exemption provided in this paragraph but do not  
94 cause significant adverse impacts to occur individually or  
95 cumulatively. The issuance of such general permit ~~shall~~ also  
96 constitutes ~~constitute~~ permission to use or occupy lands owned  
97 by the Board of Trustees of the Internal Improvement Trust Fund.  
98 A local government ~~governments~~ may not impose a more stringent  
99 regulation, permitting requirement, registration requirement, or  
100 other regulation covered by such general permit. A local

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101 government ~~governments~~ may require a permit ~~either permitting~~ or  
102 one-time registration of floating vessel platforms as necessary  
103 to ensure compliance with the general permit requirements in  
104 this section; to ensure compliance with local ordinances, codes,  
105 or regulations relating to building or zoning, which ~~that~~ are  
106 not ~~no~~ more stringent than the general permit requirements in  
107 this section; and to ensure proper installation and maintenance  
108 of a floating vessel platform or floating boat lift that is  
109 proposed to be attached to a bulkhead or parcel of land where  
110 there is no other docking structure. As used in this paragraph,  
111 the term "local government" includes a charter county, a county  
112 that is required to implement a manatee protection plan pursuant  
113 to s. 379.2431(2)(t), or a county or municipality that  
114 establishes and administers a local pollution control program  
115 pursuant to s. 403.182.

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

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 847 (2023)

Amendment No. 1

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 \_\_\_\_\_

Committee/Subcommittee hearing bill: Water Quality, Supply &  
Treatment Subcommittee

Representative Stark offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. 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

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

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

27 1. To qualify for an exemption under this paragraph, the  
28 structure must:

29 a. Float at all times in the water for the sole purpose of  
30 supporting a vessel so that the vessel is out of the water when  
31 not in use;

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

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41 c.3. ~~Not be~~ ~~Are not~~ used for any commercial purpose or for  
42 mooring vessels that remain in the water when not in use, and ~~do~~  
43 not substantially impede the flow of water, create a  
44 navigational hazard, or unreasonably infringe upon the riparian  
45 rights of adjacent property owners, as defined in s. 253.141;

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

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

56 2. The owner of a structure ~~Structures~~ that qualifies  
57 qualify for an this exemption under this paragraph is not  
58 required ~~are relieved from any requirement~~ to obtain permission  
59 to use or occupy lands owned by the Board of Trustees of the  
60 Internal Improvement Trust Fund, and, with the exception of  
61 those structures attached to a bulkhead on a parcel of land  
62 where there is no docking structure, the structure may not be  
63 subject to any more stringent permitting requirements,  
64 registration requirements, or other regulation by any local  
65 government. For a floating vessel platform to be attached to a

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

88 3. The exemption provided in this paragraph ~~is shall be~~ in  
89 addition to the exemption provided in paragraph (b). The  
90 department shall adopt a general permit by rule for the

Amendment No. 1

91 construction, installation, operation, or maintenance of those  
92 floating vessel platforms or floating boat lifts that do not  
93 qualify for the exemption provided in this paragraph but do not  
94 cause significant adverse impacts to occur individually or  
95 cumulatively. The issuance of such general permit constitutes  
96 ~~shall also constitute~~ permission to use or occupy lands owned by  
97 the Board of Trustees of the Internal Improvement Trust Fund. A  
98 local government ~~governments~~ may not impose a more stringent  
99 regulation, permitting requirement, registration requirement, or  
100 other regulation covered by such general permit. A local  
101 government ~~governments~~ may require a structure owner to obtain  
102 either a permit ~~permitting~~ or one-time registration of floating  
103 vessel platforms as necessary to ensure compliance with the  
104 general permit in this section; to ensure compliance with local  
105 ordinances, codes, or regulations relating to building or zoning  
106 that are no more stringent than the general permit in this  
107 section; and to ensure proper installation and maintenance of a  
108 floating vessel platform or floating boat lift that is proposed  
109 to be attached to a bulkhead or parcel of land where there is no  
110 other docking structure.

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

112  
113 -----  
114 **T I T L E   A M E N D M E N T**

115 Remove everything before the enacting clause and insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 847 (2023)

Amendment No. 1

116       An act relating to floating vessel platforms; amending s.  
117       403.813, F.S.; removing a provision authorizing local  
118       governments to require permitting for certain floating vessel  
119       platforms; revising conditions under which local governments may  
120       require one-time registrations of floating vessel platforms;  
121       making technical changes; providing an effective date.

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 847 Floating Vessel Platforms and Floating Boat Lifts

**SPONSOR(S):** Stark

**TIED BILLS:** IDEN./SIM. BILLS: SB 1082

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Water Quality, Supply & Treatment Subcommittee		Gawin	Curtin
2) Agriculture & Natural Resources Appropriations Subcommittee			
3) Infrastructure Strategies Committee			

### SUMMARY ANALYSIS

The Department of Environmental Protection (DEP) regulates activities in, on, or over surface waters, as well as any activity that alters surface water flows, through environmental resource permits (ERPs). ERPs are required for development or construction activities typically involving the dredging or filling of surface waters, construction of flood protection facilities, building dams or reservoirs, or any other activities that affect state waters. Current law provides exceptions from ERP permitting for certain types of projects. Generally, these permit exceptions restrict how the project is undertaken, provide size and location requirements, or provide for maintenance, repair, or replacement of existing structures. An exemption currently exists for the construction, installation, operation, or maintenance of floating vessel platforms or floating boat lifts that meet certain requirements.

The bill revises the ERP permitting exemption for certain floating structures by creating a presumption of compliance with any requirement to minimize adverse environmental impacts for structures that are associated with a dock on a parcel of land where there is no other docking structure.

For purposes of the ERP permitting exemption for floating structures, the bill specifies that the term "local government" includes a charter county, a county that is required to implement a manatee protection plan, or a county or municipality that establishes and administers a local pollution control program.

The bill does not appear to have a fiscal impact on state or local government.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

##### Environmental Resource Permits

The Department of Environmental Protection (DEP) regulates activities in, on, or over surface waters, as well as any activity that alters surface water flows, through environmental resource permits (ERPs). ERPs are required for development or construction activities typically involving the dredging or filling of surface waters, construction of flood protection facilities, building dams or reservoirs, or any other activities that affect state waters.<sup>1</sup> ERP applications are processed by either DEP or one of the state's water management districts (WMDs) in accordance with the division of responsibilities specified in operating agreements between DEP and the WMDs.<sup>2</sup>

##### *ERP Exceptions*

Current law provides exceptions from ERP<sup>3</sup> permitting for certain types of projects.<sup>4</sup> Generally, these permit exceptions restrict how the project is undertaken, provide size and location requirements, or provide for maintenance, repair, or replacement of existing structures.<sup>5</sup> For example, state law provides exceptions from ERP permitting for the installation of overhead transmission lines with support structures that are not constructed in waters of the state and that do not create a navigational hazard, the installation and maintenance of certain boat ramps on artificial bodies of water where navigational access is provided, and the construction of private docks of 1,000 square feet or less of over-water surface area and seawalls in artificially created waterways when such construction will not violate existing water quality standards, impede navigation, or affect flood control.<sup>6</sup> These exceptions do not relieve an applicant from obtaining permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board) or a WMD or from complying with local pollution control programs or other requirements of local governments.<sup>7</sup>

##### *ERP Exceptions for Docks*

Included among the projects that are exempt from ERP permitting requirements is the installation and repair of mooring pilings and dolphins associated with private docking facilities or piers; the installation of private docks, piers, and recreational docking facilities; or the installation of piers and recreational docking facilities of local governmental entities when the entity's activities will not take place in any manatee habitat.<sup>8</sup> This exemption applies when the dock:

- Has 500 square feet or less of over-water surface area and is located in an area designated as an Outstanding Florida Water or has 1,000 square feet or less of over-water surface area and is located in an area that is not designated as an Outstanding Florida Water;
- Is constructed on or held in place by pilings or is a floating dock constructed so as not to involve filling or dredging other than that necessary to install the pilings;
- Does not substantially impede the flow of water or create a navigational hazard;
- Is used for recreational, noncommercial activities associated with the mooring or storage of boats and boat paraphernalia; and

---

<sup>1</sup> South Florida Water Management District, *Environmental Resource Permits*, <https://www.sfwmd.gov/doing-business-with-us/permits/environmental-resource-permits> (last visited Mar. 1, 2023).

<sup>2</sup> DEP, *Submerged Lands and Environmental Resources Coordination Program*, <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination> (last visited Mar. 1, 2023).

<sup>3</sup> See chs. 373 and 403, F.S.

<sup>4</sup> S. 403.813(1), F.S.

<sup>5</sup> See s. 403.813(1)(a)-(v), F.S., see also r. 62-330.051, F.A.C.

<sup>6</sup> *Id.*

<sup>7</sup> S. 403.813(1), F.S.

<sup>8</sup> S. 403.813(1)(b), F.S.

- Is the sole dock constructed pursuant to this exemption as measured along the shoreline for a distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case one exempt dock may be allowed per parcel or lot.<sup>9</sup>

#### *ERP Exceptions for Floating Structures*

Additionally, there is an ERP permit exemption for the construction, installation, operation, or maintenance of floating vessel platforms or floating boat lifts, provided that such structures:

- Float at all times in the water for the sole purpose of supporting a vessel so that the vessel is out of the water when not in use;
- Are wholly contained within a previously permitted boat slip or do not exceed a combined total of 500 square feet, or 200 square feet in an Outstanding Florida Water, when associated with a dock that is exempt from ERP permitting or associated with a permitted dock with no defined boat slip or attached to a bulkhead on a parcel of land where there is no other docking structure;
- Are not used for any commercial purpose or for mooring vessels that remain in the water when not in use, and do not substantially impede the flow of water, create a navigational hazard, or unreasonably infringe upon the riparian rights of adjacent property owners;
- Are constructed and used so as to minimize the adverse impacts to submerged lands, wetlands, shellfish areas, aquatic plant and animal species, and other biological communities, including locating such structures in areas where seagrasses are least dense adjacent to the dock or bulkhead; and
- Are not constructed in areas specifically prohibited for boat mooring under conditions of an ERP permit or other form of authorization issued by a local government.<sup>10</sup>

Structures that qualify for this exemption are not required to obtain permission to use or occupy lands owned by the Board, and, with certain exceptions, may not be subject to any more stringent permitting requirements, registration requirements, or other regulation by any local government.<sup>11</sup> Local governments may require either permitting or one-time registration of floating vessel platforms.<sup>12</sup>

#### **Effect of the Bill**

The bill revises the ERP permitting exemption for certain floating structures by creating a presumption of compliance with any requirement to minimize adverse environmental impacts for structures that are associated with a dock on a parcel of land where there is no other docking structure.

For purposes of the ERP permitting exemption for floating structures, the bill specifies that the term “local government” includes a charter county, a county that is required to implement a manatee protection plan,<sup>13</sup> or a county or municipality that establishes and administers a local pollution control program.

#### **B. SECTION DIRECTORY:**

Section 1. Amends s. 403.813, F.S., to create a presumption of compliance for certain structures.

Section 2. Provides an effective date of July 1, 2023.

### **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

<sup>9</sup> *Id.*

<sup>10</sup> S. 403.813(1)(s), F.S.; Rule 62-330.428, F.A.C.

<sup>11</sup> *Id.*

<sup>12</sup> S. 403.813(1)(s), F.S.

<sup>13</sup> Thirteen counties were required to implement manatee protection plans; these counties are Brevard, Broward, Citrus, Collier, Duval, Indian River, Lee, Martin, Miami-Dade, Palm Beach, Sarasota, St. Lucie, and Volusia. See Florida Fish and Wildlife Conservation Commission, *Manatee Protection Plans – MPPs* <https://myfwc.com/wildlifehabitats/wildlife/manatee/protection-plans/> (last visited Mar. 1, 2023).

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

By Senator Gruters

22-00188-23

20231640\_\_

A bill to be entitled  
An act relating to the installation of waterway  
markers; amending s. 327.40, F.S.; revising the  
application requirements for marking certain waters of  
this state; requiring all waterway markers to be  
affixed to certain structures or buoys beginning on a  
specified date; requiring state and local governmental  
entities to conform to such requirements by a  
specified date; making technical changes; reenacting  
ss. 327.4108(2)(a) and 403.813(1)(k), F.S., relating  
to the anchoring of vessels in anchoring limitation  
areas and to permits issued at district centers,  
respectively, to incorporate the amendments made to s.  
327.40, F.S., in references thereto; providing an  
effective date.

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

Section 1. Section 327.40, Florida Statutes, is amended to  
read:

327.40 Uniform waterway markers; installation  
requirements.—

(1) Waters of this state shall be marked only in conformity  
with the United States Aids to Navigation System, 33 C.F.R. part  
62.

(2)(a) Application for marking inland lakes and state  
waters and any navigable waters under concurrent jurisdiction of  
the Coast Guard and the division must ~~shall~~ be made to the  
division, accompanied by a map locating the approximate

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placement of markers, a list of the markers to be placed, a statement of the specification of the markers and the structure or buoy to which the markers will be attached, a statement of the purpose of marking, and the names of persons responsible for the placement and upkeep of such markers and structures. The division shall do all of the following:

1. ~~will~~ Assist the applicant to secure the proper permission from the Coast Guard where required, make such investigations as needed, and issue a permit.

2. ~~The division shall~~ Furnish the applicant with the information concerning the system adopted and the rules existing for placing and maintaining the markers.

3. ~~The division shall~~ Keep records of all approvals given and counsel with individuals, counties, municipalities, motorboat clubs, or other groups desiring to mark waterways for safety and navigation purposes in Florida.

(b)1. A ~~No~~ person or municipality, county, or other governmental entity may not ~~shall~~ place any uniform waterway marker in, on, or over the waters or shores of this ~~the~~ state without a permit from the division.

2. The placement of information markers by counties, municipalities, or other governmental entities on inland lakes and their associated canals are exempt from permitting under this section.

(3) All waterway markers, including waterway markers permitted on or after July 1, 2023, pursuant to this section and information markers placed by counties, municipalities, or other governmental entities, must be affixed to a plastic breakaway structure or a floating buoy. A state or local governmental

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entity may not affix a waterway marker to a steel beam or wood piling. Any state or local governmental entity waterway marker affixed to a steel beam or wood piling before July 1, 2023, must be replaced with a waterway marker affixed to a plastic breakaway structure or floating buoy by January 1, 2024.

(4)~~(e)~~ The commission is authorized to adopt rules pursuant to chapter 120 to implement this section.

(5)~~(3)~~ The placement under this section or s. 327.41 of any uniform waterway marker on state submerged lands does not subject such lands to the lease requirements of chapter 253.

Section 2. For the purpose of incorporating the amendment made by this act to section 327.40, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 327.4108, Florida Statutes, is reenacted to read:

327.4108 Anchoring of vessels in anchoring limitation areas.—

(2) (a) Notwithstanding s. 327.60(2)(f), a county, except for Monroe County, may establish, in accordance with this subsection, an anchoring limitation area adjacent to urban areas that have residential docking facilities and significant recreational boating traffic. The aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county's delineated navigable-in-fact waterways. As used in this subsection, the term "navigable-in-fact waterways" means waterways that are navigable in their natural or unimproved condition over which useful commerce or public recreation of a substantial and permanent character is or may be conducted in the customary mode of trade and travel on water. The term does not include lakes or streams that are theoretically navigable;

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88 have a potential for navigability; or are temporary, precarious,  
89 and unprofitable, but the term does include lakes or streams  
90 that have practical usefulness to the public as highways for  
91 transportation. Each anchoring limitation area must meet all of  
92 the following requirements:

93 1. Be less than 100 acres in size. For purposes of this  
94 subsection, the calculated size of the anchoring limitation area  
95 does not include any portion of the marked channel of the  
96 Florida Intracoastal Waterway contiguous to the anchoring  
97 limitation area;

98 2. Not include any mooring field or marina; and

99 3. Be clearly marked with all of the following:

100 a. Signs that provide reasonable notice to boaters  
101 identifying the duration of time beyond which anchoring is  
102 limited and identifying the county ordinance by which the  
103 anchoring limitation area was created.

104 b. Buoys. The county that has created an anchoring  
105 limitation area shall install and maintain buoys marking the  
106 boundary of the anchoring limitation area.

107  
108 The signs and buoys must be permitted and installed in  
109 accordance with ss. 327.40 and 327.41 and commission rule.

110 Section 3. For the purpose of incorporating the amendment  
111 made by this act to section 327.40, Florida Statutes, in a  
112 reference thereto, paragraph (k) of subsection (1) of section  
113 403.813, Florida Statutes, is reenacted to read:

114 403.813 Permits issued at district centers; exceptions.—

115 (1) A permit is not required under this chapter, chapter  
116 373, chapter 61-691, Laws of Florida, or chapter 25214 or

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

(k) The installation of aids to navigation and buoys associated with such aids, provided the devices are marked pursuant to s. 327.40.

Section 4. This act shall take effect July 1, 2023.



## MIAF - 2023 Regular Session

Ordered by Bill Number

<b>HB 0027</b>	<b>Judgment Liens</b> by Benjamin
	<b>Current Committee of Reference:</b> House Regulatory Reform & Economic Development Subcommittee
	<b>Actions</b>
	03/11/2023 HOUSE Committee Substitute Text (C1) Filed
<b>HB 0041</b>	<b>Land Development Initiative and Referendum Processes</b> by Garcia (A)
	<b>Current Committee of Reference:</b> House Local Administration, Federal Affairs & Special Districts Subcommittee
	<b>Actions</b>
	03/13/2023 HOUSE Committee Substitute Text (C1) Filed
<b>SB 0054</b>	<b>Land Acquisition Trust Fund</b> by Rodriguez
	<b>Current Committee of Reference:</b> Senate Appropriations Committee on Agriculture, Environment, and General Government
	<b>Actions</b>
	01/19/2023 SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government
<b>SB 0076</b>	<b>State Park Campsite Reservations</b> by Hooper
	<b>Current Committee of Reference:</b> Senate Appropriations Committee on Agriculture, Environment, and General Government
	<b>Actions</b>
	03/09/2023 SENATE On Committee agenda - Appropriations Committee on Agriculture, Environment, and General Government, 03/14/23, 1:30 pm, 110 S
<b>HB 0083</b>	<b>Yacht and Ship Brokers</b> by LaMarca
	<b>Current Committee of Reference:</b> House Regulatory Reform & Economic Development Subcommittee
	<b>Actions</b>
	01/10/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee
<b>SB 0100</b>	<b>Mangrove Replanting and Restoration</b> by Garcia (I)
	<b>Current Committee of Reference:</b> Senate Appropriations Committee on Agriculture, Environment, and General Government
	<b>Actions</b>
	03/06/2023 SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government
<b>HB 0109</b>	<b>State Park Campsite Reservations</b> by Canady
	<b>Current Committee of Reference:</b> No Current Committee
	<b>Actions</b>
	03/08/2023 HOUSE Placed on Calendar, on 2nd reading

<b>HB 0111</b>	<b>Public Financing of Potentially At-risk Structures and Infrastructure</b> by Hunschofsky
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	01/10/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>HB 0129</b>	<b>Requiring Broader Public Support for Constitutional Amendments or Revisions</b> by Roth
	<b>Current Committee of Reference:</b> House Judiciary Committee
	<b>Actions</b>
	03/10/2023 HOUSE On Committee agenda - Judiciary Committee, 03/14/23, 3:00 pm, 404 H
<b>HB 0135</b>	<b>Land Acquisition Trust Fund</b> by Mooney, Jr.
	<b>Current Committee of Reference:</b> House Agriculture & Natural Resources Appropriations Subcommittee
	<b>Actions</b>
	01/17/2023 HOUSE Now in Agriculture & Natural Resources Appropriations Subcommittee
<b>SB 0150</b>	<b>Public Safety</b> by Collins
	<b>Current Committee of Reference:</b> No Current Committee
	<b>Actions</b>
	03/10/2023 SENATE Placed on Calendar, on 2nd reading
<b>SB 0172</b>	<b>Safe Waterways Act</b> by Berman
	<b>Current Committee of Reference:</b> Senate Health Policy
	<b>Actions</b>
	01/19/2023 SENATE Referred to Health Policy; Appropriations Committee on Health and Human Services; Fiscal Policy
<b>HB 0175</b>	<b>Everglades Protection Area</b> by Busatta Cabrera
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	01/17/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>HB 0177</b>	<b>Safe Waterways Act</b> by Gossett-Seidman
	<b>Current Committee of Reference:</b> House Healthcare Regulation Subcommittee
	<b>Actions</b>
	01/17/2023 HOUSE Now in Healthcare Regulation Subcommittee
<b>SB 0192</b>	<b>Everglades Protection Area</b> by Avila
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/09/2023 SENATE Now in Environment and Natural Resources
<b>HB 0215</b>	<b>Possession or Use of a Firearm in a Sensitive Location</b> by Rayner-Goolsby
	<b>Current Committee of Reference:</b> House Criminal Justice Subcommittee
	<b>Actions</b>

**HB 0261**

**Boating Safety** by Botana

**Current Committee of Reference:** House Agriculture & Natural Resources Appropriations Subcommittee

**Actions**

03/10/2023 HOUSE Now in Agriculture & Natural Resources Appropriations Subcommittee

**HB 0277**

**Storage of Firearms in Private Conveyances and Vessels** by Hinson

**Current Committee of Reference:** No Current Committee

**Actions**

01/20/2023 HOUSE Withdrawn prior to introduction

**SB 0288**

**Florida Main Street Program and Historic Preservation Tax Credits** by DiCeglie

**Current Committee of Reference:** Senate Finance and Tax

**Actions**

03/09/2023 SENATE On Committee agenda - Finance and Tax, 03/14/23, 11:00 am, 37 S

**SB 0320**

**Land Acquisition Trust Fund** by Harrell

**Current Committee of Reference:** Senate Appropriations Committee on Agriculture, Environment, and General Government

**Actions**

02/21/2023 SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government

**SB 0346**

**Public Construction** by DiCeglie

**Current Committee of Reference:** Senate Community Affairs

**Actions**

03/10/2023 SENATE On Committee agenda - Community Affairs, 03/15/23, 1:00 pm, 401 S

**HB 0371**

**Management and Storage of Surface Waters** by Killebrew

**Current Committee of Reference:** House Water Quality, Supply & Treatment Subcommittee

**Actions**

02/01/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee

**HB 0383**

**Public Construction** by Griffiths Jr.

**Current Committee of Reference:** House State Affairs Committee

**Actions**

02/28/2023 HOUSE Now in State Affairs Committee

**SB 0406**

**Yacht and Ship Brokers** by Hooper

**Current Committee of Reference:** Senate Regulated Industries

**Actions**

02/09/2023 SENATE Referred to Regulated Industries; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

**HB 0407**

**Apalachicola Bay Area of Critical State Concern** by Shoaf

**Current Committee of Reference:** House Water Quality, Supply & Treatment Subcommittee

**Actions**

02/01/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee

**HB 0423 Implementation of the Recommendations of the Blue-Green Algae Task Force** by Cross

**Current Committee of Reference:** House Water Quality, Supply & Treatment Subcommittee

**Actions**

02/01/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee

**HB 0439 Land Use and Development Regulations** by McClain

**Current Committee of Reference:** House Local Administration, Federal Affairs & Special Districts Subcommittee

**Actions**

03/13/2023 HOUSE Committee Substitute Text (C1) Filed

**SB 0456 Possession or use of a Firearm in a Sensitive Location** by Berman

**Current Committee of Reference:** Senate Criminal Justice

**Actions**

02/09/2023 SENATE Referred to Criminal Justice; Judiciary; Rules

**HB 0489 Professional Licensing Requirements for Barbers and Cosmetologists** by Chambliss

**Current Committee of Reference:** House Commerce Committee

**Actions**

02/23/2023 HOUSE Now in Commerce Committee

**HB 0527 Office of the Blue Economy** by Skidmore

**Current Committee of Reference:** House Regulatory Reform & Economic Development Subcommittee

**Actions**

02/07/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee

**HB 0543 Public Safety** by Brannan III

**Current Committee of Reference:** No Current Committee

**Actions**

02/28/2023 HOUSE Placed on Calendar, on 2nd reading

**SB 0546 Restoration of Osborne Reef** by Avila

**Current Committee of Reference:** Senate Appropriations Committee on Agriculture, Environment, and General Government

**Actions**

03/06/2023 SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government

**HB 0547 Land Acquisition Trust Fund** by Sirois

**Current Committee of Reference:** House Agriculture & Natural Resources Appropriations Subcommittee

**Actions**

**HB 0549**

**Operating Vehicles and Vessels Under the Influence** by Casello

**Current Committee of Reference:** House Criminal Justice Subcommittee

**Actions**

02/07/2023 HOUSE Now in Criminal Justice Subcommittee

**HB 0559**

**Land Acquisition Funding** by Roth

**Current Committee of Reference:** House Agriculture & Natural Resources Appropriations Subcommittee

**Actions**

02/07/2023 HOUSE Now in Agriculture & Natural Resources Appropriations Subcommittee

**HB 0561**

**Mangrove Replanting and Restoration** by Mooney, Jr.

**Current Committee of Reference:** House Agriculture, Conservation & Resiliency Subcommittee

**Actions**

02/07/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

**HB 0571**

**Storage of Firearms in Private Conveyances and Vessels** by Hinson

**Current Committee of Reference:** House Criminal Justice Subcommittee

**Actions**

02/07/2023 HOUSE Now in Criminal Justice Subcommittee

**HB 0641**

**Restoration of Osborne Reef** by LaMarca

**Current Committee of Reference:** House Agriculture, Conservation & Resiliency Subcommittee

**Actions**

02/14/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

**HB 0701**

**Wrecker and Towing-Storage Operators** by Bell

**Current Committee of Reference:** House Transportation & Modals Subcommittee

**Actions**

02/21/2023 HOUSE Now in Transportation & Modals Subcommittee

**SB 0702**

**Apalachicola Bay Area of Critical State Concern** by Simon

**Current Committee of Reference:** Senate Environment and Natural Resources

**Actions**

02/23/2023 SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

**SB 0712**

**Motor Vehicle Sales** by Avila

**Current Committee of Reference:** Senate Transportation

**Actions**

02/23/2023 SENATE Referred to Transportation; Commerce and Tourism; Rules

**HB 0713**

**Administrative Procedures and Permitting Process Review** by McFarland

**Current Committee of Reference:** House Agriculture, Conservation & Resiliency Subcommittee

## Actions

03/13/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

### **SB 0724 Seagrass Restoration Technology Development Initiative** by Boyd

**Current Committee of Reference:** Senate Environment and Natural Resources

#### Actions

03/09/2023 SENATE On Committee agenda - Environment and Natural Resources, 03/14/23, 8:30 am, 301 S

### **SB 0728 Liveries** by Garcia (I)

**Current Committee of Reference:** Senate Environment and Natural Resources

#### Actions

03/09/2023 SENATE On Committee agenda - Environment and Natural Resources, 03/14/23, 8:30 am, 301 S

### **HB 0739 Disposal of Food Waste Material** by Cassel

**Current Committee of Reference:** House Agriculture, Conservation & Resiliency Subcommittee

#### Actions

02/21/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

### **SB 0822 Specialty License Plates/Paddling in Florida** by Berman

**Current Committee of Reference:** Senate Transportation

#### Actions

02/23/2023 SENATE Referred to Transportation; Appropriations Committee on Transportation, Tourism, and Economic Development; Fiscal Policy

### **HB 0847 Floating Vessel Platforms and Floating Boat Lifts** by Stark

**Current Committee of Reference:** House Water Quality, Supply & Treatment Subcommittee

#### Actions

03/08/2023 HOUSE Temporarily Postponed by Water Quality, Supply & Treatment Subcommittee

### **SB 0876 Review of Employment Contracts** by Stewart

**Current Committee of Reference:** Senate Commerce and Tourism

#### Actions

02/23/2023 SENATE Referred to Commerce and Tourism; Judiciary; Rules

### **SB 0952 Employer Coverage of Gender Dysphoria Treatment** by Ingoglia

**Current Committee of Reference:** Senate Health Policy

#### Actions

02/28/2023 SENATE Referred to Health Policy; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

### **HB 1003 Fill Material for Reclamation Activities** by Truenow

**Current Committee of Reference:** House Water Quality, Supply & Treatment Subcommittee

#### Actions

02/28/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee

<b>HB 1013</b>	<b>COVID-19 Mandates and Treatment Options</b> by Griffitts Jr.
	<b>Current Committee of Reference:</b> House Health & Human Services Committee
	<b>Actions</b>
	02/28/2023 HOUSE Now in Health & Human Services Committee
<b>HB 1015</b>	<b>Pub. Rec./COVID-19 Vaccination Mandates</b> by Griffitts Jr.
	<b>Current Committee of Reference:</b> House Health & Human Services Committee
	<b>Actions</b>
	02/28/2023 HOUSE Now in Health & Human Services Committee
<b>SB 1028</b>	<b>Professional Licensing Requirements for Barbers and Cosmetologists</b> by Stewart
	<b>Current Committee of Reference:</b> Senate Regulated Industries
	<b>Actions</b>
	02/28/2023 SENATE Referred to Regulated Industries; Criminal Justice; Rules
<b>SB 1044</b>	<b>Photographic Evidence of Illegally Taken Wildlife, Freshwater Fish, and Saltwater Fish</b> by Martin
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	02/28/2023 SENATE Referred to Environment and Natural Resources; Judiciary; Rules
<b>SB 1082</b>	<b>Floating Vessel Platforms</b> by DiCeglie
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	02/28/2023 SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>HB 1103</b>	<b>Boating-restricted Areas</b> by Tramont
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	02/28/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>SB 1124</b>	<b>Employment of Ex-offenders</b> by Calatayud
	<b>Current Committee of Reference:</b> Senate Governmental Oversight and Accountability
	<b>Actions</b>
	03/02/2023 SENATE Referred to Governmental Oversight and Accountability; Criminal Justice; Rules
<b>SB 1134</b>	<b>Outstanding Florida Springs</b> by Gruters
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/02/2023 SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>HB 1147</b>	<b>Resilience Districts</b> by Buchanan
	<b>Current Committee of Reference:</b> House Local Administration, Federal Affairs & Special Districts Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Local Administration, Federal Affairs & Special Districts Subcommittee

<b>HB 1157</b>	<b>Hunting and Fishing</b> by Melo
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>HB 1161</b>	<b>Venomous Reptiles</b> by Abbott
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>SB 1170</b>	<b>Flooding and Sea Level Rise Vulnerability Studies</b> by Calatayud
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/09/2023 SENATE On Committee agenda - Environment and Natural Resources, 03/14/23, 8:30 am, 301 S
<b>HB 1181</b>	<b>Seagrass Restoration</b> by Robinson (W) Jr.
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>HB 1197</b>	<b>Land and Water Management</b> by Maggard
	<b>Current Committee of Reference:</b> House Water Quality, Supply & Treatment Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee
<b>SB 1200</b>	<b>Resilience Districts</b> by Grall
	<b>Current Committee of Reference:</b> Senate Community Affairs
	<b>Actions</b>
	03/02/2023 SENATE Referred to Community Affairs; Finance and Tax; Fiscal Policy
<b>HB 1229</b>	<b>Endangered and Threatened Species</b> by Campbell
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>SB 1230</b>	<b>Fill Material for Reclamation Activities</b> by Brodeur
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/06/2023 SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>HB 1265</b>	<b>Employer Coverage of Gender Dysphoria Treatment</b> by Yarkosky
	<b>Current Committee of Reference:</b> House Regulatory Reform & Economic Development Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee

<b>HB 1287</b>	<b>Universal Regulatory Sandbox</b> by Giallombardo
	<b>Current Committee of Reference:</b> House Regulatory Reform & Economic Development Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee
<b>HB 1289</b>	<b>Pub. Rec. and Meetings/Regulatory Sandbox</b> by Giallombardo
	<b>Current Committee of Reference:</b> House Regulatory Reform & Economic Development Subcommittee
	<b>Actions</b>
	03/06/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee
<b>SB 1298</b>	<b>Endangered and Threatened Species</b> by Jones
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/06/2023 SENATE Referred to Environment and Natural Resources; Agriculture; Rules
<b>SB 1314</b>	<b>Boating-restricted Areas</b> by Wright
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/06/2023 SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>SB 1336</b>	<b>Disposal of Food Waste Materials Study</b> by Polsky
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/06/2023 SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy
<b>HB 1367</b>	<b>Unlawful Dumping</b> by Altman
	<b>Current Committee of Reference:</b> House Local Administration, Federal Affairs & Special Districts Subcommittee
	<b>Actions</b>
	03/09/2023 HOUSE Now in Local Administration, Federal Affairs & Special Districts Subcommittee
<b>SB 1368</b>	<b>Unlawful Dumping</b> by Wright
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
	03/09/2023 SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>HB 1379</b>	<b>Pollutant Load Reduction</b> by Steele
	<b>Current Committee of Reference:</b> House Water Quality, Supply & Treatment Subcommittee
	<b>Actions</b>
	03/09/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee
<b>HB 1385</b>	<b>Vessel Owner and Operation Requirements</b> by Basabe
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
	03/09/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

<b>SB 1390</b>	<b>Universal Regulatory Sandbox</b> by Martin
	<b>Current Committee of Reference:</b> Senate Commerce and Tourism
	<b>Actions</b>
03/09/2023	SENATE Referred to Commerce and Tourism; Appropriations Committee on Transportation, Tourism, and Economic Development; Fiscal Policy
<b>SB 1392</b>	<b>Public Records and Meetings/Universal Regulatory Sandbox</b> by Martin
	<b>Current Committee of Reference:</b> Senate Commerce and Tourism
	<b>Actions</b>
03/09/2023	SENATE Referred to Commerce and Tourism; Appropriations Committee on Transportation, Tourism, and Economic Development; Fiscal Policy
<b>HB 1403</b>	<b>Protections of Medical Conscience</b> by Rudman
	<b>Current Committee of Reference:</b> House Healthcare Regulation Subcommittee
	<b>Actions</b>
03/09/2023	HOUSE Now in Healthcare Regulation Subcommittee
<b>SB 1410</b>	<b>Requiring Broader Public Support for Constitutional Amendments or Revisions</b> by Gruters
	<b>Current Committee of Reference:</b> Senate Ethics and Elections
	<b>Actions</b>
03/09/2023	SENATE Referred to Ethics and Elections; Judiciary; Rules
<b>SB 1484</b>	<b>Office of the Blue Economy</b> by Pizzo
	<b>Current Committee of Reference:</b> Senate Commerce and Tourism
	<b>Actions</b>
03/09/2023	SENATE Referred to Commerce and Tourism; Appropriations Committee on Transportation, Tourism, and Economic Development; Fiscal Policy
<b>HB 1489</b>	<b>Designation of Brevard Barrier Island Area as Area of Critical State Concern</b> by Altman
	<b>Current Committee of Reference:</b> House Agriculture, Conservation & Resiliency Subcommittee
	<b>Actions</b>
03/09/2023	HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee
<b>HB 1491</b>	<b>Marine Encroachment on Spaceflight and Military Operations</b> by Altman
	<b>Current Committee of Reference:</b> House Local Administration, Federal Affairs & Special Districts Subcommittee
	<b>Actions</b>
03/09/2023	HOUSE Now in Local Administration, Federal Affairs & Special Districts Subcommittee
<b>SB 1502</b>	<b>Vessel Owner and Operation Requirements</b> by Rodriguez
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
03/09/2023	SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy
<b>HB 1505</b>	<b>Outstanding Florida Springs</b> by Grant

**Current Committee of Reference:** House Water Quality, Supply & Treatment Subcommittee

**Actions**

03/09/2023 HOUSE Now in Water Quality, Supply & Treatment Subcommittee

**HB 1521 Facility Requirements Based on Sex** by Plakon

**Current Committee of Reference:** House Regulatory Reform & Economic Development Subcommittee

**Actions**

03/09/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee

**SB 1538 Implementation of the Recommendations of the Blue-Green Algae Task Force** by Stewart

**Current Committee of Reference:** Senate Environment and Natural Resources

**Actions**

03/09/2023 SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

**HB 1559 Review of Employment Contracts** by Campbell

**Current Committee of Reference:** House Regulatory Reform & Economic Development Subcommittee

**Actions**

03/09/2023 HOUSE Now in Regulatory Reform & Economic Development Subcommittee

**SB 1574 Judgment Liens** by Rouson

**Current Committee of Reference:** Senate Judiciary

**Actions**

03/09/2023 SENATE Referred to Judiciary; Banking and Insurance; Rules

**SB 1580 Protections of Medical Conscience** by Trumbull

**Current Committee of Reference:** Senate Health Policy

**Actions**

03/09/2023 SENATE Referred to Health Policy; Rules

**HB 1587 Taking of Bears** by Shoaf

**Current Committee of Reference:** House Agriculture, Conservation & Resiliency Subcommittee

**Actions**

03/09/2023 HOUSE Now in Agriculture, Conservation & Resiliency Subcommittee

**SB 1602 Storage of Firearms in Private Conveyances and Vessels** by Rouson

**Current Committee of Reference:** Senate Criminal Justice

**Actions**

03/09/2023 SENATE Referred to Criminal Justice; Appropriations Committee on Criminal and Civil Justice; Fiscal Policy

**SB 1604 Land Use and Development Regulations** by Ingoglia

**Current Committee of Reference:** Senate Community Affairs

**Actions**

03/09/2023 SENATE Referred to Community Affairs; Judiciary; Rules

<b>SB 1640</b>	<b>Installation of Waterway Markers</b> by Gruters
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
03/09/2023	SENATE Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy
<b>SB 1664</b>	<b>Economic Development</b> by Hooper
	<b>Current Committee of Reference:</b> Senate Commerce and Tourism
	<b>Actions</b>
03/09/2023	SENATE Referred to Commerce and Tourism; Appropriations Committee on Transportation, Tourism, and Economic Development; Fiscal Policy
<b>SB 1666</b>	<b>Marine Encroachment on Spaceflight and Military Operations</b> by Wright
	<b>Current Committee of Reference:</b> Senate Community Affairs
	<b>Actions</b>
03/09/2023	SENATE Referred to Community Affairs; Military and Veterans Affairs, Space, and Domestic Security; Rules
<b>SB 1674</b>	<b>Facility Requirements Based on Sex</b> by Grall
	<b>Current Committee of Reference:</b> Senate Rules
	<b>Actions</b>
03/09/2023	SENATE Referred to Rules; Fiscal Policy
<b>SB 1686</b>	<b>Designation of Brevard Barrier Island Area as an Area of Critical State Concern</b> by Wright
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
03/09/2023	SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>SB 1702</b>	<b>Mitigation Credits</b> by DiCeglie
	<b>Current Committee of Reference:</b> Senate Environment and Natural Resources
	<b>Actions</b>
03/09/2023	SENATE Referred to Environment and Natural Resources; Community Affairs; Rules
<b>HB 7003</b>	<b>OGSR/Water Management District Surplus Lands</b> by Ethics, Elections & Open Government Subcommittee
	<b>Current Committee of Reference:</b> House State Affairs Committee
	<b>Actions</b>
03/09/2023	HOUSE Now in State Affairs Committee