

# FINAL REPORT

// 2022 LEGISLATIVE SESSION

+ MARINE INDUSTRIES ASSOCIATION OF FLORIDA

*UPDATED: JUNE 7, 2022*



# // FINAL REPORT

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Office of Blue Economy

The 2022 Legislative Session came to an end. The legislature passed a balanced budget and 149 bills passed both the Florida House of Representatives and the Florida Senate.

The legislature passed a budget totaling 112.1 billion dollars. The breakdown of the budget is 43.7 billion in general revenue and 68.4 billion in trust funds.

Since Sine Die, the Legislature has been back in Special Session twice. Once to redraw the congressional reapportionment maps and the second special session was for property insurance.

As we enter the 2022 election season, remember the governor, attorney general, chief financial officer, and agriculture commissioner are all up for election. Every state senate seat and Florida House of Representatives seat is also on the ballot. All congressional districts and one U.S. senate race are also up for grabs this elections cycle.

As we have mentioned, this is a reapportionment year. All congressional, state senate and state house districts have all been redrawn with the latest census numbers. The congressional maps have been quite contentious. As of the writing of this report, the Florida Supreme Court will not hold a hearing on the congressional maps before the midterm election.

The governor acted on the 2022-23 appropriations act as expected after the special session on property insurance. The governor approved \$109.9 billion dollars in this budget and vetoed \$3.1 billion. A veto list of projects vetoed is attached for your review.

Please remember to get out and meet the candidates in your area as your district could have changed in the redrawing of the districts or you could have an open seat due to term limits or your legislator choosing not to run for re-election.

Below are some session bill and budget highlights.

### Bills

The Florida Fish and Wildlife “Glitch” Bill was not one of our favorite issues because it allowed rowing in the ICW. The Senate bill was heard on Senate Special Order and passed with a late filed amendment. The bill was Engrossed and was placed on House Special Order on March 3rd. The bill was amended with gopher tortoise language and passed on final passage March 4th. The bill

has bounced back to the Senate in Messages for concurrence. Unfortunately, we are not completely satisfied with the bill as written and still have safety concerns. FWC does not seem to have the same safety concerns as MIAF and other stakeholders. FWC does not want to be told how to police and MIAF continues to be concerned about potential accidents. MIAF and other stakeholders have reached out to the United States Coast Guard regarding the safety issue. **The bill (SB 494) became law and was approved by the Governor May 26th. The Chapter Number is 2022-142.**

The Boating Safety Bills filed by Senator Garcia and Representative Botana are on course to head to the Governor's desk for approval. Senate Bill 606 relating to Boating Safety by Senator was on the agenda in the Senate Appropriations Committee February 9th at 9:00 am and ran into some questions from Senators relating to the substance of the bill. The bill was temporarily passed. The bill is now on the Senate Appropriations agenda on February 21st. A proposed committee substitute was filed on January 28th to SB 606 and is still filed and a lengthy amendment was filed to the Proposed Committee Substitute on February 18th. The bill passed the Senate Appropriations Committee a Committee Substitute for Committee Substitute for Committee Substitute. The bill passed on the Senate floor March 1st with two amendments. The Senate bill was sent in Messages to the House of Representatives. The House companion, House Bill 493 was heard in the Senate Environment, Agriculture and Flooding Subcommittee. A proposed substitute was offered and adopted in committee. The bill has two more committees of reference and passed its second committee of reference on February 14th with a 13-0 vote. The bill is now a Committee Substitute for Committee Substitute. A committee reference was removed as the bill originally had four committees of reference. The bill passed the House State Affairs Committee as a Committee Substitute for Committee Substitute for Committee Substitute. The bill passed the House Special Order with one amendment. The bill was amended with the Boating Safety Bill sponsored by Representative McFarland. The language from House Bill HB 701 passed on this bill. This bill is scheduled to be heard on Third Reading for final passage on March 7th. **The bill passed both the House and the Senate and is enrolled. As of the writing of this report, the bill had not been sent to the Governor for approval.**

Senate Bill 840, relating to Riparian Rights passed the Senate floor 39-0. An amendment was also offered on the floor and adopted to the bill. The bill is now in Messages to the House of Representatives. HB 841 was heard in its second committee of reference, House Environment, Agriculture and Flooding Subcommittee and passed as a Committee Substitute. The House bill passed its last committee of reference, House Judiciary Committee on February 21st with a vote 18-0. The bill is now ready for the House Special Order Calendar. This bill has not been placed on Special Order at the time. The House could take up the Message from the Senate. **Bill history states these bills died.**

The Vessel Flag legislation (SB 1546) filed by Senator Baxley and Representative Altman (HB 1225) caught our eye as it was an expansion from airboats to all vessels. Our office met with the sponsors and asked questions and expressed concerns about the broadness of the bill as written. Again, the bills have not been placed on the agenda as of the writing of this report. The House bill only has two committees of reference. Time ran out on this legislation as committee meetings wrapped up during the eighth week and the bills never moved. **These bills died this Legislative Session.**

Senate Bill 198 Seagrass Mitigation passed the Senate Environment and Natural Resource Committee as a Committee Substitute. The bill passed 3-2. The bill is still waiting to be heard in the Senate Community Affairs Committee meeting. The bill was not on the agenda as of the writing of this report. The House companion, House Bill 349, is waiting to be heard in its second committee of reference. Again, as of the writing of this report the bills have not been placed on agendas. This bill is dead for this legislative session, but I expect to see it again in the future. **This bill died this Legislative Session.**

Also, Senate Bill 1432 regarding Vessel Anchoring passed the Senate Environment and Natural Resource Committee with an amendment. The bill is now a Committee Substitute and passed 5-0. This bill passed the Senate Community Affairs Committee as a Committee Substitute for Committee Substitute. The bill passed 9-0. The Senate Bill passed the Senate Rules Committee on February 15th with a vote of 17-0. The bill passed on the Senate floor 38-0. The bill was in Message to the House when a House member filed an amendment to the bill striking the word "consecutive" from the anchoring statutes passed last year that required "consecutive 45 days". Marine Industries Association of Florida and Marine Industries Association of Palm Beach opposed the change as it would be hard to enforce and could be used to harass boaters. The

amendment was ultimately withdrawn by Representative Duggan, the sponsor of the amendment and the anchoring bill last Session. Unfortunately, yet again, BOAT US did not oppose the language filed in the amendment. The House companion, House Bill 1065 its first committee this week 16-0. The bill passed the House Agriculture, and Natural Resources Appropriations Subcommittee on February 14th with a 14-0 vote. The bill passed the House State Affairs Committee February 21st with a vote 22-0. The bill was taken up on the House floor and the Senate bill was substituted. **Senate Bill 1432 was approved by the Governor on April 27th. The Chapter Number is 2022-78.**

**Budget**

**Boating Appropriations 22-23**

1762A SPECIAL CATEGORIES CORAL REEF PROTECTION AND RESTORATION

FROM GENERAL REVENUE FUND . . . . . 8,000,000

Funds in Specific Appropriation 1762A are provided for coral reef restoration and protection efforts.

1777 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CLEAN MARINA

FROM FEDERAL GRANTS TRUST FUND . . . 500,000

1824 FIXED CAPITAL OUTLAY DERELICT VESSEL REMOVAL PROGRAM

FROM GENERAL REVENUE FUND . . . . . 6,240,127

FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 2,001,873

From the funds in Specific Appropriation 1824, \$6,240,127 in nonrecurring funds from the General Revenue Fund and \$2,001,873 in nonrecurring funds from the Marine Resources Conservation Trust Fund are provided to the Fish and Wildlife Conservation Commission for derelict vessel removal grants pursuant to section 376.15, Florida Statutes.

1825 FIXED CAPITAL OUTLAY BOATING INFRASTRUCTURE

FROM FEDERAL GRANTS TRUST FUND . . . 5,200,000

1837 SPECIAL CATEGORIES BOATING AND WATERWAYS ACTIVITIES

FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 1,626,025

1842 SPECIAL CATEGORIES BOATING SAFETY EDUCATION PROGRAM

FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 625,650

1845 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA BOATING IMPROVEMENT PROGRAM

FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 793,704

FROM STATE GAME TRUST FUND . . . . . 1,250,000

1912 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM

FROM FEDERAL GRANTS TRUST FUND . . . 300,000

FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 300,000

1935C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - CORAL REEF PROTECTION AND RESTORATION

FROM FEDERAL GRANTS TRUST FUND . . . 991,000

**Back of the Bill**

DERELICT VESSEL REMOVAL PROGRAM The nonrecurring sum of \$11,735,894 from the General Revenue Fund is appropriated to the Fish and Wildlife Conservation Commission in Fixed Capital Outlay for the Derelict Vessel Removal Program.

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



Margaret "Missy" Timmins  
President  
Timmins Consulting, LLC

Below are some of the highlighted bills we tracked this Session.

## // WATER RESOURCES MANAGEMENT

**Senate Bill 198 // Sen. Ana Maria Rodriguez // Referred to: Environment and Natural Resources; Community Affairs; Appropriations**

**House Bill 349 // Rep. Toby Oberdorf // Referred to: Environment, Agriculture & Flooding Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

HOUSE/SENATE BILL RELATIONSHIP: *SIMILAR*

**Senate Bill 198:** CS/SB 198 authorizes the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to grant easements on sovereignty submerged lands (SSLs) for mitigation banks that are permitted under, and meet the public interest criteria in, state law. The bill provides that it does not prohibit mitigation to offset impacts to seagrass or other habitats on SSLs upon meeting the public interest criteria. It also directs the Department of Environmental Protection to adopt and modify rules to ensure that required financial assurances are equivalent and sufficient to provide for the long-term management of mitigation.

The bill revises the existing Environmental Resource Permitting (ERP) program exceptions for:

- The installation and repair of certain mooring pilings and dolphins, piers, and recreational docking facilities, to provide that docks authorized under same must be granted authorization for the use of submerged lands upon approval by the Board of Trustees; and
- Floating vessel platform or floating boat lift structures, to:
  - Create a presumption of compliance with any requirement to minimize adverse environmental impacts, where they are associated with a dock on a parcel of land; and
  - Provide that local governments may require only a one-time registration of certain floating vessel platforms to ensure compliance with listed exemption criteria or with local electrical or plumbing codes that are no more stringent than the exemption criteria or address other subjects.

The bill also provides a definition for the term “local government.”

**Most Recent Action:** Died in Community Affairs

**House Bill 349:** 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. Some projects are exempt from the requirement to obtain an ERP if they meet specific statutory restrictions. Environmental impact mitigation is required under certain circumstances to offset the adverse

impacts to surface waters resulting from the construction activities allowed by an ERP.

Mitigation banking is a practice in which an environmental enhancement and preservation project is conducted by a public agency or private entity to provide mitigation for unavoidable environmental impacts within a defined region referred to as a mitigation service area. A mitigation bank consists of a wetland, stream, or other aquatic resource area that has been restored, established, or preserved to offset such environmental impacts.

Sovereign submerged lands include, but are not limited to, tidal lands, islands, sandbars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally influenced waters. The Board of Trustees of the Internal Improvement Trust Fund (Board) is responsible for determining whether a sale of sovereign submerged lands or a permit related to an activity conducted on sovereign submerged lands is within the public interest on a case-by-case basis.

The bill authorizes the Board to grant easements on sovereignty submerged lands for mitigation banks to ensure the protection and restoration of natural resources and to offset the unavoidable impacts of projects when mitigation banks meet the public interest criteria related to state owned lands.

The bill requires DEP to adopt and modify rules related to mitigation to ensure that the required financial assurances are equivalent and sufficient to provide for long-term management of permitted mitigation.

Additionally, the bill requires DEP, in consultation with Water Management Districts, to include the rulemaking required by the bill in existing active rulemaking, or to complete rule development by June 30, 2023.

The bill expands the ERP permitting exemption for certain private and local government-owned docks by exempting a dock that measures a distance of less than 65 feet along the shoreline if the dock is the only one on the easement. The bill specifies that such docks must be granted authorization for the use of submerged lands upon approval by the Board. Additionally, the bill creates a presumption of compliance with any requirement to minimize adverse environmental impacts for structures associated with a dock on a parcel of land that complies with certain ERP permitting exemption requirements.

The bill may have an indeterminate fiscal impact on the state.

**Most Recent Action:** Died in Agriculture & Natural Resources Appropriations Subcommittee

## // ENDANGERED AND THREATENED SPECIES

**Senate Bill 238 // Sen. Shevrin Jones // Referred to: Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations**

**House Bill 711 // Rep. Ben Diamond // Referred to: Environment, Agriculture & Flooding Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

RELATIONSHIP: *IDENTICAL*

**Senate Bill 238:** Directing the Fish and Wildlife Conservation Commission to protect certain endangered or threatened species, regardless of the status of their federal classification; prohibiting the commission from considering certain costs when designating a species as endangered or threatened; directing the department, in consultation with the Endangered Plant Advisory Council, to protect certain endangered or threatened species, regardless of the status of their federal classification; prohibiting the department from considering certain costs when designating a species as endangered or threatened, etc.

**Most Recent Action:** Died in Environment and Natural Resources

**House Bill 711:** Revises legislative intent of Florida Endangered & Threatened Species Act; directs FWCC & DACS to protect certain endangered or threatened species; revises criteria for placement of species on Regulated Plant Index by DACS; prohibits FWCC & DACS from considering certain costs when designating species as endangered or threatened.

**Most Recent Action:** Died in Environment, Agriculture & Flooding Subcommittee

## // FISH AND WILDLIFE CONSERVATION COMMISSION

**Senate Bill 494 // Sen. Travis Hutson // Referred to: Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations**

**House Bill 323 // Rep. Tyler Sirois // Referred to: Environment, Agriculture & Flooding Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

HOUSE/SENATE BILL RELATIONSHIP: *SIMILAR*

**Senate Bill 494:** The bill revises laws administered by the Fish and Wildlife Conservation Commission (FWC) and other law enforcement entities.



The bill amends the Florida Forever Act to require each lead land managing agency, in consultation with FWC, to consider the feasibility of using a portion of state lands as a gopher tortoise recipient site for all state lands under the management of the agency that are greater than 40 contiguous acres.

The bill directs FWC to improve the public and private gopher tortoise recipient site application review process by December 31, 2022. It directs FWC to encourage the establishment of new recipient sites and update its permitting systems by October 31, 2023. The bill requires FWC to submit a report to the President of the Senate and the Speaker of the House of Representatives regarding gopher tortoise recipient sites by February 1, 2023.

The bill specifies that a vessel is at risk of becoming derelict if it is tied to an unlawful or unpermitted mooring or other structure. The bill specifies the circumstances in which law enforcement may destroy or dispose of a vessel and places liability for costs of vessel removal, storage, destruction, and disposition on the owner or responsible party after notice is given.

The bill specifies that a certificate of title may not be issued for a public nuisance vessel. It adds public nuisance vessels to the definition of abandoned property.

The bill authorizes operation of human-powered vessels in the marked channel of the Florida Intracoastal Waterway for specified reasons. It specifies that a local government cannot create a public bathing beach or swim area in the marked channel of the Florida Intracoastal Waterway or within 100 feet of the marked channel.

The bill authorizes FWC law enforcement officers to use drones to manage and eradicate invasive plants or animals on public lands and to suppress and mitigate wildfire threats.

If approved by the Governor, these provisions take effect July 1, 2022 unless otherwise provided.

Vote: Senate 37-0; House 116-0

**Most Recent Action:** Approved by Governor; Chapter No. 2022-142

**House Bill 323:** The Florida Fish and Wildlife Conservation Commission (FWC) is the agency responsible for regulating boating, wild animal life, fresh water aquatic life, and marine life in the state.

A derelict vessel is a vessel that is left, stored, or abandoned in a wrecked, junked, or substantially dismantled condition upon any public state waters; at a port in the state without the consent of the agency that has jurisdiction of the port; or docked, grounded, or beached upon the property of another without the consent of the property owner. It is unlawful to store, leave, or abandon a derelict vessel in Florida. In addition, current law prohibits a vessel that is at risk of becoming derelict from anchoring, mooring, or occupying state waters. A vessel that has been the subject of three or more at-risk violations within an 18-month period is deemed a public nuisance.

The bill expands the types of vessels that may be considered at-risk vessels by authorizing an FWC or law enforcement officer to determine that a vessel is at risk of becoming derelict if it is

tied to an unlawful or unpermitted structure or mooring. The bill also expands the definition of “abandoned property” to include vessels that have been declared a public nuisance to clarify that the laws and procedures that apply to abandoned property also apply to such vessels.

The bill specifies that an owner or party responsible for a vessel declared a public nuisance who does not remove the vessel within 21 days after a notice directing the removal is placed on the vessel is liable for all costs of removal, storage, destruction, and disposal of the vessel. In addition, the bill specifies that grants provided to local governments for the removal, storage, destruction, and disposal of derelict vessels may also be used for the removal, storage, destruction, and disposal of vessels declared a public nuisance.

The bill prohibits municipalities and counties from establishing public bathing beach or swim areas in whole or in part within the marked channel of the Florida Intracoastal Waterway or within 100 feet of any portion of the marked channel. The bill also authorizes a person to operate a human-powered vessel within the waterway when participating in certain club athletic teams or sports affiliated with an educational institution.

The bill authorizes a law enforcement employee of FWC or the Florida Forest Service to use drones for the purposes of managing and eradicating invasive exotic plants or animals on public lands and suppressing and mitigating wildfire threats.

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

**Most Recent Action:** Read Second Time; Substituted for SB 0494; Laid on Table, Refer to SB 0494

*Attached documents: SB 494 (Enrolled) + Final Bill Analysis*

## // MOTORBOAT ENGINE CUTOFF SWITCHES // VESSEL SAFETY EQUIP.

**Senate Bill 606 // Sen. Ileana Garcia // Referred to: Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations**

**House Bill 493 // Rep. Adam Botana // Referred to: Environment, Agriculture & Flooding Subcommittee; Criminal Justice & Public Safety Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

HOUSE/SENATE BILL RELATIONSHIP: *IDENTICAL*

**Senate Bill 606:** The bill defines a livery as a person who advertises and offers a livery vessel for use by another in exchange for consideration, when such person does not also provide a captain, crew, or any type of personnel to operate, oversee, maintain, or manage the vessel.

The bill requires that liveries obtain a no-cost, annual livery permit and implement certain safety requirements. The bill adds penalties for violations of livery requirements. It also requires that a

livery obtain and carry in full force and effect an insurance policy that insures the livery and the renter. The bill exempts human-powered vessels from the insurance requirement. Amendments to the livery regulations contained in the bill will take effect January 1, 2023.

The bill adds required components to Fish and Wildlife Conservation Commission (FWC)-approved boating safety education courses and temporary certificate examinations and requires the operator of a vessel used in water sport or activity instruction to use an engine cutoff switch when a participant is in the water. These requirements take will effect October 1, 2022.

The bill increases or adds penalties for noncriminal infractions of vessel safety laws. It increases the additional civil penalty for noncriminal infractions of vessel laws from \$50 to \$100. It directs certain penalties to the Marine Resource Conservation Trust Fund to supplement law enforcement activities.

The bill requires the Fish and Wildlife Conservation Commission to maintain a program to ensure compliance with mandatory boating safety education requirements.

The bill requires a physical residential or business address for vessel registration applicants, with a limited exception for live-aboard vessel owners.

If approved by the Governor, these provisions take effect July 1, 2022 unless otherwise provided.

Vote: Senate 36-1; House 112-1

**Most Recent Action:** Enrolled Text (ER) Filed

**House Bill 493:** 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 also the agency responsible for regulating boating in the state. Through its Division of Law Enforcement, FWC manages the state's waterways to ensure boating safety for residents of and visitors to the state. This responsibility 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.

A livery vessel is a vessel that is leased, rented, or chartered to another for consideration. A facility that rents and leases such vessels is called a livery. Current law imposes certain requirements on liveries and prohibits them from renting or leasing vessels under certain circumstances.

Beginning January 1, 2023, the bill prohibits a livery from offering a vessel for lease or rent without first being issued a no-cost livery permit by FWC, which must be renewed annually. The bill also requires liveries to implement certain safety requirements and establishes penalties for violations of livery requirements.

The bill authorizes a court to order a person who is convicted of a violation related to boating collisions and accidents to pay an additional fine of up to \$1,000 per violation.

The bill increases or establishes maximum penalties for certain noncriminal infractions of vessel safety laws. The bill also increases the default civil penalty for noncriminal infractions of vessel laws from \$50 to \$100, which applies when a different maximum penalty is not specified for a particular infraction.

The bill requires a person who is subject to mandatory education requirements as a result of certain violations of vessel laws to pay a fine of \$500. The bill also requires FWC to maintain a program to ensure violators are in compliance with mandatory boating safety education requirements.

The bill requires a physical residential or business address for vessel registration applicants, with a limited exception for live-aboard vessel owners.

The bill may have an indeterminate negative fiscal impact on the state that can be absorbed within existing resources and no fiscal impact on local governments.

**Most Recent Action:** Read Second Time; Substituted for SB 0606; Laid on Table, Refer to SB 0606

*Attached documents: SB 606 (Enrolled) + Final Bill Analysis*

## // YACHT AND SHIP BROKERS' ACT

**Senate Bill 820 // Sen. Ed Hooper // Referred to: Regulated Industries; Commerce and Tourism; Rules**

**House Bill 529 // Rep. Chip LaMarca // Referred to: Regulatory Reform Subcommittee; State Administration & Technology Appropriations Subcommittee; Commerce Committee**

**Senate Bill 820:** Revising the penalties for persons operating a vessel involved in an accident or injury who leave the scene of the accident or injury under certain circumstances; providing graduated penalties depending on the level of damage to property or person; providing a mandatory minimum sentence for a person who willfully commits such violation resulting in the death of another while boating under the influence; providing that a person commits boating under the influence manslaughter when their impaired operation of a vessel causes the death of an unborn child; revising the definition of the term "vessel homicide" to include the killing of an unborn child by causing injury to the mother by operation of a vessel in a reckless manner under certain circumstances, etc.

**Most Recent Action:** Died in Regulated Industries

**House Bill 529:** The Florida Department of Business and Professional Regulation (DBPR) regulates and licenses various businesses and professionals in Florida through 12 divisions,

including the Division of Florida Condominiums, Timeshares, and Mobile Homes (division), which regulates yacht and ship brokers and salespersons. A person may not act as a broker or salesperson in Florida unless they are licensed by the division.

For the purposes of the practice act, “yacht” means any vessel which is propelled by sail or machinery in the water which exceeds 32 feet in length, and which weighs less than 300 gross tons.

A yacht and ship “broker” is a person who, for or in expectation of compensation: sells, offers, or negotiates to sell; buys, offers, or negotiates to buy; solicits or obtains listings of; or negotiates the purchase, sale, or exchange of, yachts for other persons. A person may not be licensed as a broker unless they have been a salesperson for at least 2 consecutive years.

A license is not required for:

- A person who sells his or her own yacht,
- An attorney at law for services rendered in his or her professional capacity,
- A receiver, trustee, or other person acting under a court order,
- A transaction involving the sale of a new yacht, or
- A transaction involving the foreclosure of a security interest in a yacht.

The PCS provides that a license is not required for a person who regularly conducts business as a yacht or ship broker or salesperson in another state who engages in the purchase or sale of a yacht under this act, if the transaction is executed with a broker or salesperson licensed in this state. This limitation does not apply to a duly licensed attorney.

**Most Recent Action:** Died in Commerce Committee

## // RESIDENTIAL PROPERTY RIPARIAN RIGHTS

**Senate Bill 840 // Sen. Ben Albritton // Referred to: Environment and Natural Resources; Judiciary; Rules**

**House Bill 841 // Rep. Nick DiCeglie // Referred to: Civil Justice & Property Rights Subcommittee; Environment, Agriculture & Flooding Subcommittee; Judiciary Committee**

**Senate Bill 840:** SB 840 requires land surveyors to give a preference to the prolongation-of-property-line method of establishing the boundaries of a residential property owner’s riparian rights along a channel, unless doing so would result in an inequitable apportionment of the riparian rights at issue. In connection with this preference, the bill defines the terms “channel” and “prolongation-of-property-line method”; limits the scope of the preference to riparian waters only (not littoral waters, such as a lake, an ocean, or a gulf); and provides that the preference only

applies when establishing the boundaries of riparian rights after July 1, 2022.

The bill also provides that in a civil action relating to the riparian rights of a residential dock owner, when such rights are exercised with all appropriate environmental and regulatory approvals and permits, the court must award reasonable attorney fees and costs to the defendant if the defendant is the prevailing party.

### **Most Recent Action:** Died in Messages

**House Bill 841:** Riparian rights are rights incident to land bordering navigable waters such as rivers and streams (“riparian land”) and include rights of ingress, egress, boating, bathing, and fishing and to an unobstructed view. Riparian rights also include the right to erect upon the bed and shores adjacent to the riparian land docks and other structures for the riparian land owner’s personal use, subject to the right of the public to use the navigable waters. In other words, structures built on riparian land may not impede navigation or other lawful public uses and generally may not extend beyond the line of navigation. Riparian rights inure to the riparian land owner and are appurtenant to and inseparable from the riparian land. Conveyance of title to or lease of the riparian land entitles the grantee to the riparian rights running with the land whether or not such rights are mentioned in the deed or lease.

In order for riparian rights to attach, the riparian land must extend to the ordinary high water mark of the navigable water. However, courts have acknowledged that there is no one proper method for establishing riparian rights boundaries, and such rights do not necessarily extend into the waters according to riparian land boundaries. Instead, boundaries must be apportioned and riparian rights determined in accordance with equitable principles, with consideration given to the lay of the shore line, the direction of the waterbody, and the co-relative rights of adjoining riparian land owners. Despite these guidelines, it is possible to have two land surveyors draw riparian boundaries for adjoining properties in two different locations if they use different methods for establishing such boundaries. A riparian land owner who believes that the boundaries of his or her riparian rights have not been properly drawn or his or her riparian rights have been otherwise violated may bring an action for relief in the circuit court where the riparian land is located.

HB 841 establishes a preferred method for establishing the boundaries of a residential property owner’s riparian rights along a channel for purposes of the construction of docks, piers, marinas, moorings, pilings, and other private improvements. Specifically, the bill requires that, when establishing such boundaries after July 1, 2022, a land surveyor must give preference to the “prolongation-of-property-line” method unless doing so would result in inequitable apportionment of riparian rights among other land owners along the channel. Further, the bill provides that, in a civil action relating to a residential dock owner’s riparian rights, when such rights are exercised with all appropriate environmental and regulatory approvals and permits and the defendant prevails, the court must award the defendant his or her reasonable attorney fees and costs.

### **Most Recent Action:** Died on Second Reading Calendar

## // BOATING AND VESSEL SAFETY

**Senate Bill 1650 // Sen. Joe Gruters // Referred to: Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations**

**House Bill 701 // Rep. Fiona McFarland // Referred to: Tourism, Infrastructure & Energy Subcommittee; Environment, Agriculture & Flooding Subcommittee; Commerce Committee**

HOUSE/SENATE BILL RELATIONSHIP: *SIMILAR*

**Senate Bill 1650:** Requiring certain boating safety education courses and temporary certificate examinations to include specified components; directing the Fish and Wildlife Conservation Commission to include such components in boating safety education campaigns and certain educational materials; requiring instructors of water sports and activities to wear engine cutoff switches under certain conditions, etc.

**Most Recent Action:** Died in Environment and Natural Resources

**House Bill 701:** The Florida Fish and Wildlife Conservation Commission (FWC) regulates, manages, and conserves the fish and wildlife resources within the state. Within the FWC, the Division of Law Enforcement enforces boating rules and regulations, coordinates boating safety campaigns and education, and investigates boating accidents.

Any person born on or after January 1, 1988, who wishes to operate a vessel powered by a motor 10 horsepower or greater must complete a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA). The NASBLA provides minimum standards which are reviewed every five years and apply to all basic boating courses across the U.S. and its territories.

In 2018, federal law went into effect requiring operators of vessels less than 26 feet in length and with three or more horsepower to employ an engine cut-off switch if installed on the vessel. Florida has a similar law but with regard only to jet skis.

The bill may be cited as "Ethan's Law."

The bill requires that FWC include as components in boating safety education campaigns and education material, as appropriate, the following:

- The dangers of passengers sitting in areas not designed and designated for seating.
- The operation of a boat with persons in the water nearby.
- The dangers of starting a vessel with the engine in gear.
- The risks of leaving a vessel running while passengers are boarding or disembarking.
- The proper use and benefits of an engine cut-off switch for motorboats and personal watercrafts.

The bill also requires that operators of vessels used in the instruction of water sports or activities use an engine cut-off switch and wear an operative engine cut-off switch link when people participating in the water sport or activity are in the water.

The bill does not have an impact on state or local government revenues. The bill does not have an impact on local government expenditures. The bill may have an insignificant fiscal impact on state government expenditures.

The bill provides an effective date of July 1, 2022.

**Most Recent Action:** Died in Appropriations

## // VESSEL ANCHORING

**Senate Bill 1432 // Sen. Ana Maria Rodriguez // Referred to: Environment and Natural Resources; Community Affairs; Rules**

**House Bill 1065 // Rep. Jim Mooney // Referred to: Environment, Agriculture & Flooding Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

HOUSE/SENATE BILL RELATIONSHIP: *SIMILAR*

**Senate Bill 1432:** The bill amends statutes relating to vessel anchoring and mooring. It provides that approved and permitted moorings or mooring fields in Monroe County have a 10 year limit on general tenancies and that a sovereign submerged land or other proprietary lease may not prohibit a vessel from an approved and permitted mooring or mooring field, or limit the tenancy of a vessel, because it is an established domicile or a primary residence.

The bill clarifies that Monroe County is designated as an anchoring limitation area in which vessels anchored on waters of the state within the county and within 10 linear nautical miles of a public mooring field or designated anchoring area must pull anchor, move under their own power, and re-anchor a certain distance away or in a different designated anchoring area.

This must occur at least once every 90 days. The requirement does not apply to vessels moored to approved and permitted moorings, or to domiciled vessels on the waters of the state within the county until at least 100 new moorings are available for public use within 1 mile of Key West Bight City Dock.

The bill requires the Fish and Wildlife Conservation Commission to consult with Monroe County and the Florida Keys National Marine Sanctuary to establish designated anchoring areas throughout the county that meet certain criteria.

The bill requires certain vessels on the waters of the state within Monroe County that are equipped with a marine sanitation device to maintain a record of the date and location of each pump-out of the device, which must occur every 30 days, for one year after the date of the pumpout.



If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 38-0; House 112-0

**Most Recent Action:** Approved by Governor; Chapter No. 2022-78

**House Bill 1065:** Current law designates certain densely populated urban areas that have narrow state waterways, residential docking facilities, and significant boating traffic as anchoring limitation areas. In an anchoring limitation area, a person is prohibited from anchoring a vessel at any time during the period between one half hour after sunset and one half-hour before sunrise. The Division of Law Enforcement of the Fish and Wildlife Conservation Commission (FWC) and its officers, county sheriffs and deputies, and municipal police officers typically enforce anchoring limitation areas. In 2021, the Legislature designated Monroe County as an anchoring limitation area where a vessel on waters of the state can only anchor in the same location for a maximum of 90 days. The establishment of Monroe County as an anchoring limitation area does not take effect until Monroe County approves, permits, and opens new moorings for public use, including 250 moorings within one mile of Key West Bight City Dock and at least 50 moorings within the Key West Garrison Bight Mooring Field.

The bill specifies that approved and permitted moorings or mooring fields in Monroe County have a 10-year limit on general tenancies and that a sovereign submerged land or other proprietary lease may not prohibit a vessel from an approved and permitted mooring or mooring field or limit the tenancy of a vessel because it is an established domicile or primary residence.

The bill clarifies requirements related to the designation of Monroe County as an anchoring limitation area. Specifically, the bill requires each vessel anchored on state waters within 10 nautical miles of a public mooring field or a designated anchoring area to pull anchor, move from its location using its propulsion system, and reanchor in a new location no less than once every 90 days.

The bill specifies that these requirements do not apply to vessels moored to approved and permitted moorings. Additionally, until at least 100 new moorings are available for public use within one mile of Key West Bight City Dock, these requirements do not apply to live-aboard vessels on state waters within Monroe County.

The bill requires certain vessels within Monroe County on state waters that are equipped with a marine sanitation device to maintain a record of the date and location of each pump-out of the device, which must occur every 30 days.

The bill may have an insignificant negative fiscal impact on the state.

**Most Recent Action:** Read Second Time; Substituted for SB 1432; Laid on Table, Refer to SB 1432

*Attached documents: SB 1432 (Enrolled) + Final Bill Analysis*

## // VESSEL SAFETY FLAGS

**Senate Bill 1546 // Sen. Dennis Baxley // Referred to: Environment and Natural Resources; Community Affairs; Rules**

**House Bill 1225 // Rep. Thad Altman // Referred to: Environment, Agriculture & Flooding Subcommittee; State Affairs Committee**

HOUSE/SENATE BILL RELATIONSHIP: *SIMILAR*

**Senate Bill 1546:** Removing the requirement that airboats be equipped with masts or flagpoles bearing certain safety flags; prohibiting the operation and anchoring of vessels without masts or flagpoles bearing certain safety flags under specified conditions, etc.

**Most Recent Action:** Died in Environment and Natural Resources

**House Bill 1225:** Removes requirement that airboats be equipped with masts or flagpoles bearing certain safety flags; prohibits operation & anchoring of vessels without masts or flagpoles bearing certain safety flags under specified conditions; provides penalties.

**Most Recent Action:** Died in Environment, Agriculture & Flooding Subcommittee

## // LOCAL REGULATION OF VESSELS

**House Bill 1265 // Rep. Mike Caruso // Referred to: Environment, Agriculture & Flooding Subcommittee; Criminal Justice & Public Safety Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

**House Bill 1265:** Authorizes local governments to regulate the anchoring of certain vessels.

**Most Recent Action:** Died in Environment, Agriculture & Flooding Subcommittee

## // OFFICE OF THE BLUE ECONOMY

**Senate Bill 1454 // Sen. Lorraine Ausley // Referred to: Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations**

**House Bill 1081 // Rep. Kelly Skidmore // Referred to: Tourism, Infrastructure & Energy Subcommittee; Infrastructure & Tourism Appropriations Subcommittee; Commerce Committee**

**Senate Bill 1454:** Establishing the office within the Department of Economic Opportunity; defining the term “blue economy”; providing duties of the office; requiring the Office of Economic and Demographic Research to conduct a biennial evaluation of the blue economy for inclusion in a certain assessment, etc.

**Most Recent Action:** Died in Commerce and Tourism

**House Bill 1081:** Establishes Office of the Blue Economy within DEO; provides duties of office; requires EDR to conduct biennial evaluation of blue economy for inclusion in certain assessment.

**Most Recent Action:** Died in Tourism, Infrastructure & Energy Subcommittee

=====

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1  
2 An act relating to the Fish and Wildlife Conservation  
3 Commission; amending s. 259.105, F.S.; providing  
4 legislative findings; requiring lead land managing  
5 agencies, in consultation with the Fish and Wildlife  
6 Conservation Commission, to consider the use of state  
7 lands as gopher tortoise recipient sites in certain  
8 management plans; requiring certain management plans  
9 to include feasibility assessments for managing gopher  
10 tortoise recipient sites; authorizing owners of  
11 certain lands to establish gopher tortoise recipient  
12 sites or conservation banks on the lands under certain  
13 conditions; requiring the commission to streamline and  
14 improve the review of gopher tortoise recipient site  
15 applications and approve or deny such applications  
16 within a specified timeframe; requiring the  
17 commission, subject to appropriation, to encourage the  
18 establishment of gopher tortoise recipient sites on  
19 private lands and to create an online dashboard for  
20 certain gopher tortoise recipient site information;  
21 requiring the commission to submit a report on gopher  
22 tortoise recipient sites to the Legislature by a  
23 specified date; providing report requirements;  
24 amending ss. 327.352 and 327.35215, F.S.; revising the  
25 notices a person must be given for failure to submit  
26 to certain tests for alcohol, chemical substances, or  
27 controlled substances; making technical changes;  
28 amending s. 327.371, F.S.; authorizing individuals,  
29 when participating in certain athletic team practices

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30 or competitions, to operate a human-powered vessel  
31 within the marked channel of the Florida Intracoastal  
32 Waterway under certain circumstances; requiring the  
33 commission to be notified of any such competition;  
34 providing notice requirements; amending s. 327.4107,  
35 F.S.; revising the vessel conditions that an officer  
36 of the commission or a law enforcement agency may use  
37 to determine that a vessel is at risk of becoming  
38 derelict; amending s. 327.46, F.S.; prohibiting  
39 municipalities and counties from designating certain  
40 waters adjacent to designated public bathing beaches  
41 or swim areas as vessel exclusion zones; repealing s.  
42 376.15, F.S., relating to derelict vessels and the  
43 relocation and removal of such vessels from the waters  
44 of this state; amending s. 379.101, F.S.; revising the  
45 definitions of the terms "marine fish" and "saltwater  
46 fish"; amending s. 705.101, F.S.; revising the  
47 definition of the term "abandoned property" to include  
48 vessels declared to be a public nuisance; amending s.  
49 705.103, F.S.; clarifying the notice requirements and  
50 procedures for vessels declared to be public  
51 nuisances; conforming a provision to changes made by  
52 the act; amending s. 823.11, F.S.; making technical  
53 changes; authorizing the commission to establish a  
54 program to provide grants to local governments for  
55 certain actions regarding derelict vessels and those  
56 declared to be a public nuisance; specifying sources  
57 for the funds to be used, subject to an appropriation;  
58 authorizing the commission to use funds not awarded as

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59 grants for certain purposes; requiring the commission  
60 to adopt rules for the grant applications and the  
61 criteria for allocating the funds; conforming  
62 provisions to changes made by the act; amending s.  
63 934.50, F.S.; providing that all employees of the  
64 commission or the Florida Forest Service may operate  
65 drones for specified purposes; amending ss. 327.04,  
66 328.09, 328.72, and 376.11, F.S.; conforming  
67 provisions to changes made by the act; repealing s.  
68 25, chapter 2021-184, Laws of Florida, relating to  
69 derelict vessels; reenacting s. 327.73(1)(dd), F.S.,  
70 relating to noncriminal boating infractions, to  
71 incorporate the amendment made to s. 327.371, F.S., in  
72 a reference thereto; reenacting ss. 125.01(4) and  
73 379.2412, F.S., relating to powers and duties of  
74 legislative and governing bodies of counties and state  
75 preemption of the regulating of taking or possessing  
76 saltwater fish, respectively, to incorporate the  
77 amendment made to s. 379.101, F.S., in references  
78 thereto; providing effective dates.

79  
80 Be It Enacted by the Legislature of the State of Florida:

81  
82 Section 1. Paragraphs (a) and (b) of subsection (2) of  
83 section 259.105, Florida Statutes, are amended to read:

84 259.105 The Florida Forever Act.—

85 (2)(a) The Legislature finds and declares that:

86 1. Land acquisition programs have provided tremendous  
87 financial resources for purchasing environmentally significant

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88 lands to protect those lands from imminent development or  
89 alteration, thereby ensuring present and future generations'  
90 access to important waterways, open spaces, and recreation and  
91 conservation lands.

92 2. The continued alteration and development of the state's  
93 natural and rural areas to accommodate the state's growing  
94 population have contributed to the degradation of water  
95 resources, the fragmentation and destruction of wildlife  
96 habitats, the loss of outdoor recreation space, and the  
97 diminishment of wetlands, forests, working landscapes, and  
98 coastal open space.

99 3. The potential development of the state's remaining  
100 natural areas and escalation of land values require government  
101 efforts to restore, bring under public protection, or acquire  
102 lands and water areas to preserve the state's essential  
103 ecological functions and invaluable quality of life.

104 4. It is essential to protect the state's ecosystems by  
105 promoting a more efficient use of land, to ensure opportunities  
106 for viable agricultural activities on working lands, and to  
107 promote vital rural and urban communities that support and  
108 produce development patterns consistent with natural resource  
109 protection.

110 5. The state's groundwater, surface waters, and springs are  
111 under tremendous pressure due to population growth and economic  
112 expansion and require special protection and restoration  
113 efforts, including the protection of uplands and springsheds  
114 that provide vital recharge to aquifer systems and are critical  
115 to the protection of water quality and water quantity of the  
116 aquifers and springs. To ensure that sufficient quantities of

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117 water are available to meet the current and future needs of the  
118 natural systems and citizens of the state, and assist in  
119 achieving the planning goals of the department and the water  
120 management districts, water resource development projects on  
121 public lands, if compatible with the resource values of and  
122 management objectives for the lands, are appropriate.

123         6. The needs of urban, suburban, and small communities in  
124 the state for high-quality outdoor recreational opportunities,  
125 greenways, trails, and open space have not been fully met by  
126 previous acquisition programs. Through such programs as the  
127 Florida Communities Trust and the Florida Recreation Development  
128 Assistance Program, the state shall place additional emphasis on  
129 acquiring, protecting, preserving, and restoring open space,  
130 ecological greenways, and recreation properties within urban,  
131 suburban, and rural areas where pristine natural communities or  
132 water bodies no longer exist because of the proximity of  
133 developed property.

134         7. Many of the state's unique ecosystems, such as the  
135 Florida Everglades, are facing ecological collapse due to the  
136 state's burgeoning population growth and other economic  
137 activities. To preserve these valuable ecosystems for future  
138 generations, essential parcels of land must be acquired to  
139 facilitate ecosystem restoration.

140         8. Access to public lands to support a broad range of  
141 outdoor recreational opportunities and the development of  
142 necessary infrastructure, if compatible with the resource values  
143 of and management objectives for such lands, promotes an  
144 appreciation for the state's natural assets and improves the  
145 quality of life.



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146           9. Acquisition of lands, in fee simple, less than fee  
147 interest, or other techniques shall be based on a comprehensive  
148 science-based assessment of the state's natural resources which  
149 targets essential conservation lands by prioritizing all current  
150 and future acquisitions based on a uniform set of data and  
151 planned so as to protect the integrity and function of  
152 ecological systems and working landscapes, and provide multiple  
153 benefits, including preservation of fish and wildlife habitat,  
154 recreation space for urban and rural areas, and the restoration  
155 of natural water storage, flow, and recharge.

156           10. The state has embraced performance-based program  
157 budgeting as a tool to evaluate the achievements of publicly  
158 funded agencies, build in accountability, and reward those  
159 agencies which are able to consistently achieve quantifiable  
160 goals. While previous and existing state environmental programs  
161 have achieved varying degrees of success, few of these programs  
162 can be evaluated as to the extent of their achievements,  
163 primarily because performance measures, standards, outcomes, and  
164 goals were not established at the outset. Therefore, the Florida  
165 Forever program shall be developed and implemented in the  
166 context of measurable state goals and objectives.

167           11.a. The state must play a major role in the recovery and  
168 management of its imperiled species through the acquisition,  
169 restoration, enhancement, and management of ecosystems that can  
170 support the major life functions of such species. It is the  
171 intent of the Legislature to support local, state, and federal  
172 programs that result in net benefit to imperiled species habitat  
173 by providing public and private land owners meaningful  
174 incentives for acquiring, restoring, managing, and repopulating

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175 habitats for imperiled species. It is the further intent of the  
176 Legislature that public lands, both existing and to be acquired,  
177 identified by the lead land managing agency, in consultation  
178 with the Fish and Wildlife Conservation Commission for animals  
179 or the Department of Agriculture and Consumer Services for  
180 plants, as habitat or potentially restorable habitat for  
181 imperiled species, be restored, enhanced, managed, and  
182 repopulated as habitat for such species to advance the goals and  
183 objectives of imperiled species management for conservation,  
184 recreation, or both, consistent with the land management plan  
185 without restricting other uses identified in the management  
186 plan. It is also the intent of the Legislature that of the  
187 proceeds distributed pursuant to subsection (3), additional  
188 consideration be given to acquisitions that achieve a  
189 combination of conservation goals, including the restoration,  
190 enhancement, management, or repopulation of habitat for  
191 imperiled species. The council, in addition to the criteria in  
192 subsection (9), shall give weight to projects that include  
193 acquisition, restoration, management, or repopulation of habitat  
194 for imperiled species. The term "imperiled species" as used in  
195 this chapter and chapter 253, means plants and animals that are  
196 federally listed under the Endangered Species Act, or state-  
197 listed by the Fish and Wildlife Conservation Commission or the  
198 Department of Agriculture and Consumer Services. As part of the  
199 state's role, all state lands that have imperiled species  
200 habitat shall include as a consideration in management plan  
201 development the restoration, enhancement, management, and  
202 repopulation of such habitats. In addition, the lead land  
203 managing agency of such state lands may use fees received from

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204 public or private entities for projects to offset adverse  
205 impacts to imperiled species or their habitat in order to  
206 restore, enhance, manage, repopulate, or acquire land and to  
207 implement land management plans developed under s. 253.034 or a  
208 land management prospectus developed and implemented under this  
209 chapter. Such fees shall be deposited into a foundation or fund  
210 created by each land management agency under s. 379.223, s.  
211 589.012, or s. 259.032(9)(c), to be used solely to restore,  
212 manage, enhance, repopulate, or acquire imperiled species  
213 habitat.

214 b. The Legislature recognizes that there have been  
215 geographical and capacity constraints on available gopher  
216 tortoise recipient sites that have coincided with increased  
217 demands for such sites. The Legislature also recognizes that the  
218 success of gopher tortoise conservation depends on participation  
219 by privately owned lands and the use of appropriate public lands  
220 for gopher tortoise and other imperiled species management and  
221 recovery. To encourage adequate capacity for relocating gopher  
222 tortoises, each lead land managing agency, in consultation with  
223 the Fish and Wildlife Conservation Commission, shall consider  
224 the feasibility of using a portion of state lands as a gopher  
225 tortoise recipient site in management plans for all state lands  
226 under the management of the agency that are greater than 40  
227 contiguous acres. If the lead land managing agency, in  
228 consultation with the Fish and Wildlife Conservation Commission,  
229 determines that gopher tortoise recipient site management does  
230 not conflict with the primary management objectives of the  
231 lands, the management plan must contain a component prepared by  
232 the agency or cooperatively with a Fish and Wildlife

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233 Conservation Commission wildlife biologist that assesses the  
234 feasibility of managing the lands as a recipient site for gopher  
235 tortoises consistent with rules of the Fish and Wildlife  
236 Conservation Commission. The feasibility assessment by the lead  
237 land managing agency must also evaluate the economic feasibility  
238 of establishing a gopher tortoise recipient site, including the  
239 initial cost and recurring management costs of operating the  
240 gopher tortoise recipient site consistent with the rules of the  
241 Fish and Wildlife Conservation Commission and the revenue  
242 projections necessary to ensure the initial and recurring costs  
243 of establishing and perpetually maintaining the gopher tortoise  
244 recipient site do not create an increased recurring expense for  
245 the agency.

246 12. There is a need to change the focus and direction of  
247 the state's major land acquisition programs and to extend  
248 funding and bonding capabilities, so that future generations may  
249 enjoy the natural resources of this state.

250 (b) The Legislature recognizes that acquisition of lands in  
251 fee simple is only one way to achieve the aforementioned goals  
252 and encourages the use of less-than-fee interests, other  
253 techniques, and the development of creative partnerships between  
254 governmental agencies and private landowners. Such partnerships  
255 may include those that advance the restoration, enhancement,  
256 management, or repopulation of imperiled species habitat on  
257 state lands as provided for in subparagraph (a)11. Easements  
258 acquired pursuant to s. 570.71(2)(a) and (b), land protection  
259 agreements, and nonstate funded tools such as rural land  
260 stewardship areas, sector planning, gopher tortoise recipient  
261 sites, and mitigation should be used, where appropriate, to

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262 bring environmentally sensitive tracts under an acceptable level  
263 of protection at a lower financial cost to the public, and to  
264 provide private landowners with the opportunity to enjoy and  
265 benefit from their property. The owner of lands where a  
266 conservation easement or other less-than-fee interest has been  
267 acquired by the board or another state agency or a regional or  
268 local government may establish a recipient site or conservation  
269 bank on the lands to advance the restoration, enhancement,  
270 management, or repopulation of imperiled species habitat so long  
271 as the recipient site or operation and maintenance of the  
272 conservation bank does not interfere with the management plan  
273 for the conservation easement and the landowner complies with  
274 all state and federal permitting requirements for the recipient  
275 site or conservation bank.

276 Section 2. (1) By December 31, 2022, the Fish and Wildlife  
277 Conservation Commission shall streamline and improve the review  
278 of applications for public and private gopher tortoise recipient  
279 sites. Requests for additional information must be received by  
280 the applicant within 45 days after receipt of an application and  
281 the commission shall approve or deny a complete application  
282 within 45 days after receipt of such application.

283 (2) By October 31, 2023, subject to appropriation, the Fish  
284 and Wildlife Conservation Commission shall:

285 (a) Establish an ongoing effort to encourage the  
286 establishment of new gopher tortoise recipient sites on private  
287 lands throughout the state; and

288 (b) Update its permitting systems to create an online  
289 dashboard to show permitted and available capacity for  
290 reservations in permitted gopher tortoise recipient sites to

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291 assist with the efficient relocation of gopher tortoises.

292 (3) By February 1, 2023, the Fish and Wildlife Conservation  
293 Commission shall submit a report to the President of the Senate  
294 and the Speaker of the House of Representatives that includes  
295 the following information:

296 (a) The progress made in establishing new private and  
297 public gopher tortoise recipient sites;

298 (b) The average time it takes to approve or deny a  
299 recipient site application once a complete application is  
300 received;

301 (c) Any federal action taken to modify the listing of the  
302 gopher tortoise under the Endangered Species Act; and

303 (d) Any other information relevant to the gopher tortoise  
304 conservation program.

305 Section 3. Paragraphs (a) and (c) of subsection (1) of  
306 section 327.352, Florida Statutes, are amended to read:

307 327.352 Tests for alcohol, chemical substances, or  
308 controlled substances; implied consent; refusal.—

309 (1)(a)1. The Legislature declares that the operation of a  
310 vessel is a privilege that must be exercised in a reasonable  
311 manner. In order to protect the public health and safety, it is  
312 essential that a lawful and effective means of reducing the  
313 incidence of boating while impaired or intoxicated be  
314 established. Therefore, a person who accepts the privilege  
315 extended by the laws of this state of operating a vessel within  
316 this state is, by operating such vessel, deemed to have given  
317 his or her consent to submit to an approved chemical test or  
318 physical test including, but not limited to, an infrared light  
319 test of his or her breath for the purpose of determining the

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320 alcoholic content of his or her blood or breath if the person is  
321 lawfully arrested for any offense allegedly committed while the  
322 person was operating a vessel while under the influence of  
323 alcoholic beverages. The chemical or physical breath test must  
324 be incidental to a lawful arrest and administered at the request  
325 of a law enforcement officer who has reasonable cause to believe  
326 such person was operating the vessel within this state while  
327 under the influence of alcoholic beverages. The administration  
328 of a breath test does not preclude the administration of another  
329 type of test. The person shall be told that his or her failure  
330 to submit to any lawful test of his or her breath under this  
331 chapter will result in a civil penalty of \$500, and ~~shall also~~  
332 ~~be told~~ that if he or she refuses to submit to a lawful test of  
333 his or her breath and he or she has been previously fined under  
334 s. 327.35215 or ~~has previously had~~ his or her driving privilege  
335 has been previously driver license suspended for refusal to  
336 submit to any lawful test of his or her breath, urine, or blood,  
337 he or she commits a misdemeanor of the first degree, punishable  
338 as provided in s. 775.082 or s. 775.083, in addition to any  
339 other penalties provided by law. The refusal to submit to a  
340 chemical or physical breath test upon the request of a law  
341 enforcement officer as provided in this section is admissible  
342 into evidence in any criminal proceeding.

343 2. A person who accepts the privilege extended by the laws  
344 of this state of operating a vessel within this state is, by  
345 operating such vessel, deemed to have given his or her consent  
346 to submit to a urine test for the purpose of detecting the  
347 presence of chemical substances as set forth in s. 877.111 or  
348 controlled substances if the person is lawfully arrested for any

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349 offense allegedly committed while the person was operating a  
350 vessel while under the influence of chemical substances or  
351 controlled substances. The urine test must be incidental to a  
352 lawful arrest and administered at a detention facility or any  
353 other facility, mobile or otherwise, which is equipped to  
354 administer such tests at the request of a law enforcement  
355 officer who has reasonable cause to believe such person was  
356 operating a vessel within this state while under the influence  
357 of chemical substances or controlled substances. The urine test  
358 must ~~shall~~ be administered at a detention facility or any other  
359 facility, mobile or otherwise, which is equipped to administer  
360 such test in a reasonable manner that will ensure the accuracy  
361 of the specimen and maintain the privacy of the individual  
362 involved. The administration of a urine test does not preclude  
363 the administration of another type of test. The person shall be  
364 told that his or her failure to submit to any lawful test of his  
365 or her urine under this chapter will result in a civil penalty  
366 of \$500, and ~~shall also be told~~ that if he or she refuses to  
367 submit to a lawful test of his or her urine and he or she has  
368 been previously fined under s. 327.35215 or ~~has previously had~~  
369 his or her driving privilege has been previously ~~driver license~~  
370 suspended for refusal to submit to any lawful test of his or her  
371 breath, urine, or blood, he or she commits a misdemeanor of the  
372 first degree, punishable as provided in s. 775.082 or s.  
373 775.083, in addition to any other penalties provided by law. The  
374 refusal to submit to a urine test upon the request of a law  
375 enforcement officer as provided in this section is admissible  
376 into evidence in any criminal proceeding.

377 (c) A person who accepts the privilege extended by the laws



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378 of this state of operating a vessel within this state is, by  
379 operating such vessel, deemed to have given his or her consent  
380 to submit to an approved blood test for the purpose of  
381 determining the alcoholic content of the blood or a blood test  
382 for the purpose of determining the presence of chemical  
383 substances or controlled substances as provided in this section  
384 if there is reasonable cause to believe the person was operating  
385 a vessel while under the influence of alcoholic beverages or  
386 chemical or controlled substances and the person appears for  
387 treatment at a hospital, clinic, or other medical facility and  
388 the administration of a breath or urine test is impractical or  
389 impossible. As used in this paragraph, the term "other medical  
390 facility" includes an ambulance or other medical emergency  
391 vehicle. The blood test must ~~shall~~ be performed in a reasonable  
392 manner. A person who is incapable of refusal by reason of  
393 unconsciousness or other mental or physical condition is deemed  
394 not to have withdrawn his or her consent to such test. A person  
395 who is capable of refusal shall be told that his or her failure  
396 to submit to such a blood test will result in a civil penalty of  
397 \$500. The refusal to submit to a blood test upon the request of  
398 a law enforcement officer is ~~shall be~~ admissible in evidence in  
399 any criminal proceeding.

400 Section 4. Subsections (1) and (2) of section 327.35215,  
401 Florida Statutes, are amended to read:

402 327.35215 Penalty for failure to submit to test.—

403 (1) A person ~~who is~~ lawfully arrested for an alleged  
404 violation of s. 327.35 ~~and~~ who refuses to submit to a blood  
405 test, breath test, or urine test pursuant to s. 327.352 is  
406 subject to a civil penalty of \$500.

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407 (2) When a person refuses to submit to a blood test, breath  
408 test, or urine test pursuant to s. 327.352, a law enforcement  
409 officer ~~who is~~ authorized to make arrests for violations of this  
410 chapter shall file with the clerk of the court, on a form  
411 provided by the commission ~~department~~, a certified statement  
412 that probable cause existed to arrest the person for a violation  
413 of s. 327.35 and that the person refused to submit to a test as  
414 required by s. 327.352. Along with the statement, the officer  
415 shall ~~must~~ also submit a sworn statement on a form provided by  
416 the commission ~~department~~ that the person has been advised of  
417 both the penalties for failure to submit to the blood, breath,  
418 or urine test and the procedure for requesting a hearing.

419 Section 5. Present paragraph (c) of subsection (1) of  
420 section 327.371, Florida Statutes, is redesignated as paragraph  
421 (d), and a new paragraph (c) is added to that subsection, to  
422 read:

423 327.371 Human-powered vessels regulated.—

424 (1) A person may operate a human-powered vessel within the  
425 boundaries of the marked channel of the Florida Intracoastal  
426 Waterway as defined in s. 327.02:

427 (c) When participating in practices or competitions for  
428 interscholastic, intercollegiate, intramural, or club rowing  
429 teams affiliated with an educational institution identified in  
430 s. 1000.21, s. 1002.01(2), s. 1003.01(2), s. 1005.02(4), or s.  
431 1005.03(1)(d), if the adjacent area outside of the marked  
432 channel is not suitable for such practice or competition. The  
433 teams must use their best efforts to make use of the adjacent  
434 area outside of the marked channel. The commission must be  
435 notified in writing of the details of any such competition, and

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436 the notification must include, but need not be limited to, the  
437 date, time, and location of the competition.

438 Section 6. Paragraph (f) is added to subsection (2) of  
439 section 327.4107, Florida Statutes, to read:

440 327.4107 Vessels at risk of becoming derelict on waters of  
441 this state.—

442 (2) An officer of the commission or of a law enforcement  
443 agency specified in s. 327.70 may determine that a vessel is at  
444 risk of becoming derelict if any of the following conditions  
445 exist:

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

448 Section 7. Paragraph (b) of subsection (1) of section  
449 327.46, Florida Statutes, is amended to read:

450 327.46 Boating-restricted areas.—

451 (1) Boating-restricted areas, including, but not limited  
452 to, restrictions of vessel speeds and vessel traffic, may be  
453 established on the waters of this state for any purpose  
454 necessary to protect the safety of the public if such  
455 restrictions are necessary based on boating accidents,  
456 visibility, hazardous currents or water levels, vessel traffic  
457 congestion, or other navigational hazards or to protect  
458 seagrasses on privately owned submerged lands.

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

464 1. An ordinance establishing an idle speed, no wake

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465 boating-restricted area, if the area is:

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

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

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

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

482       a. Within 300 feet of any bridge fender system.

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

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

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

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

493       3. An ordinance establishing a vessel-exclusion zone if the

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494 area is:

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

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

502

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

507 Section 8. Section 376.15, Florida Statutes, is repealed.

508 Section 9. Subsections (22) and (34) of section 379.101,  
509 Florida Statutes, are amended to read:

510 379.101 Definitions.—In construing these statutes, where  
511 the context does not clearly indicate otherwise, the word,  
512 phrase, or term:

513 (22) "Marine fish" means any saltwater species of finfish  
514 of the classes Agnatha, Chondrichthyes, and Osteichthyes, ~~and~~  
515 marine invertebrates of in the classes Gastropoda and, Bivalvia,  
516 the subphylum ~~and~~ Crustacea, or the phylum Echinodermata;  
517 however, the term ~~but~~ does not include nonliving shells or  
518 echinoderms.

519 (34) "Saltwater fish" means:

520 (a) Any saltwater species of finfish of the classes  
521 Agnatha, Chondrichthyes, or Osteichthyes and marine  
522 invertebrates of the classes Gastropoda and, Bivalvia, the

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523 subphylum ~~or~~ Crustacea, or ~~of~~ the phylum Echinodermata; however,  
524 the term ~~but~~ does not include nonliving shells or echinoderms;  
525 and

526 (b) All classes of pisces, shellfish, sponges, and  
527 crustaceans ~~crustacea~~ native to salt water.

528 Section 10. Subsection (3) of section 705.101, Florida  
529 Statutes, is amended to read:

530 705.101 Definitions.—As used in this chapter:

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

538 Section 11. Paragraph (a) of subsection (2) and subsection  
539 (4) of section 705.103, Florida Statutes, are amended to read:

540 705.103 Procedure for abandoned or lost property.—

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

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

549  
550 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
551 PROPERTY. This property, to wit: ...(setting forth brief

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552 description)... is unlawfully upon public property known as  
553 ...(setting forth brief description of location)... and must be  
554 removed within 5 days; otherwise, it will be removed and  
555 disposed of pursuant to chapter 705, Florida Statutes. The owner  
556 will be liable for the costs of removal, storage, and  
557 publication of notice. Dated this: ...(setting forth the date of  
558 posting of notice)..., signed: ...(setting forth name, title,  
559 address, and telephone number of law enforcement officer)....  
560

561 b. A derelict vessel or a vessel declared a public nuisance  
562 pursuant to s. 327.73(1)(aa) is present on the waters of this  
563 state, the officer shall cause a notice to be placed upon such  
564 vessel in substantially the following form:  
565

566 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
567 VESSEL. This vessel, to wit: ...(setting forth brief  
568 description)... has been determined to be ...(derelict or a  
569 public nuisance)... and is unlawfully upon waters of this state  
570 ...(setting forth brief description of location)... and must be  
571 removed within 21 days; otherwise, it will be removed and  
572 disposed of pursuant to chapter 705, Florida Statutes. The owner  
573 and other interested parties have the right to a hearing to  
574 challenge the determination that this vessel is derelict or  
575 otherwise in violation of the law. Please contact ...(contact  
576 information for person who can arrange for a hearing in  
577 accordance with this section).... The owner or the party  
578 determined to be legally responsible for the vessel being upon  
579 the waters of this state in a derelict condition or as a public  
580 nuisance will be liable for the costs of removal, destruction,

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581 and disposal if this vessel is not removed by the owner. Dated  
582 this: ...(setting forth the date of posting of notice)...,  
583 signed: ...(setting forth name, title, address, and telephone  
584 number of law enforcement officer)....

585  
586 2. The notices required under subparagraph 1. may not be  
587 less than 8 inches by 10 inches and must ~~shall~~ be sufficiently  
588 weatherproof to withstand normal exposure to the elements. In  
589 addition to posting, the law enforcement officer shall make a  
590 reasonable effort to ascertain the name and address of the  
591 owner. If such is reasonably available to the officer, she or he  
592 shall mail a copy of such notice to the owner on or before the  
593 date of posting. If the property is a motor vehicle as defined  
594 in s. 320.01(1) or a vessel as defined in s. 327.02, the law  
595 enforcement agency shall contact the Department of Highway  
596 Safety and Motor Vehicles in order to determine the name and  
597 address of the owner and any person who has filed a lien on the  
598 vehicle or vessel as provided in s. 319.27(2) or (3) or s.  
599 328.15(1). On receipt of this information, the law enforcement  
600 agency shall mail a copy of the notice by certified mail, return  
601 receipt requested, to the owner and to the lienholder, if any,  
602 except that a law enforcement officer who has issued a citation  
603 for a violation of ~~s. 376.15~~ or s. 823.11 to the owner of a  
604 derelict vessel is not required to mail a copy of the notice by  
605 certified mail, return receipt requested, to the owner. For a  
606 derelict vessel or a vessel declared a public nuisance pursuant  
607 to s. 327.73(1)(aa), the mailed notice must inform the owner or  
608 responsible party that he or she has a right to a hearing to  
609 dispute the determination that the vessel is derelict or



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610 otherwise in violation of the law. If a request for a hearing is  
611 made, a state agency shall follow the processes set forth in s.  
612 120.569. Local governmental entities shall follow the processes  
613 set forth in s. 120.569, except that a local judge, magistrate,  
614 or code enforcement officer may be designated to conduct such a  
615 hearing. If, at the end of 5 days after posting the notice in  
616 sub-subparagraph 1.a., or at the end of 21 days after posting  
617 the notice in sub-subparagraph 1.b., and mailing such notice, if  
618 required, the owner or any person interested in the lost or  
619 abandoned article or articles described has not removed the  
620 article or articles from public property or shown reasonable  
621 cause for failure to do so, and, in the case of a derelict  
622 vessel or a vessel declared a public nuisance pursuant to s.  
623 327.73(1)(aa), has not requested a hearing in accordance with  
624 this section, the following shall apply:

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

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

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

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639 (II) Authorize the vessel's use as an artificial reef in  
640 accordance with s. 379.249 if all necessary federal, state, and  
641 local authorizations are received.

642

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

650 (4) The owner of any abandoned or lost property, or in the  
651 case of a derelict vessel or a vessel declared a public nuisance  
652 pursuant to s. 327.73(1)(aa), the owner or other party  
653 determined to be legally responsible for the vessel being upon  
654 the waters of this state in a derelict condition or as a public  
655 nuisance, who, after notice as provided in this section, does  
656 not remove such property within the specified period ~~is shall be~~  
657 liable to the law enforcement agency, other governmental entity,  
658 or the agency's or entity's designee for all costs of removal,  
659 storage, ~~and~~ destruction, and disposal of such property, less  
660 any salvage value obtained by disposal of the property. Upon  
661 final disposition of the property, the law enforcement officer  
662 or representative of the law enforcement agency or other  
663 governmental entity shall notify the owner or in the case of a  
664 derelict vessel or vessel declared a public nuisance pursuant to  
665 s. 327.73(1)(aa), the owner or other party determined to be  
666 legally responsible, if known, of the amount owed. In the case  
667 of an abandoned vessel or motor vehicle, any person who neglects

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668 or refuses to pay such amount is not entitled to be issued a  
669 certificate of registration for such vessel or motor vehicle, or  
670 any other vessel or motor vehicle, until such costs have been  
671 paid. A person who has neglected or refused to pay all costs of  
672 removal, storage, disposal, and destruction of a vessel or motor  
673 vehicle as provided in this section, after having been provided  
674 written notice via certified mail that such costs are owed, and  
675 who applies for and is issued a registration for a vessel or  
676 motor vehicle before such costs have been paid in full commits a  
677 misdemeanor of the first degree, punishable as provided in s.  
678 775.082 or s. 775.083. The law enforcement officer or  
679 representative of the law enforcement agency or other  
680 governmental entity shall supply the Department of Highway  
681 Safety and Motor Vehicles with a list of persons whose vessel  
682 registration privileges and motor vehicle privileges have been  
683 revoked under this subsection. The department or a person acting  
684 as an agent of the department may not issue a certificate of  
685 registration to a person whose vessel and motor vehicle  
686 registration privileges have been revoked, as provided by this  
687 subsection, until such costs have been paid.

688 Section 12. Effective July 1, 2023, paragraph (a) of  
689 subsection (2) of section 705.103, Florida Statutes, as amended  
690 by chapters 2019-76 and 2021-184, Laws of Florida, is amended to  
691 read:

692 705.103 Procedure for abandoned or lost property.—

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

695 a. An article of lost or abandoned property other than a  
696 derelict vessel or a vessel declared a public nuisance pursuant

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697 to s. 327.73(1)(aa) is present on public property and is of such  
698 nature that it cannot be easily removed, the officer shall cause  
699 a notice to be placed upon such article in substantially the  
700 following form:

701  
702 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
703 PROPERTY. This property, to wit: ...(setting forth brief  
704 description)... is unlawfully upon public property known as  
705 ...(setting forth brief description of location)... and must be  
706 removed within 5 days; otherwise, it will be removed and  
707 disposed of pursuant to chapter 705, Florida Statutes. The owner  
708 will be liable for the costs of removal, storage, and  
709 publication of notice. Dated this: ...(setting forth the date of  
710 posting of notice)..., signed: ...(setting forth name, title,  
711 address, and telephone number of law enforcement officer)....  
712

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

717  
718 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
719 VESSEL. This vessel, to wit: ...(setting forth brief description  
720 of location)... has been determined to be ...(derelict or a  
721 public nuisance)... and is unlawfully upon the waters of this  
722 state ...(setting forth brief description of location)... and  
723 must be removed within 21 days; otherwise, it will be removed  
724 and disposed of pursuant to chapter 705, Florida Statutes. The  
725 owner and other interested parties have the right to a hearing

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726 to challenge the determination that this vessel is derelict or  
727 otherwise in violation of the law. Please contact ...(contact  
728 information for person who can arrange for a hearing in  
729 accordance with this section)... The owner or the party  
730 determined to be legally responsible for the vessel being upon  
731 the waters of this state in a derelict condition or as a public  
732 nuisance will be liable for the costs of removal, destruction,  
733 and disposal if this vessel is not removed by the owner. Dated  
734 this: ...(setting forth the date of posting of notice)...,  
735 signed: ...(setting forth name, title, address, and telephone  
736 number of law enforcement officer)....

737  
738 2. The notices required under subparagraph 1. may not be  
739 less than 8 inches by 10 inches and must ~~shall~~ be sufficiently  
740 weatherproof to withstand normal exposure to the elements. In  
741 addition to posting, the law enforcement officer shall make a  
742 reasonable effort to ascertain the name and address of the  
743 owner. If such is reasonably available to the officer, she or he  
744 shall mail a copy of such notice to the owner on or before the  
745 date of posting. If the property is a motor vehicle as defined  
746 in s. 320.01(1) or a vessel as defined in s. 327.02, the law  
747 enforcement agency shall contact the Department of Highway  
748 Safety and Motor Vehicles in order to determine the name and  
749 address of the owner and any person who has filed a lien on the  
750 vehicle or vessel as provided in s. 319.27(2) or (3) or s.  
751 328.15. On receipt of this information, the law enforcement  
752 agency shall mail a copy of the notice by certified mail, return  
753 receipt requested, to the owner and to the lienholder, if any,  
754 except that a law enforcement officer who has issued a citation

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755 for a violation of ~~s. 376.15~~ or s. 823.11 to the owner of a  
756 derelict vessel is not required to mail a copy of the notice by  
757 certified mail, return receipt requested, to the owner. For a  
758 derelict vessel or a vessel declared a public nuisance pursuant  
759 to s. 327.73(1)(aa), the mailed notice must inform the owner or  
760 responsible party that he or she has a right to a hearing to  
761 dispute the determination that the vessel is derelict or  
762 otherwise in violation of the law. If a request for a hearing is  
763 made, a state agency shall follow the processes as set forth in  
764 s. 120.569. Local governmental entities shall follow the  
765 processes set forth in s. 120.569, except that a local judge,  
766 magistrate, or code enforcement officer may be designated to  
767 conduct such a hearing. If, at the end of 5 days after posting  
768 the notice in sub-subparagraph 1.a., or at the end of 21 days  
769 after posting the notice in sub-subparagraph 1.b., and mailing  
770 such notice, if required, the owner or any person interested in  
771 the lost or abandoned article or articles described has not  
772 removed the article or articles from public property or shown  
773 reasonable cause for failure to do so, and, in the case of a  
774 derelict vessel or a vessel declared a public nuisance pursuant  
775 to s. 327.73(1)(aa), has not requested a hearing in accordance  
776 with this section, the following shall apply:

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

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784 refuse removal service.

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

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

791       (II) Authorize the vessel's use as an artificial reef in  
792 accordance with s. 379.249 if all necessary federal, state, and  
793 local authorizations are received.

794  
795 A law enforcement agency or its designee may also take action as  
796 described in this sub-subparagraph if, following a hearing  
797 pursuant to this section, the judge, magistrate, administrative  
798 law judge, or hearing officer has determined the vessel to be  
799 derelict as provided in s. 823.11 or otherwise in violation of  
800 the law in accordance with s. 327.73(1)(aa) and a final order  
801 has been entered or the case is otherwise closed.

802       Section 13. Present subsections (4), (5), and (6) of  
803 section 823.11, Florida Statutes, are redesignated as  
804 subsections (5), (6), and (7), respectively, a new subsection  
805 (4) is added to that section, and subsection (1), paragraph (c)  
806 of subsection (2), subsection (3), and present subsections (5)  
807 and (6) of that section are amended, to read:

808       823.11 Derelict vessels; relocation or removal; penalty.—

809       (1) As used in this section ~~and s. 376.15~~, the term:

810       (a) "Commission" means the Fish and Wildlife Conservation  
811 Commission.

812       (b) "Derelict vessel" means a vessel, as defined in s.

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813 327.02, that is:

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

816 a. A vessel is wrecked if it is sunken or sinking; aground  
817 without the ability to extricate itself absent mechanical  
818 assistance; or remaining after a marine casualty, including, but  
819 not limited to, a boating accident, extreme weather, or a fire.

820 b. A vessel is junked if it has been substantially stripped  
821 of vessel components, if vessel components have substantially  
822 degraded or been destroyed, or if the vessel has been discarded  
823 by the owner or operator. Attaching an outboard motor to a  
824 vessel that is otherwise junked will not cause the vessel to no  
825 longer be junked if such motor is not an effective means of  
826 propulsion as required by s. 327.4107(2)(e) and associated  
827 rules.

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

831 (I) The steering system;

832 (II) The propulsion system; or

833 (III) The exterior hull integrity.

834

835 Attaching an outboard motor to a vessel that is otherwise  
836 substantially dismantled will not cause the vessel to no longer  
837 be substantially dismantled if such motor is not an effective  
838 means of propulsion as required by s. 327.4107(2)(e) and  
839 associated rules.

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



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

844 (c) "Gross negligence" means conduct so reckless or wanting  
845 in care that it constitutes a conscious disregard or  
846 indifference to the safety of the property exposed to such  
847 conduct.

848 (d) "Willful misconduct" means conduct evidencing  
849 carelessness or negligence of such a degree or recurrence as to  
850 manifest culpability, wrongful intent, or evil design or to show  
851 an intentional and substantial disregard of the interests of the  
852 vessel owner.

853 (2)

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

860 (3) The commission, an officer of the commission, or a law  
861 enforcement agency or officer specified in s. 327.70 may  
862 relocate, remove, and store, ~~destroy, or dispose of~~ or cause to  
863 be relocated, removed, and stored, ~~destroyed, or disposed of~~ a  
864 derelict vessel from waters of this state as defined in s.  
865 327.02 if the derelict vessel obstructs or threatens to obstruct  
866 navigation or in any way constitutes a danger to the  
867 environment, property, or persons. The commission, an officer of  
868 the commission, or any other law enforcement agency or officer  
869 acting pursuant to this subsection to relocate, remove, and  
870 store, ~~destroy, dispose of~~ or cause to be relocated, removed,

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871 and stored, ~~destroyed, or disposed of~~ a derelict vessel from  
872 waters of this state shall be held harmless for all damages to  
873 the derelict vessel resulting from such action unless the damage  
874 results from gross negligence or willful misconduct.

875 ~~(a) Removal of derelict vessels under this subsection may~~  
876 ~~be funded by grants provided in ss. 206.606 and 376.15. The~~  
877 ~~commission shall implement a plan for the procurement of any~~  
878 ~~available federal disaster funds and use such funds for the~~  
879 ~~removal of derelict vessels.~~

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

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900 775.082 or s. 775.083.

901 (b)~~(e)~~ A contractor performing such activities at the  
902 direction of the commission, an officer of the commission, a law  
903 enforcement agency or officer, or a governmental subdivision,  
904 when the governmental subdivision has received authorization for  
905 the relocation or removal from a law enforcement officer or  
906 agency, pursuant to this section must be licensed in accordance  
907 with applicable United States Coast Guard regulations where  
908 required; obtain and carry in full force and effect a policy  
909 from a licensed insurance carrier in this state to insure  
910 against any accident, loss, injury, property damage, or other  
911 casualty caused by or resulting from the contractor's actions;  
912 and be properly equipped to perform the services to be provided.

913 (4)(a) Removal of derelict vessels under this subsection  
914 may be funded by grants provided in s. 206.606.

915 (b) The commission may implement a plan for the procurement  
916 of any available federal disaster funds and use such funds for  
917 the removal of derelict vessels.

918 (c) The commission may establish a program to provide  
919 grants to local governments for the removal, storage,  
920 destruction, and disposal of derelict vessels from the waters of  
921 this state. This grant funding may also be used for the removal,  
922 storage, destruction, and disposal of vessels declared a public  
923 nuisance pursuant to s. 327.73(1)(aa). The program must be  
924 funded from the Marine Resources Conservation Trust Fund or the  
925 Florida Coastal Protection Trust Fund. Notwithstanding s.  
926 216.181(11), funds available for these grants may only be  
927 authorized by appropriations acts of the Legislature. In a given  
928 fiscal year, if all funds appropriated pursuant to this

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929 paragraph are not requested by and granted to local governments  
930 for the removal, storage, destruction, and disposal of derelict  
931 vessels or vessels declared a public nuisance pursuant to s.  
932 327.73(1)(aa) by the end of the third quarter, the Fish and  
933 Wildlife Conservation Commission may use the remainder of the  
934 funds to remove, store, destroy, and dispose of, or to pay  
935 private contractors to remove, store, destroy, and dispose of,  
936 derelict vessels or vessels declared a public nuisance pursuant  
937 to s. 327.73(1)(aa). The commission shall adopt by rule  
938 procedures for local governments to submit a grant application  
939 and criteria for allocating available funds. Such criteria must  
940 include, at a minimum, the following:

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

943 2. The threat posed by such vessels to public health or  
944 safety, the environment, navigation, or the aesthetic condition  
945 of the general vicinity.

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

950 (6)(5) A person, firm, or corporation violating this  
951 section commits a misdemeanor of the first degree and shall be  
952 punished as provided by law. A conviction under this section  
953 does not bar the assessment and collection of a ~~the~~ civil  
954 penalty ~~provided in s. 376.16 for violation of s. 376.15.~~ The  
955 court having jurisdiction over the criminal offense,  
956 notwithstanding any jurisdictional limitations on the amount in  
957 controversy, may order the imposition of such civil penalty in

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958 addition to any sentence imposed for the first criminal offense.

959 (7)~~(6)~~ If an owner or a responsible party of a vessel  
960 determined to be derelict through an administrative or criminal  
961 proceeding has been charged by an officer of the commission or  
962 any law enforcement agency or officer as specified in s. 327.70  
963 under subsection (6) ~~(5)~~ for a violation of subsection (2) ~~or a~~  
964 ~~violation of s. 376.15(2)~~, a person may not reside or dwell on  
965 such vessel until the vessel is removed from the waters of the  
966 state permanently or returned to the waters of the state in a  
967 condition that is no longer derelict.

968 Section 14. Paragraph (p) of subsection (4) of section  
969 934.50, Florida Statutes, is amended to read:

970 934.50 Searches and seizure using a drone.—

971 (4) EXCEPTIONS.—This section does not prohibit the use of a  
972 drone:

973 (p) By an ~~a non-law enforcement~~ employee of the Fish and  
974 Wildlife Conservation Commission or of the Florida Forest  
975 Service for the purposes of managing and eradicating invasive  
976 exotic plants or animals on public lands and suppressing and  
977 mitigating wildfire threats.

978 Section 15. Section 327.04, Florida Statutes, is amended to  
979 read:

980 327.04 Rules.—The commission may adopt rules pursuant to  
981 ss. 120.536(1) and 120.54 to implement this chapter, the  
982 provisions of chapter 705 relating to vessels, and s. ~~ss. 376.15~~  
983 ~~and~~ 823.11 conferring powers or duties upon it.

984 Section 16. Subsection (4) of section 328.09, Florida  
985 Statutes, is amended to read:

986 328.09 Refusal to issue and authority to cancel a

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987 certificate of title or registration.—

988 (4) The department may not issue a certificate of title to  
989 an applicant for a vessel that has been deemed derelict or a  
990 public nuisance by a law enforcement officer under s.  
991 327.73(1)(aa) or ~~s. 376.15~~ or s. 823.11. A law enforcement  
992 officer must inform the department in writing, which may be  
993 provided by facsimile, e-mail ~~electronic mail~~, or other  
994 electronic means, of the vessel's derelict or public nuisance  
995 status and supply the department with the vessel title number or  
996 vessel identification number. The department may issue a  
997 certificate of title once a law enforcement officer has verified  
998 in writing, which may be provided by facsimile, e-mail  
999 ~~electronic mail~~, or other electronic means, that the vessel is  
1000 no longer a derelict or public nuisance vessel.

1001 Section 17. Section 25 of chapter 2021-184, Laws of  
1002 Florida, is repealed.

1003 Section 18. Paragraph (c) of subsection (15) of section  
1004 328.72, Florida Statutes, is amended to read:

1005 328.72 Classification; registration; fees and charges;  
1006 surcharge; disposition of fees; fines; marine turtle stickers.—

1007 (15) DISTRIBUTION OF FEES.—Except as provided in this  
1008 subsection, moneys designated for the use of the counties, as  
1009 specified in subsection (1), shall be distributed by the tax  
1010 collector to the board of county commissioners for use only as  
1011 provided in this section. Such moneys to be returned to the  
1012 counties are for the sole purposes of providing, maintaining, or  
1013 operating recreational channel marking and other uniform  
1014 waterway markers, public boat ramps, lifts, and hoists, marine  
1015 railways, boat piers, docks, mooring buoys, and other public

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1016 launching facilities; and removing derelict vessels, debris that  
1017 specifically impedes boat access, not including the dredging of  
1018 channels, and vessels and floating structures deemed a hazard to  
1019 public safety and health for failure to comply with s. 327.53.  
1020 Counties shall demonstrate through an annual detailed accounting  
1021 report of vessel registration revenues that the registration  
1022 fees were spent as provided in this subsection. This report  
1023 shall be provided to the Fish and Wildlife Conservation  
1024 Commission no later than November 1 of each year. If, before  
1025 January 1 of each calendar year, the accounting report meeting  
1026 the prescribed criteria has still not been provided to the  
1027 commission, the tax collector of that county may not distribute  
1028 the moneys designated for the use of counties, as specified in  
1029 subsection (1), to the board of county commissioners but shall,  
1030 for the next calendar year, remit such moneys to the state for  
1031 deposit into the Marine Resources Conservation Trust Fund. The  
1032 commission shall return those moneys to the county if the county  
1033 fully complies with this section within that calendar year. If  
1034 the county does not fully comply with this section within that  
1035 calendar year, the moneys shall remain within the Marine  
1036 Resources Trust Fund and may be appropriated for the purposes  
1037 specified in this subsection.

1038 (c) From the vessel registration fees designated for use by  
1039 the counties in subsection (1), the following amounts shall be  
1040 remitted to the state for deposit into the Marine Resources  
1041 Conservation Trust Fund to fund derelict vessel removal grants,  
1042 as appropriated by the Legislature pursuant to s. 823.11(4)(c)  
1043 ~~s. 376.15~~:

1044 1. Class A-2: \$0.25 for each 12-month period registered.

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- 1045 2. Class 1: \$2.06 for each 12-month period registered.  
1046 3. Class 2: \$9.26 for each 12-month period registered.  
1047 4. Class 3: \$16.45 for each 12-month period registered.  
1048 5. Class 4: \$20.06 for each 12-month period registered.  
1049 6. Class 5: \$25.46 for each 12-month period registered.

1050 Section 19. Paragraph (h) of subsection (6) of section  
1051 376.11, Florida Statutes, is amended to read:

1052 376.11 Florida Coastal Protection Trust Fund.—

1053 (6) Moneys in the Florida Coastal Protection Trust Fund may  
1054 be used for the following purposes:

1055 (h) The funding of a grant program to local governments,  
1056 pursuant to s. 823.11(4)(c) ~~s. 376.15(3)(d) and (e)~~, for the  
1057 removal of derelict and public nuisance vessels from the public  
1058 waters of the state.

1059 Section 20. For the purpose of incorporating the amendment  
1060 made by this act to section 327.371, Florida Statutes, in a  
1061 reference thereto, paragraph (dd) of subsection (1) of section  
1062 327.73, Florida Statutes, is reenacted to read:

1063 327.73 Noncriminal infractions.—

1064 (1) Violations of the following provisions of the vessel  
1065 laws of this state are noncriminal infractions:

1066 (dd) Section 327.371, relating to the regulation of human-  
1067 powered vessels.

1068  
1069 Any person cited for a violation of any provision of this  
1070 subsection shall be deemed to be charged with a noncriminal  
1071 infraction, shall be cited for such an infraction, and shall be  
1072 cited to appear before the county court. The civil penalty for  
1073 any such infraction is \$50, except as otherwise provided in this



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1074 section. Any person who fails to appear or otherwise properly  
1075 respond to a uniform boating citation shall, in addition to the  
1076 charge relating to the violation of the boating laws of this  
1077 state, be charged with the offense of failing to respond to such  
1078 citation and, upon conviction, be guilty of a misdemeanor of the  
1079 second degree, punishable as provided in s. 775.082 or s.  
1080 775.083. A written warning to this effect shall be provided at  
1081 the time such uniform boating citation is issued.

1082 Section 21. For the purpose of incorporating the amendment  
1083 made by this act to section 379.101, Florida Statutes, in a  
1084 reference thereto, subsection (4) of section 125.01, Florida  
1085 Statutes, is reenacted to read:

1086 125.01 Powers and duties.—

1087 (4) The legislative and governing body of a county shall  
1088 not have the power to regulate the taking or possession of  
1089 saltwater fish, as defined in s. 379.101, with respect to the  
1090 method of taking, size, number, season, or species. However,  
1091 this subsection does not prohibit a county from prohibiting, for  
1092 reasons of protecting the public health, safety, or welfare,  
1093 saltwater fishing from real property owned by that county, nor  
1094 does it prohibit the imposition of excise taxes by county  
1095 ordinance.

1096 Section 22. For the purpose of incorporating the amendment  
1097 made by this act to section 379.101, Florida Statutes, in a  
1098 reference thereto, section 379.2412, Florida Statutes, is  
1099 reenacted to read:

1100 379.2412 State preemption of power to regulate.—The power  
1101 to regulate the taking or possession of saltwater fish, as  
1102 defined in s. 379.101, is expressly reserved to the state. This

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1103 section does not prohibit a local government from prohibiting,  
1104 for reasons of protecting the public health, safety, or welfare,  
1105 saltwater fishing from real property owned by that local  
1106 government.

1107 Section 23. Except as otherwise expressly provided in this  
1108 act, this act shall take effect July 1, 2022.

## Committee on Environment and Natural Resources

### **CS/CS/SB 494 — Fish and Wildlife Conservation Commission**

by Appropriations Committee, Environment and Natural Resources Committee; and Senator Hutson

The bill revises laws administered by the Fish and Wildlife Conservation Commission (FWC) and other law enforcement entities.

The bill amends the Florida Forever Act to require each lead land managing agency, in consultation with FWC, to consider the feasibility of using a portion of state lands as a gopher tortoise recipient site for all state lands under the management of the agency that are greater than 40 contiguous acres.

The bill directs FWC to improve the public and private gopher tortoise recipient site application review process by December 31, 2022. It directs FWC to encourage the establishment of new recipient sites and update its permitting systems by October 31, 2023. The bill requires FWC to submit a report to the President of the Senate and the Speaker of the House of Representatives regarding gopher tortoise recipient sites by February 1, 2023.

The bill specifies that a vessel is at risk of becoming derelict if it is tied to an unlawful or unpermitted mooring or other structure. The bill specifies the circumstances in which law enforcement may destroy or dispose of a vessel and places liability for costs of vessel removal, storage, destruction, and disposition on the owner or responsible party after notice is given.

The bill specifies that a certificate of title may not be issued for a public nuisance vessel. It adds public nuisance vessels to the definition of abandoned property.

The bill authorizes operation of human-powered vessels in the marked channel of the Florida Intracoastal Waterway for specified reasons. It specifies that a local government cannot create a public bathing beach or swim area in the marked channel of the Florida Intracoastal Waterway or within 100 feet of the marked channel.

The bill authorizes FWC law enforcement officers to use drones to manage and eradicate invasive plants or animals on public lands and to suppress and mitigate wildfire threats.

If approved by the Governor, these provisions take effect July 1, 2022 unless otherwise provided.  
*Vote: Senate 37-0; House 116-0*

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1  
2 An act relating to boating safety; providing a short  
3 title; amending s. 327.30, F.S.; authorizing a court  
4 to impose a specified fine for certain boating  
5 collisions and accidents; requiring such fines to be  
6 deposited into the Marine Resources Conservation Trust  
7 Fund for specified purposes; defining terms; amending  
8 s. 327.395, F.S.; requiring certain boating safety  
9 education courses and temporary certificate  
10 examinations to include specified components;  
11 directing the Fish and Wildlife Conservation  
12 Commission to include such components in boating  
13 safety education campaigns and certain educational  
14 materials; amending s. 327.50, F.S.; requiring  
15 operators of vessels used in the instruction of water  
16 sports and activities to use engine cutoff switches  
17 and wear operative links to the switches under certain  
18 conditions; amending s. 327.54, F.S.; defining terms;  
19 prohibiting liveries from offering a vessel for lease  
20 or rent without a livery permit; specifying  
21 requirements and qualifications for the permit;  
22 authorizing the Fish and Wildlife Conservation  
23 Commission to adopt rules; providing penalties for  
24 permit violations; revising the conditions under which  
25 a livery may not knowingly lease or rent a vessel;  
26 requiring a person receiving safety instruction to  
27 provide the livery with a specified signed  
28 attestation; requiring a written agreement between a  
29 livery and a renter or lessee; providing requirements

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30 for such agreement; requiring a livery to notify law  
31 enforcement of overdue rentals or leases under certain  
32 circumstances; prohibiting a livery from knowingly  
33 leasing or renting a livery vessel to certain persons;  
34 providing an exception; revising livery insurance  
35 requirements; providing applicability; requiring  
36 specified boating safety education courses for certain  
37 instructors; requiring liveries to report certain  
38 accidents to the Division of Law Enforcement of the  
39 commission; requiring liveries to make facilities and  
40 records available to law enforcement upon notice;  
41 providing penalties for violations and additional  
42 penalties for subsequent violations; prohibiting  
43 certain violators from acting as a livery for a  
44 specified timeframe after such a violation;  
45 authorizing the commission, beginning on a specified  
46 date, to revoke or refuse to issue permits for  
47 repeated violations; amending s. 327.73, F.S.;  
48 increasing fines for violations of certain boating  
49 regulations; providing fines for improper transfers of  
50 title and failures to update vessel registration  
51 information; authorizing certain fees and penalties  
52 deposited into the Marine Resources Conservation Trust  
53 Fund to be used for law enforcement purposes; amending  
54 s. 327.731, F.S.; imposing a fine for persons  
55 convicted of certain criminal or noncriminal  
56 infractions; providing for the deposit of such fines  
57 into the Marine Resources Conservation Trust Fund;  
58 requiring the commission to maintain a program to

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59 ensure compliance with certain boating safety  
60 education requirements; specifying requirements for  
61 the program; amending s. 328.03, F.S.; providing that  
62 an improper transfer of vessel title is subject to a  
63 civil penalty; amending s. 328.48, F.S.; requiring  
64 that the address provided in a vessel registration  
65 application and a certificate of registration be a  
66 physical residential or business address; authorizing  
67 the commission to accept post office box addresses in  
68 lieu of the physical residential or business address;  
69 providing that a person who fails to update his or her  
70 vessel registration information within a specified  
71 timeframe is subject to a civil penalty; providing  
72 effective dates.

73  
74 Be It Enacted by the Legislature of the State of Florida:

75  
76 Section 1. This act may be cited as the "Boating Safety Act  
77 of 2022."

78 Section 2. Subsection (7) is added to section 327.30,  
79 Florida Statutes, to read:

80 327.30 Collisions, accidents, and casualties.—

81 (7) In addition to any other penalty provided by law, a  
82 court may order a person convicted of a violation of this  
83 section or of any rule adopted or order issued by the commission  
84 pursuant to this section to pay an additional fine of up to  
85 \$1,000 per violation. All fines assessed and collected pursuant  
86 to this subsection shall be remitted by the clerk of the court  
87 to the Department of Revenue to be deposited into the Marine

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88 Resources Conservation Trust Fund to be used to enhance state  
89 and local law enforcement activities related to boating  
90 infractions. As used in this subsection, the terms "convicted"  
91 and "conviction" mean any judicial disposition other than  
92 acquittal or dismissal.

93 Section 3. Effective October 1, 2022, subsection (4) of  
94 section 327.395, Florida Statutes, is amended to read:

95 327.395 Boating safety education.—

96 (4) A commission-approved boating safety education course  
97 or temporary certificate examination developed or approved by  
98 the commission must include components ~~a component~~ regarding:

99 (a) Diving vessels, awareness of divers in the water,  
100 divers-down warning devices, and the requirements of s. 327.331.

101 (b) The danger associated with:

102 1. A passenger riding on a seat back, gunwale, transom,  
103 bow, motor cover, or any other vessel area not designed and  
104 designated by the manufacturer for seating.

105 2. A passenger falling overboard.

106 3. Operating a vessel with a person in the water near the  
107 vessel.

108 4. Starting a vessel with the engine in gear.

109 5. Leaving the vessel running when a passenger is boarding  
110 or disembarking.

111 (c) The proper use and lifesaving benefits of an engine  
112 cutoff switch for motorboats and personal watercraft.

113  
114 The commission must include the components under this subsection  
115 in boating safety education campaigns and in educational  
116 materials produced by the commission, as appropriate.

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117 Section 4. Effective October 1, 2022, subsection (4) is  
118 added to section 327.50, Florida Statutes, to read:

119 327.50 Vessel safety regulations; equipment and lighting  
120 requirements.—

121 (4) The operator of a vessel used in the instruction of a  
122 water sport or activity must use an engine cutoff switch and  
123 wear an operative link to the switch when a person participating  
124 in the water sport or activity is in the water.

125 Section 5. Effective January 1, 2023, section 327.54,  
126 Florida Statutes, is amended to read:

127 327.54 Liveries; safety regulations; penalty.—

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

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

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

134 (c) "Livery" means a person who advertises and offers a  
135 livery vessel for use by another in exchange for any type of  
136 consideration when such person does not also provide the lessee  
137 or renter with a captain, a crew, or any type of staff or  
138 personnel to operate, oversee, maintain, or manage the vessel.  
139 The owner of a vessel who does not advertise his or her vessel  
140 for use by another for consideration and who loans or offers his  
141 or her vessel for use to another known to him or her either for  
142 consideration or without consideration is not a livery. A public  
143 or private school or postsecondary institution located within  
144 this state is not a livery. A vessel rented or leased by a  
145 livery is a livery vessel as defined in s. 327.02.



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

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

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

169        (b) A person who violates this subsection commits a  
170 misdemeanor of the first degree, punishable as provided in s.  
171 775.082 or s. 775.083.

172        (3) A livery may not knowingly lease, ~~hire,~~ or rent a  
173 vessel to any person:

174        (a) When the number of persons intending to use the vessel

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175 exceeds the number considered to constitute a maximum safety  
176 load for the vessel as specified on the authorized persons  
177 capacity plate of the vessel.

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

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

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

185 (e) ~~When the vessel is equipped with a motor of 10~~  
186 ~~horsepower or greater,~~ Unless the livery provides pre-rental  
187 ~~prerental~~ or pre-ride ~~preride~~ instruction in compliance with  
188 rules established by the commission.

189 1. The instruction must include ~~that includes,~~ but need not  
190 be limited to:

191 a.1- Operational characteristics of the vessel to be  
192 rented.

193 b.2- Safe vessel operation and vessel right-of-way.

194 c.3- The responsibility of the vessel operator for the safe  
195 and proper operation of the vessel.

196 d.4- Local characteristics of the waterway where the vessel  
197 will be operated, such as navigational hazards, the presence of  
198 boating-restricted areas, and water depths.

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

202 2. Any person receiving instruction in the safe handling of  
203 livery vessels pursuant to this paragraph must provide the

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204 livery with a written statement attesting to each component of  
205 the instruction.

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

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

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

213  
214 ~~Any person delivering the information specified in this~~  
215 ~~paragraph must have successfully completed a boater safety~~  
216 ~~course approved by the National Association of State Boating Law~~  
217 ~~Administrators and this state.~~

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

222 (g) Unless the livery has a written agreement with the  
223 renter or lessee. The written agreement must include the name,  
224 address, and date of birth for the renter and the number of  
225 people aboard the vessel, as well as the time the vessel is  
226 required to be returned to the livery or another specified  
227 location and an emergency contact name, address, and telephone  
228 number. The livery shall maintain each agreement for no less  
229 than 1 year and, upon request, make each agreement available for  
230 inspection by law enforcement.

231 (4)(2) A livery may not knowingly lease, ~~hire,~~ or rent a  
232 vessel to a person who is required to comply with s. 327.395

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233 unless such person presents to the livery the documentation  
234 required by s. 327.395(2) for the operation of a vessel or meets  
235 the exemption provided under s. 327.395(6)(f).

236 (5)(3) If a vessel rented or leased by a livery is  
237 unnecessarily overdue more than 4 hours after the contracted  
238 vessel rental time has expired, the livery must ~~shall~~ notify law  
239 enforcement ~~the proper authorities~~.

240 (6)(4)(a) A livery may not knowingly lease, ~~hire~~, or rent a  
241 livery vessel, other than a human-powered vessel, personal  
242 watercraft to any person who is under 18 years of age.

243 ~~(b) A livery may not knowingly lease, hire, or rent a~~  
244 ~~personal watercraft to any person who has not received~~  
245 ~~instruction in the safe handling of personal watercraft, in~~  
246 ~~compliance with rules established by the commission pursuant to~~  
247 ~~chapter 120.~~

248 ~~(c) Any person receiving instruction in the safe handling~~  
249 ~~of personal watercraft pursuant to a program established by rule~~  
250 ~~of the commission must provide the livery with a written~~  
251 ~~statement attesting to the same.~~

252 (7)(5) A livery may not lease, ~~hire~~, or rent any ~~personal~~  
253 ~~watercraft~~ or offer to lease, ~~hire~~, or rent any livery vessel  
254 ~~personal watercraft~~ unless the livery first obtains and carries  
255 in full force and effect a policy from a licensed insurance  
256 carrier in this state which insures the livery and the renter,  
257 ~~insuring~~ against any accident, loss, injury, property damage, or  
258 other casualty caused by or resulting from the operation of the  
259 livery vessel ~~personal watercraft~~. The insurance policy must  
260 ~~shall~~ provide coverage of at least \$500,000 per person and \$1  
261 million per event. The livery shall ~~must~~ have proof of such

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262 insurance available for inspection at the location where livery  
263 vessels ~~personal watercraft~~ are being leased, ~~hired,~~ or rented,  
264 or offered for lease, ~~hire,~~ or rent, and shall provide to each  
265 renter the insurance carrier's name and address and the  
266 insurance policy number. This subsection does not apply to  
267 human-powered vessels.

268 (8) Notwithstanding the person's age or any exemptions  
269 provided in s. 327.395, any person delivering instruction  
270 regarding the safe operation of vessels or pre-rental or pre-  
271 ride instruction in accordance with subsection (3) must have  
272 successfully completed a boating safety education course  
273 approved by the National Association of State Boating Law  
274 Administrators and this state.

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

278 (10) A livery shall make its facilities and records  
279 available for inspection upon request by law enforcement no  
280 later than 24 hours after receiving notice from law enforcement.

281 (11)(a)~~(6)~~ Any person convicted of violating this section,  
282 other than subsection (2), who has not been convicted of a  
283 violation of this section within the past 3 years commits a  
284 misdemeanor of the second degree, punishable as provided in s.  
285 775.082 or s. 775.083.

286 (b) Unless the stricter penalties in paragraph (c) apply, a  
287 person who violates this section, other than subsection (2),  
288 within 3 years after a previous conviction of a violation of  
289 this section commits a misdemeanor of the first degree,  
290 punishable as provided in s. 775.082 or s. 775.083, with a

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291 minimum mandatory fine of \$500.

292 (c) A person who violates this section, other than  
293 subsection (2), within 5 years after two previous convictions  
294 for a violation of this section commits a misdemeanor of the  
295 first degree, punishable as provided in s. 775.082 or s.  
296 775.083, with a minimum mandatory fine of \$1,000.

297 (12) A person who commits more than one violation of this  
298 section, other than subsection (2), within a 3-year period may  
299 not act as a livery during a 90-day period immediately after  
300 being charged with that violation. The commission may revoke or  
301 refuse to issue a permit under subsection (2) based on repeated  
302 violations of this section.

303 Section 6. Subsections (1) and (8) of section 327.73,  
304 Florida Statutes, are amended to read:

305 327.73 Noncriminal infractions.—

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

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

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

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

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

314 (e) Section 328.54, relating to spacing of digits and  
315 letters of identification number.

316 (f) Section 328.60, relating to military personnel and  
317 registration of vessels.

318 (g) Section 328.72(13), relating to operation with an  
319 expired registration, for which the penalty is:

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320 1. For a first or subsequent offense of s. 328.72(13)(a),  
321 up to a maximum of \$100 ~~\$50~~.

322 2. For a first offense of s. 328.72(13)(b), up to a maximum  
323 of \$250.

324 3. For a second or subsequent offense of s. 328.72(13)(b),  
325 up to a maximum of \$500. Any person cited for a noncriminal  
326 infraction under this subparagraph may not have the provisions  
327 of paragraph (4)(a) available to him or her but must appear  
328 before the designated official at the time and location of the  
329 scheduled hearing.

330 (h) Section 327.33(2), relating to careless operation.

331 (i) Section 327.37, relating to water skiing, aquaplaning,  
332 parasailing, and similar activities.

333 (j) Section 327.44, relating to interference with  
334 navigation.

335 (k) Violations relating to boating-restricted areas and  
336 speed limits:

337 1. Established by the commission or by local governmental  
338 authorities pursuant to s. 327.46.

339 2. Speed limits established pursuant to s. 379.2431(2).

340 (l) Section 327.48, relating to regattas and races.

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

343 (n) Section 327.65, relating to muffling devices.

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

346 1. That does not result in an accident; or

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

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- 349 a. For a first offense, up to a maximum of \$500 ~~\$250~~.
- 350 b. For a second offense, up to a maximum of \$1,000 ~~\$750~~.
- 351 c. For a third or subsequent offense, up to a maximum of
- 352 \$1,500 ~~\$1,000~~.
- 353 (p) Section 327.39(1), (2), (3), and (5), relating to
- 354 personal watercraft.
- 355 (q) Section 327.53(1), (2), (3), and (8), relating to
- 356 marine sanitation.
- 357 (r) Section 327.53(4), (5), and (7), relating to marine
- 358 sanitation, and s. 327.60, relating to no-discharge zones, for
- 359 which the civil penalty is \$250.
- 360 (s) Section 327.395, relating to boater safety education.
- 361 However, a person cited for violating the requirements of s.
- 362 327.395 relating to failure to have required proof of boating
- 363 safety education in his or her possession may not be convicted
- 364 if, before or at the time of a county court hearing, the person
- 365 produces proof of the boating safety education identification
- 366 card or temporary certificate for verification by the hearing
- 367 officer or the court clerk and the identification card or
- 368 temporary certificate was valid at the time the person was
- 369 cited.
- 370 (t) Section 327.52(3), relating to operation of overloaded
- 371 or overpowered vessels.
- 372 (u) Section 327.331, relating to divers-down warning
- 373 devices, except for violations meeting the requirements of s.
- 374 327.33.
- 375 (v) Section 327.391(1), relating to the requirement for an
- 376 adequate muffler on an airboat.
- 377 (w) Section 327.391(3), relating to the display of a flag



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378 on an airboat.

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

382 1. For a first offense, \$100 ~~\$50~~.

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

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

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

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

391 1. For a first offense, \$100 ~~\$50~~.

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

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

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

398 (z) Section 327.4108, relating to the anchoring of vessels  
399 in anchoring limitation areas, for which the penalty is:

400 1. For a first offense, up to a maximum of \$100 ~~\$50~~.

401 2. For a second offense, up to a maximum of \$250 ~~\$100~~.

402 3. For a third or subsequent offense, up to a maximum of  
403 \$500 ~~\$250~~.

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

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- 407           1. For a first offense, \$100.  
408           2. For a second offense occurring 30 days or more after a  
409 first offense, \$250.  
410           3. For a third or subsequent offense occurring 30 days or  
411 more after a previous offense, \$500.  
412

413 A vessel that is the subject of three or more violations issued  
414 pursuant to the same paragraph of s. 327.4107(2) within an 18-  
415 month period which result in dispositions other than acquittal  
416 or dismissal shall be declared to be a public nuisance and  
417 subject to ss. 705.103(2) and (4) and 823.11(3). The commission,  
418 an officer of the commission, or a law enforcement agency or  
419 officer specified in s. 327.70 may relocate, remove, or cause to  
420 be relocated or removed such public nuisance vessels from waters  
421 of this state. The commission, an officer of the commission, or  
422 a law enforcement agency or officer acting pursuant to this  
423 paragraph upon waters of this state shall be held harmless for  
424 all damages to the vessel resulting from such relocation or  
425 removal unless the damage results from gross negligence or  
426 willful misconduct as these terms are defined in s. 823.11.

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

- 429           1. For a first offense, up to a maximum of \$100 ~~\$50~~.  
430           2. For a second offense, up to a maximum of \$250 ~~\$100~~.  
431           3. For a third or subsequent offense, up to a maximum of  
432 \$500 ~~\$250~~.

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

- 435           1. For a first offense, \$100 ~~\$50~~.

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436           2. For a second offense occurring within 12 months after a  
437 prior offense, \$250 ~~\$100~~.

438           3. For a third offense occurring within 36 months after a  
439 prior offense, \$500 ~~\$250~~.

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

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

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

447  
448 Any person cited for a violation of ~~any provision of this~~  
449 subsection shall be deemed to be charged with a noncriminal  
450 infraction, shall be cited for such an infraction, and shall be  
451 cited to appear before the county court. The civil penalty for  
452 any such infraction is \$100 ~~\$50~~, except as otherwise provided in  
453 this section. Any person who fails to appear or otherwise  
454 properly respond to a uniform boating citation ~~shall~~, in  
455 addition to the charge relating to the violation of the boating  
456 laws of this state, must be charged with the offense of failing  
457 to respond to such citation and, upon conviction, be guilty of a  
458 misdemeanor of the second degree, punishable as provided in s.  
459 775.082 or s. 775.083. A written warning to this effect shall be  
460 provided at the time such uniform boating citation is issued.

461           (8) All fees and civil penalties assessed and collected  
462 pursuant to this section shall be remitted by the clerk of the  
463 court to the Department of Revenue to be deposited into the  
464 Marine Resources Conservation Trust Fund for boating safety

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465 education or law enforcement purposes.

466 Section 7. Subsection (1) of section 327.731, Florida  
467 Statutes, is amended, and subsection (4) is added to that  
468 section, to read:

469 327.731 Mandatory education for violators.—

470 (1) A person convicted of a criminal violation under this  
471 chapter, convicted of a noncriminal infraction under this  
472 chapter if the infraction resulted in a reportable boating  
473 accident, or convicted of two noncriminal infractions as  
474 specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y),  
475 the said infractions occurring within a 12-month period, must:

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

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

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

485 (d) Pay a fine of \$500. The clerk of the court shall remit  
486 all fines assessed and collected under this paragraph to the  
487 Department of Revenue to be deposited into the Marine Resources  
488 Conservation Trust Fund to support law enforcement activities.

489 (4) The commission shall maintain a program to ensure  
490 compliance with the mandatory boating safety education  
491 requirements under this section. This program must:

492 (a) Track any citations resulting in a conviction under  
493 this section and the disposition of such citations.

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494           (b) Send specific notices to each person subject to the  
495 requirement for mandatory boating safety education.

496           Section 8. Subsection (3) of section 328.03, Florida  
497 Statutes, is amended to read:

498           328.03 Certificate of title required.—

499           (3) A person may ~~shall~~ not sell, assign, or transfer a  
500 vessel titled by the state without delivering to the purchaser  
501 or transferee a valid certificate of title with an assignment on  
502 it showing the transfer of title to the purchaser or transferee.  
503 A person may ~~shall~~ not purchase or otherwise acquire a vessel  
504 required to be titled by the state without obtaining a  
505 certificate of title for the vessel in his or her name. The  
506 purchaser or transferee shall, within 30 days after a change in  
507 vessel ownership, file an application for a title transfer with  
508 the county tax collector. An additional \$10 fee must ~~shall~~ be  
509 charged against the purchaser or transferee if he or she files a  
510 title transfer application after the 30-day period. The county  
511 tax collector may ~~shall be entitled to~~ retain \$5 of the  
512 additional amount. Any person who does not properly transfer  
513 title of a vessel pursuant to this chapter is subject to the  
514 penalties provided in s. 327.73(1)(ee).

515           Section 9. Effective July 1, 2023, subsection (4) of  
516 section 328.03, Florida Statutes, as amended by chapter 2019-76,  
517 Laws of Florida, is amended to read:

518           328.03 Certificate of title required.—

519           (4) An additional \$10 fee shall be charged against the  
520 purchaser or transferee if he or she files a title transfer  
521 application after the 30-day period. The county tax collector  
522 may ~~shall be entitled to~~ retain \$5 of the additional amount. Any

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523 person who does not properly transfer title of a vessel pursuant  
524 to this chapter is subject to the penalties provided in s.  
525 327.73(1)(ee).

526 Section 10. Paragraph (a) of subsection (1) and subsection  
527 (4) of section 328.48, Florida Statutes, are amended, and  
528 subsection (9) is added to that section, to read:

529 328.48 Vessel registration, application, certificate,  
530 number, decal, duplicate certificate.—

531 (1)(a) The owner of each vessel required by this law to pay  
532 a registration fee and secure an identification number shall  
533 file an application with the county tax collector. The  
534 application must ~~shall~~ provide the owner's name and physical  
535 residential or business address; residency status; personal or  
536 business identification; and a complete description of the  
537 vessel, and must ~~shall~~ be accompanied by payment of the  
538 applicable fee required in s. 328.72. An individual applicant  
539 must provide a valid driver license or identification card  
540 issued by this state or another state or a valid passport. A  
541 business applicant must provide a federal employer  
542 identification number, if applicable, verification that the  
543 business is authorized to conduct business in this ~~the~~ state, or  
544 a Florida city or county business license or number.  
545 Registration is not required for any vessel that is not used on  
546 the waters of this state. Upon receipt of an application from a  
547 live-aboard vessel owner whose primary residence is the vessel,  
548 the commission may authorize such owner to provide a post office  
549 box address in lieu of a physical residential or business  
550 address.

551 (4) Each certificate of registration issued must ~~shall~~

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552 state among other items the numbers awarded to the vessel, the  
553 hull identification number, the name and physical residential or  
554 business address of the owner, and a description of the vessel,  
555 except that certificates of registration for vessels constructed  
556 or assembled by the owner registered for the first time must  
557 ~~shall~~ state all the foregoing information except the hull  
558 identification number. The numbers must ~~shall~~ be placed on each  
559 side of the forward half of the vessel in such position as to  
560 provide clear legibility for identification, except, if the  
561 vessel is an airboat, the numbers may be placed on each side of  
562 the rudder. The numbers awarded to the vessel must ~~shall~~ read  
563 from left to right and must ~~shall~~ be in block characters of good  
564 proportion not less than 3 inches in height. The numbers must  
565 ~~shall~~ be of a solid color that ~~which~~ will contrast with the  
566 color of the background and must ~~shall~~ be so maintained as to be  
567 clearly visible and legible; i.e., dark numbers on a light  
568 background or light numbers on a dark background. The  
569 certificate of registration must ~~shall~~ be pocket-sized and must  
570 ~~shall~~ be available for inspection on the vessel for which issued  
571 whenever such vessel is in operation. Upon receipt of an  
572 application from a live-aboard vessel owner whose primary  
573 residence is the vessel, the commission may authorize such owner  
574 to provide a post office box address in lieu of a physical  
575 residential address.

576 (9) A person who does not update his or her vessel  
577 registration information with the county tax collector within 6  
578 months after a change to the information is subject to the  
579 penalties provided in s. 327.73(1)(ff).

580 Section 11. Except as otherwise expressly provided in this

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581 act, this act shall take effect July 1, 2022.



## Committee on Environment and Natural Resources

### **CS/SB 606 — Boating Safety**

by Appropriations Committee and Senator Garcia

The bill defines a livery as a person who advertises and offers a livery vessel for use by another in exchange for consideration, when such person does not also provide a captain, crew, or any type of personnel to operate, oversee, maintain, or manage the vessel.

The bill requires that liveries obtain a no-cost, annual livery permit and implement certain safety requirements. The bill adds penalties for violations of livery requirements. It also requires that a livery obtain and carry in full force and effect an insurance policy that insures the livery and the renter. The bill exempts human-powered vessels from the insurance requirement. Amendments to the livery regulations contained in the bill will take effect January 1, 2023.

The bill adds required components to Fish and Wildlife Conservation Commission (FWC)-approved boating safety education courses and temporary certificate examinations and requires the operator of a vessel used in water sport or activity instruction to use an engine cutoff switch when a participant is in the water. These requirements take effect October 1, 2022.

The bill increases or adds penalties for noncriminal infractions of vessel safety laws. It increases the additional civil penalty for noncriminal infractions of vessel laws from \$50 to \$100. It directs certain penalties to the Marine Resource Conservation Trust Fund to supplement law enforcement activities.

The bill requires the Fish and Wildlife Conservation Commission to maintain a program to ensure compliance with mandatory boating safety education requirements.

The bill requires a physical residential or business address for vessel registration applicants, with a limited exception for live-aboard vessel owners.

If approved by the Governor, these provisions take effect July 1, 2022 unless otherwise provided.

*Vote: Senate 36-1; House 112-1*

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1  
2 An act relating to vessel anchoring; amending s.  
3 253.0346, F.S.; providing tenancy and lease conditions  
4 for approved and permitted mooring and mooring fields  
5 in Monroe County; amending s. 327.4108, F.S.;  
6 requiring certain anchored vessels in Monroe County to  
7 be re-anchored in a new location that meets certain  
8 requirements according to a specified timeframe;  
9 requiring the Fish and Wildlife Conservation  
10 Commission, in consultation with certain entities, to  
11 establish designated anchoring areas within the county  
12 by rule; providing requirements for the designated  
13 anchoring areas; providing an exception for certain  
14 domiciled vessels; removing provisions requiring the  
15 county to approve a specified number of moorings at  
16 specified locations; requiring certain vessels  
17 equipped with marine sanitation devices to maintain  
18 specified records of such devices; providing  
19 construction; providing an effective date.  
20

21 Be It Enacted by the Legislature of the State of Florida:  
22

23 Section 1. Present subsection (4) of section 253.0346,  
24 Florida Statutes, is redesignated as subsection (5), and a new  
25 subsection (4) is added to that section, to read:

26 253.0346 Lease of sovereignty submerged lands for marinas,  
27 boatyards, mooring fields, and marine retailers.-

28 (4) Notwithstanding any other law, all of the following  
29 conditions apply for approved and permitted moorings or mooring

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30 fields in Monroe County:

31 (a) The general tenancy on a mooring may exceed 12 months,  
32 if requested, but may not exceed 10 years.

33 (b) A sovereign submerged land or other proprietary lease  
34 may not prohibit a vessel from an approved and permitted mooring  
35 or mooring field or limit the tenancy of a vessel because an  
36 individual has established it as his or her domicile in  
37 accordance with s. 222.17 or because the vessel is an  
38 individual's primary residence.

39 Section 2. Subsection (3) of section 327.4108, Florida  
40 Statutes, is amended to read:

41 327.4108 Anchoring of vessels in anchoring limitation  
42 areas.—

43 (3)(a) Monroe County is designated as an anchoring  
44 limitation area within which no less than once every ~~a vessel on~~  
45 ~~waters of the state may only be anchored in the same location~~  
46 ~~for a maximum of 90 days~~ each vessel anchored within Monroe  
47 County on waters of this state within 10 linear nautical miles  
48 of a public mooring field or a designated anchoring area must  
49 pull anchor and be moved from its location using the vessel's  
50 propulsion system and be re-anchored in a new location. The new  
51 location must be:

52 1. No less than one-half linear nautical mile from the  
53 vessel's starting location. A vessel may not be re-anchored  
54 within one-half linear nautical mile from the vessel's starting  
55 location for at least 90 days; or

56 2. In a different designated anchoring area. A vessel may  
57 not be re-anchored in its originating designated anchoring area  
58 for at least 90 days after anchoring within a new designated

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59 anchoring area. ~~The commission shall adopt rules to implement~~  
60 ~~this subsection.~~

61 (b) The commission, in consultation with Monroe County and  
62 the Florida Keys National Marine Sanctuary, shall establish by  
63 rule designated anchoring areas throughout the county. The  
64 designated anchoring areas must:

65 1. Specify a maximum vessel draft for each area;

66 2. Be created only in locations where the water depth is  
67 sufficient to allow vessels whose drafts are less than the  
68 area's specified maximum vessel draft to navigate into and out  
69 of the areas without grounding or stranding;

70 3. Not be located over coral reefs or other sensitive fish  
71 or wildlife habitat, to the maximum extent practicable, as  
72 determined by the commission;

73 4. Not be located in an area subject to ongoing hazardous  
74 water currents or tides or containing navigational hazards; and

75 5. Not be located within navigational channels, setbacks  
76 established by the United States Army Corps of Engineers  
77 associated with federal channels, areas where anchoring is  
78 prohibited pursuant to s. 327.4109, or any other lawfully  
79 established areas that prohibit anchoring.

80 (c) Paragraph (a) does ~~The anchoring limitations in this~~  
81 ~~subsection do not apply to vessels moored to approved and~~  
82 ~~permitted moorings or mooring fields.~~

83 (d)~~(e)~~ A vessel upon the waters of this state and within  
84 Monroe County for which the owner or occupant has established  
85 the vessel as a domicile in accordance with s. 222.17 is exempt  
86 from paragraph (a) ~~Notwithstanding the commission rules adopted~~  
87 ~~pursuant to this section, this section is not effective for~~

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88 ~~Monroe County~~ until at least 100 ~~the county approves, permits,~~  
89 ~~and opens~~ new moorings are available for public use, ~~including~~  
90 ~~at least 250 moorings~~ within 1 mile of the Key West Bight City  
91 Dock and ~~at least 50 moorings within the Key West Garrison Bight~~  
92 ~~Mooring Field~~. Until such time, the commission shall designate  
93 the area within 1 mile of the Key West Bight City Dock as a  
94 priority for the investigation and removal of derelict vessels.

95 (e) All of the following vessels within Monroe County on  
96 waters of this state which are equipped with a marine sanitation  
97 device other than a marine composting toilet that processes and  
98 manages human waste using technologies that comply with United  
99 States Coast Guard requirements must maintain a record of the  
100 date of each pumpout of the marine sanitation device and the  
101 location of the pumpout station or waste reception facility for  
102 1 year after the date of the pumpout, and the record must  
103 indicate that the vessel was pumped out within the last 30 days:

104 1. A vessel that:

105 a. Has enclosed living spaces or rooms; and

106 b. Is used by a person as a dwelling or living space  
107 overnight at any time, notwithstanding whether or not the vessel  
108 is also used for navigation.

109 2. A vessel moored in a public mooring field.

110 (f) This subsection may not be construed to prohibit  
111 anchoring for less than 90 days in areas within Monroe County.

112 Section 3. This act shall take effect July 1, 2022.

## Committee on Environment and Natural Resources

### **CS/CS/SB 1432 — Vessel Anchoring**

by Community Affairs Committee; Environment and Natural Resources Committee; and Senator Rodriguez

The bill amends statutes relating to vessel anchoring and mooring. It provides that approved and permitted moorings or mooring fields in Monroe County have a 10 year limit on general tenancies and that a sovereign submerged land or other proprietary lease may not prohibit a vessel from an approved and permitted mooring or mooring field, or limit the tenancy of a vessel, because it is an established domicile or a primary residence.

The bill clarifies that Monroe County is designated as an anchoring limitation area in which vessels anchored on waters of the state within the county and within 10 linear nautical miles of a public mooring field or designated anchoring area must pull anchor, move under their own power, and re-anchor a certain distance away or in a different designated anchoring area.

This must occur at least once every 90 days. The requirement does not apply to vessels moored to approved and permitted moorings, or to domiciled vessels on the waters of the state within the county until at least 100 new moorings are available for public use within 1 mile of Key West Bight City Dock.

The bill requires the Fish and Wildlife Conservation Commission to consult with Monroe County and the Florida Keys National Marine Sanctuary to establish designated anchoring areas throughout the county that meet certain criteria.

The bill requires certain vessels on the waters of the state within Monroe County that are equipped with a marine sanitation device to maintain a record of the date and location of each pump-out of the device, which must occur every 30 days, for one year after the date of the pump-out.

If approved by the Governor, these provisions take effect July 1, 2022.

*Vote: Senate 38-0; House 112-0*



## MIAF Bill Tracking

Ordered by Bill Number

### **HB 0013** Property Tax Exemptions For Widows, Widowers, Blind Persons, or Persons Totally and Permanently Disabled by Gottlieb

Property Tax Exemptions For Widows, Widowers, Blind Persons, or Persons Totally and Permanently Disabled; Increases property tax exemption for residents who are widows, widowers, blind persons, or persons totally & permanently disabled. Effective Date: upon becoming a law

#### **Actions**

03/14/2022 HOUSE Died in Ways & Means Committee

### **HB 0047** Fraudulent Proof of Vaccination by Grieco

Fraudulent Proof of Vaccination: Prohibits specified actions involving fraudulent proof of vaccination. Effective Date: October 1, 2022

#### **Actions**

02/04/2022 Bill to be Discussed During the Office of EDR's Criminal Justice Impact Conference, 02/07/22, 2:00 pm, 117 K (No Votes Will Be Taken)

### **HB 0071** Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by Catastrophic Event by Woodson

Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by Catastrophic Event: Specifies conditions under which persons whose residential dwellings are rendered uninhabitable may receive abatement of taxes; specifies formula for determining tax abatement; provides directives to property appraisers in issuing written statements to tax collector when granting abatement & in calculating damage differentials & processing refunds; provides mechanism for persons to file late applications for abatement of taxes. Effective Date: upon becoming a law

#### **Actions**

03/14/2022 HOUSE Died in Ways & Means Committee

### **HB 0075** Limiting COVID-19 Restrictions by Sabatini

Limiting COVID-19 Restrictions: Prohibits state or any political subdivision from enacting mask mandate; provides any such mandate is void; prohibits state & local governments from requiring COVID-19 vaccinations, issuing vaccine passports or other standardized documentation to third parties, or otherwise publishing or sharing COVID-19 vaccination records; prohibits businesses from requiring customers to provide documentation certifying COVID-19 vaccination or COVID-19 post-transmission recovery or discriminating against customers on basis of their COVID-19 vaccination status or COVID-19 post-transmission recovery status; declares certain actions based on vaccination status or having immunity passport are unlawful discriminatory practices. Effective Date: upon becoming a law

#### **Actions**

03/14/2022 HOUSE Died in Pandemics & Public Emergencies Committee

### **SB 0100** Joint Resolution of Apportionment by Rodrigues (R)

Joint Resolution of Apportionment; Providing for the apportionment of the House of Representatives and the Senate (plans H000H8013 and S027S8058); adopting the United States Decennial Census of 2020 for use in such apportionment; providing for the inclusion of omitted areas; providing contiguity for areas specified for inclusion in one district which are noncontiguous; specifying that the apportioned districts constitute the legislative districts of the state; specifying that electronic maps serve as the official maps of the legislative districts of the state; providing for the public availability of electronic maps, etc.

## Actions

02/16/2022 Signed by Officers and filed with Secretary of State

### HB 0117 Communicable and Infectious Diseases by Fetterhoff

Communicable and Infectious Diseases: Provides presumption to specified workers that impairment of health caused by COVID-19 or infectious disease happened in line of duty; requires certain actions in order to be entitled to presumption; requires emergency rescue or public safety workers to file incident or accident report under certain conditions. Effective Date: upon becoming a law

## Actions

03/14/2022 HOUSE Died in Government Operations Subcommittee

### HB 0119 Appeals by Property Appraisers by Borrero

Appeals by Property Appraisers: Revises upward percent variance that must exist for property appraiser to appeal value adjustment board assessment of property value. Effective Date: July 1, 2022

## Actions

10/19/2021 HOUSE Withdrawn prior to introduction

### HB 0149 Aquaculture Land Valuation by Tuck

Aquaculture Land Valuation: Provides for assessment of land used in production of aquaculture to be based solely on its aquaculture use; provides assessment methodology; requires property to be assessed for certain period of time using assessment methodology created by act; authorizes property appraiser to require audited financial statements. Effective Date: January 1, 2023

## Actions

03/14/2022 HOUSE Died on Second Reading Calendar

### SB 0152 Supermajority Vote for Legislative Preemption by Farmer, Jr.

Supermajority Vote for Legislative Preemption; Proposing amendments to the State Constitution to require a supermajority vote of each house to approve a general law preempting a subject of legislation to the state, etc.

## Actions

03/14/2022 SENATE Died in Community Affairs

### SB 0154 Tax Exemption by Rodriguez (A)

Tax Exemption; Revising the value of property subject to an ad valorem tax exemption, etc. Effective Date: 1/1/2023

## Actions

03/14/2022 SENATE Died in Community Affairs

### SB 0198 Water Resources Management by Rodriguez (A)

Water Resources Management; Authorizing the Board of Trustees of the Internal Improvement Trust Fund to grant easements on sovereignty submerged lands for specified mitigation banks under certain conditions; exempting certain docks on recorded easements from certain permit and verification requirements; requiring authorization for certain docks to use submerged lands upon approval of the board; providing that the compliance of certain structures associated with a dock on a parcel of land with certain provisions creates a presumption of compliance with certain environmental impact requirements, etc. Effective Date: Upon becoming a law

## Actions

03/14/2022 SENATE Died in Community Affairs

### HB 0201 Sales Tax Holiday for ENERGY STAR & WaterSense Products by Daley



Sales Tax Holiday for ENERGY STAR & WaterSense Products: Provides sales tax exemption for certain ENERGY STAR & WaterSense products during specified timeframe. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Commerce Committee

**HB 0233 Acceptance of Cash Payments by Businesses** by Willhite

Acceptance of Cash Payments by Businesses: Requires certain businesses to accept cash payments for services; prohibits fees or conditions for such transactions; provides exceptions, penalties, & rulemaking authority. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Insurance & Banking Subcommittee

**SB 0238 Endangered and Threatened Species** by Jones

Endangered and Threatened Species; Directing the Fish and Wildlife Conservation Commission to protect certain endangered or threatened species, regardless of the status of their federal classification; prohibiting the commission from considering certain costs when designating a species as endangered or threatened; directing the department, in consultation with the Endangered Plant Advisory Council, to protect certain endangered or threatened species, regardless of the status of their federal classification; prohibiting the department from considering certain costs when designating a species as endangered or threatened, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**SB 0258 Racing Motor Vehicles** by Book

Racing Motor Vehicles; Revising prohibitions on persons driving motor vehicles in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, or exhibition of speed, a stunt, agility, or acceleration or for other specified purposes on any highway, roadway, or parking lot; prohibiting a person from coordinating via social media any such race, competition, contest, test, or exhibition; prohibiting a person from operating a vehicle for the purpose of filming or recording activities of participants in any such race, competition, contest, test, or exhibition, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Transportation

**SB 0280 Local Ordinances** by Hutson

Local Ordinances; Authorizing courts to assess and award reasonable attorney fees and costs and damages in certain civil actions filed against local governments; requiring a board of county commissioners to prepare or cause to be prepared a business impact estimate before the enactment of a proposed ordinance; requiring a county to suspend enforcement of an ordinance that is the subject of a certain legal action if certain conditions are met; authorizing a prevailing county to enforce the ordinance after a specified period, except under certain circumstances; requiring a governing body of a municipality to prepare or cause to be prepared a business impact estimate before the enactment of a proposed ordinance, etc. Effective Date: 10/1/2022

**Actions**

03/14/2022 HOUSE Died in Messages

**SB 0284 Fraudulent Proof of Vaccination** by Polsky

Fraudulent Proof of Vaccination; Prohibiting specified actions involving fraudulent proof of vaccination; providing criminal penalties, etc. Effective Date: 10/1/2022

**Actions**

03/14/2022 SENATE Died in Criminal Justice

**HB 0291 Employee Leave and Wage and Salary History** by Woodson

Employee Leave and Wage and Salary History: Authorizes parental leave for state employees in Career Service System who have stillborn child; prohibits public employer, employment agency, or private employer from engaging in certain activities relating to wages & salary; authorizes public employer, employment agency, or private employer to confirm prospective employee's wage or salary history under certain conditions. Effective Date: July 1, 2022

**Actions**

01/07/2022 HOUSE Withdrawn prior to introduction

**HB 0293 Discrimination in Labor and Employment** by Thompson

Discrimination in Labor and Employment: Prohibits employer from providing less favorable employment opportunities to employees based on their sex; provides civil penalties; prohibits employer from taking employment actions against employees; prohibits employer from engaging in certain activities relating to wages & benefits; prohibits employer from requiring employees to sign certain waivers & documents; authorizes employer to confirm wage or salary history under certain conditions. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**HB 0299 Social Media Platforms** by Sabatini

Social Media Platforms: Provides requirements for social media platforms relating to acceptable use policies, quarterly transparency reports, & complaint system; authorizes AG to bring action against social media platforms & to recover certain costs. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**SB 0322 Discrimination in Labor and Employment** by Stewart

Discrimination in Labor and Employment; Creating the "Senator Helen Gordon Davis Fair Pay Protection Act"; prohibiting an employer from providing less favorable employment opportunities to employees based on their sex; providing exceptions; prohibiting an employer from engaging in certain activities relating to wages and benefits, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**HB 0323 Fish and Wildlife Conservation Commission** by Sirois

Fish and Wildlife Conservation Commission: Requires land managing agencies, in consultation with FWCC, to consider gopher tortoise recipient sites in certain plans & include certain assessments in such plans; authorizes owners of certain lands to establish gopher tortoise recipient sites or conservation banks; directs FWCC to take certain actions regarding recipient site applications & participation, & submit report to Legislature; requires certain forms relating to boating under influence be provided by FWCC rather than DHSMV; authorizes certain athletic teams & sports to operate human-powered vessel within specified waterway; revises authorized conditions for determining vessels at risk of becoming derelict; prohibits municipalities & counties from designating public bathing beach & swim areas within specified waterway; repeals provisions relating to derelict vessels & relocation & removal of such vessels; authorizes FWCC to provide derelict vessel grants to local governments; requires FWCC to adopt rules; authorizes FWCC employees & Florida Forest Service to operate drones for specified purposes. Effective Date: July 1, 2022

**Actions**

03/03/2022 HOUSE Read Second Time; Substituted for SB 0494; Laid on Table, Refer to SB 0494

**HB 0349 Water Resources Management** by Sirois

Water Resources Management: Authorizes Board of Trustees of Internal Improvement Trust Fund to grant easements on sovereignty submerged lands for specified mitigation banks; directs DEP to create

& modify specified rules; exempts certain docks on recorded easements from certain permit & verification requirements; granting certain docks authorization to use submerged lands upon approval of board; provides that specified structures associated with docks create presumption of specified compliance. Effective Date: upon becoming a law

**Actions**

03/14/2022 HOUSE Died in Agriculture & Natural Resources Appropriations Subcommittee

**SB 0356 Sales Tax Holiday for ENERGY STAR and WaterSense Products** by Jones

Sales Tax Holiday for ENERGY STAR and WaterSense Products; Providing a sales tax exemption for certain ENERGY STAR and WaterSense products during a specified timeframe; defining terms; authorizing the Department of Revenue to adopt emergency rules, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Appropriations

**HB 0359 Agreement For Best Practices in Economic Development** by Eskamani

Agreement For Best Practices in Economic Development: Creates Agreement For Best Practices in Economic Development; specifies membership of board; requires board to publish specified material regarding best practices in economic development; requires board to suggest annual revisions; requires board to accept testimony related to economic development improvements; prohibits member states from providing company-specific tax incentives for specified purposes; providing procedures for withdrawing from agreement. Effective Date: upon the adoption of the agreement by two or more states

**Actions**

03/14/2022 HOUSE Died in Tourism, Infrastructure & Energy Subcommittee

**SB 0376 Employment Protections** by Book

Employment Protections; Authorizing parental leave for state employees in the Career Service System who have a stillborn child; prohibiting a public employer or an employment agency from engaging in certain activities relating to wages and salary; prohibiting an employer from engaging in certain activities relating to wages and salary; authorizing an employer to confirm a prospective employee's wage or salary history under certain conditions, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Governmental Oversight and Accountability

**SB 0380 Greenhouse Gas Emissions** by Rodriguez (A)

Greenhouse Gas Emissions; Defining the term "greenhouse gas"; prohibiting the adoption or enforcement of certain state and regional programs to regulate greenhouse gas emissions without specific legislative authorization, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**SB 0382 Minimum Training Wage** by Brandes

Minimum Training Wage; Proposing an amendment to the State Constitution to authorize the Legislature to establish a minimum training wage rate lower than the Florida minimum wage rate which employers may elect to pay employees for the first 6 months of employment, etc.

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**HB 0383 Criminal Conflict and Civil Regional Counsels** by Maney

Criminal Conflict and Civil Regional Counsels: Specifies responsibilities of regional counsels regarding witness coordination; removes requirement that regional counsel employees be governed by JAC classification & salary & benefits plans; modifying procedures for Supreme Court Judicial Nominating

Commission in nominating candidates for regional counsel positions; revises provisions related to duties of regional counsels. Effective Date: July 1, 2022

**Actions**

03/07/2022 HOUSE Laid on Table, refer to CS/CS/SB 596

**HB 0385 Pub. Rec./Criminal Conflict and Civil Regional Counsel Offices** by Maney

Pub. Rec./Criminal Conflict and Civil Regional Counsel Offices: Expands public records exemption to include all records pertaining to registration application submitted by any criminal conflict & civil regional counsel office; provides for future legislative review & repeal; provides statement of public necessity. Effective Date: on the same date that HB 383 or similar legislation takes effect

**Actions**

03/07/2022 HOUSE Laid on Table, refer to CS/SB 598

**HB 0393 Public Bathing Places** by Hinson

Public Bathing Places: Revises definition of term "public bathing place"; requires, rather than authorizes, DOH to adopt & enforce certain rules & to issue health advisories under certain circumstances; requires DOH to notify municipality or county if health advisory is issued against swimming in public bathing places; requires certain signage to be posted around public bathing places under certain circumstances; requires DOH to monitor affected public bathing places; authorizes DOH to coordinate with DEP & FWCC to implement signage requirements. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Professions & Public Health Subcommittee

**HB 0399 Motor Vehicle and Vessel Law Enforcement** by Rodriguez (Ant)

Motor Vehicle and Vessel Law Enforcement: Prohibits persons from driving motor vehicle in street takeover, stunt driving, race, speed competition or contest, drag race or acceleration contest, test of physical endurance, or exhibition of speed or acceleration on highway, roadway, or parking lot; provides criminal penalties for unlawful use of certain lights; authorizes court or jury to consider certain evidence in determining commission of offense of false personation. Effective Date: October 1, 2022

**Actions**

06/06/2022 Signed by Officers and presented to Governor (Governor must act on this bill by 06/21/22)

**SB 0404 Aquaculture** by Rodriguez (A)

Aquaculture; Providing for the assessment of land used in the production of aquaculture based solely on its use; requiring a property appraiser to use a specified assessment methodology; authorizing the property appraiser to require property owners to annually submit audited financial statements; revising the authority of the Department of Agriculture and Consumer Services to revoke aquaculture certificates of registration to apply to facilities, rather than entities, etc. Effective Date: 1/1/2023

**Actions**

03/14/2022 SENATE Died in Finance and Tax

**SB 0408 Acceptance of Cash Payments by Businesses** by Jones

Acceptance of Cash Payments by Businesses; Requiring certain businesses to accept cash payments for certain transactions; prohibiting such businesses from charging a fee or placing conditions on acceptance of such cash payments; providing penalties for violations of the act, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**HB 0421 Long-term Cleanup of Water Bodies** by Truenow

Long-term Cleanup of Water Bodies: Directs DEP to procure specified technology for purpose of long-

term cleanup of water bodies. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in State Affairs Committee

**SB 0434 Florida Tourism Marketing** by Hooper

Florida Tourism Marketing; Delaying the scheduled repeal of provisions governing the Florida Tourism Industry Marketing Corporation and the Division of Tourism Marketing of Enterprise Florida, Inc., respectively, etc. Effective Date: Upon becoming a law

**Actions**

05/06/2022 Approved by Governor; Chapter No. 2022-92

**SB 0446 Wage and Employment Benefits Requirements** by Taddeo

Wage and Employment Benefits Requirements; Repealing a provision relating to restrictions on the establishment of minimum wage and employment benefits requirements by political subdivisions, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**HB 0449 Land Acquisition Trust Fund** by Mooney, Jr.

Land Acquisition Trust Fund: Provides annual appropriation to DEP to implement Florida Keys Stewardship Act by entering into financial assistance agreements with specified local governments for specified purposes; prohibits use of such funds to implement certain projects & programs. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**SB 0452 Public Health** by Perry

Public Health; Prohibiting counties and municipalities from requiring citizens of the United States to submit to any medical procedure or receive any medical treatment; prohibiting counties and municipalities from conditioning access to public property or services on whether a citizen has submitted to any medical procedure or received any medical treatment; prohibiting counties and municipalities from requiring the wearing of a face covering; prohibiting district school boards from adopting, implementing, or enforcing a policy, a rule, a code of conduct, or an order requiring the wearing of a face covering, etc. Effective Date: 7/1/2022

**Actions**

10/21/2021 SENATE Withdrawn prior to introduction

**HB 0463 Greenhouse Gas Emissions** by Botana

Greenhouse Gas Emissions: Prohibits adoption or enforcement of certain state & regional programs to regulate greenhouse gas emissions without specific legislative authorization. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**HB 0489 Tourism Marketing** by Chaney

Tourism Marketing: Revises scheduled repeal date of Florida Tourism Industry Marketing Corporation; revises scheduled repeal date of Division of Tourism Marketing within Enterprise Florida, Inc. Effective Date: upon becoming a law

**Actions**

03/01/2022 HOUSE Substituted for SB 0434; Laid on Table, Refer to SB 0434

**HB 0493 Boating Safety** by Botana

Boating Safety: Revises provisions relating to boating collisions & accidents; liveries & livery permits; boating safety education courses; vessel registrations & title transfers; & related rules, fees, fines, & penalties. Effective Date: July 1, 2022

**Actions**

03/04/2022 HOUSE Read Second Time; Substituted for SB 0606; Laid on Table, Refer to SB 0606

**SB 0494 Fish and Wildlife Conservation Commission** by Hutson

Fish and Wildlife Conservation Commission; Requiring lead land managing agencies, in consultation with the Fish and Wildlife Conservation Commission, to consider the use of state lands as gopher tortoise recipient sites in certain management plans; requiring the commission, subject to appropriation, to encourage the establishment of gopher tortoise recipient sites on private lands and to create an online dashboard for certain gopher tortoise recipient site information; revising the notices a person must be given for failure to submit to certain tests for alcohol, chemical substances, or controlled substances; authorizing individuals, when participating in certain athletic team practices or competitions, to operate a human-powered vessel within the marked channel of the Florida Intracoastal Waterway under certain circumstances; prohibiting municipalities and counties from designating certain waters adjacent to designated public bathing beaches or swim areas as vessel exclusion zones, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2022

**Actions**

05/26/2022 Approved by Governor; Chapter No. 2022-142

**SB 0500 Back-to-school Sales Tax Holiday** by Perry

Back-to-school Sales Tax Holiday; Providing exemptions from the sales and use tax on the retail sale of certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a specified timeframe; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Finance and Tax

**HB 0501 Prohibition of Public Funds for Lobbying** by Gregory

Prohibition of Public Funds for Lobbying; Prohibits local governments and not-for-profit organizations from using public funds to retain lobbyists; provides exceptions for local government full-time employees; provides sanctions for violations; authorizes people to file complaints with the Commission on Ethics; requires commission to provide a report to specified entities; specifies procedures for disciplining violators. Effective Date: July 1, 2022

**Actions**

01/07/2022 HOUSE Withdrawn prior to introduction

**HB 0509 Sales Taxes on Mobile Homes** by Yarborough

Sales Taxes on Mobile Homes: Specifies sales tax rate on new mobile homes; defines "new mobile home". Effective Date: October 1, 2022

**Actions**

03/14/2022 HOUSE Died in Ways & Means Committee

**HB 0513 Comprehensive Review Study of the Central and Southern Florida Project** by Bartleman

Comprehensive Review Study of the Central and Southern Florida Project: Directs SFWMD to prepare & submit consolidated annual report regarding status of project to EDR, DEP, Governor, & Legislature; provides report requirements. Effective Date: July 1, 2022

**Actions**

**HB 0529 Yacht and Ship Brokers Located Out of State** by LaMarca

Yacht and Ship Brokers Located Out of State: Exempts person who regularly conducts business as yacht or ship broker or salesperson in another state from licensure for specified transactions; provides exception. Effective Date: upon becoming a law

**Actions**

03/14/2022 HOUSE Died in Commerce Committee

**SB 0536 Administrative Procedures** by Diaz

Administrative Procedures; Requiring a notice of rule development to include certain information; requiring an agency to provide notice of a regulatory alternative to the Administrative Procedures Committee before filing the rule for adoption; requiring an agency to provide a copy of any proposal for a lower cost regulatory alternative to the committee within a certain timeframe; requiring the Florida Administrative Code to contain complete indexes to any material incorporated by reference contained in the code, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 HOUSE Died in Messages

**SB 0550 Unlawful Employment Practices** by Cruz

Unlawful Employment Practices; Revising the unlawful employment practices in the Florida Civil Rights Act of 1992 to include discriminatory practices relating to military status, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**HB 0561 Implementation of the Recommendations of the Blue-Green Algae Task Force** by Goff-Marcil

Implementation of the Recommendations of the Blue-Green Algae Task Force: Requires owners of certain onsite sewage treatment & disposal systems to have systems periodically inspected; directs DEP to administer inspection program & implement program standards, procedures, & requirements; requires basin management action plans to include specified information; directs DEP to assess specified projects. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**SB 0568 Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by Catastrophic Event** by Polsky

Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by Catastrophic Event; Specifying conditions under which persons whose residential dwellings are rendered uninhabitable may receive an abatement of taxes originally levied; specifying a formula for determining the amount of the tax abatement; requiring tax collectors to provide specified information to the Department of Revenue and the governing boards of each affected local government on an annual basis, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Community Affairs

**HB 0579 Aquatic Plant Management** by Melo

Aquatic Plant Management: Directs FWCC, in partnership with Institute of Food & Agricultural Sciences at University of Florida & Water School at Florida Gulf Coast University, to study nutrient removal technologies & mechanical aquatic plant management techniques within Lake Okeechobee watershed; directs UF/IFAS to submit report to FWCC; directs FWCC to submit report to Governor & Legislature. Effective Date: July 1, 2022

**Actions**

03/14/2022 SENATE Died in Appropriations

**HB 0585 Caloosahatchee River Watershed** by Botana

Caloosahatchee River Watershed: Removes requirement for entities disposing of septage within Caloosahatchee River watershed to develop & submit specified agricultural use plan to DOH; prohibits land application of septage from onsite sewage treatment disposal & systems within Caloosahatchee River watershed; directs DEP to adopt updated Caloosahatchee estuary basin management action plan; provides plan requirements; prohibits specified activities within Caloosahatchee River watershed. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**SB 0592 Face Covering Mandates** by Perry

Face Covering Mandates; Prohibiting counties and municipalities from requiring that a citizen of the United States wear a face covering; prohibiting district school boards from adopting, implementing, or enforcing a policy, a rule, a code of conduct, or an order requiring the wearing of a face covering; prohibiting a district school superintendent from implementing or enforcing a policy, a rule, a code of conduct, or an order requiring the wearing of a face covering; prohibiting a school principal from implementing or enforcing a policy, a rule, a code of conduct, or an order requiring the wearing of a face covering, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Judiciary

**SB 0594 Discrimination on the Basis of COVID-19 Vaccination or Postinfection Recovery Status** by Perry

Discrimination on the Basis of COVID-19 Vaccination or Postinfection Recovery Status; Prohibiting governmental entities from requiring proof of COVID-19 vaccination or postinfection recovery status as a condition of licensure or certification in this state; prohibiting employers from requiring COVID-19 vaccination or proof of COVID-19 vaccination or postinfection recovery as a condition of employment, promotion, or continued employment or from discriminating against employees on the basis of such status unless certain conditions are met; providing a right of action for aggrieved persons, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Community Affairs

**SB 0596 Criminal Conflict and Civil Regional Counsels** by Baxley

Criminal Conflict and Civil Regional Counsels; Specifying the responsibilities of regional counsels regarding witness coordination; removing the requirement that regional counsel employees be governed by Justice Administrative Commission classification and salary and benefits plans; authorizing regional counsels to access certain confidential information relating to proceedings involving children under specified circumstances; authorizing regional counsel offices to obtain fictitious names for motor vehicle and vessel plates or decals, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2022

**Actions**

05/26/2022 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 05/31/22, 1:30 pm, 117 K (No Votes Will Be Taken)

**SB 0598 Public Records/Criminal Conflict and Civil Regional Counsel Office** by Baxley

Public Records/Criminal Conflict and Civil Regional Counsel Office; Expanding a public records exemption to include all records pertaining to a registration application submitted by any criminal conflict and civil regional counsel office for a registration certificate and registration license plate or decal issued under a fictitious name; providing for future legislative review and repeal; providing a statement of public necessity, etc. Effective Date: On the same date that SB 596 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

**Actions**



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03/08/2022 SENATE Enrolled Text (ER) Filed

**SB 0602 Land Acquisition Trust Fund** by Rodriguez (A)

Land Acquisition Trust Fund; Requiring an annual appropriation from the Land Acquisition Trust Fund to the Department of Environmental Protection to implement the Florida Keys Stewardship Act or to acquire land within the Florida Keys Area of Critical State Concern for specified purposes; prohibiting the department from using the appropriated funds to implement wastewater management projects or programs, etc. Effective Date: 7/1/2022

**Actions**

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03/14/2022 SENATE Died in Environment and Natural Resources

**HB 0603 Land Acquisition Trust Fund** by Bell

Land Acquisition Trust Fund: Provides annual appropriation to DEP to implement Heartland Headwaters Protection & Sustainability Act; requires funds to be used & distributed for specified purposes. Effective Date: July 1, 2022

**Actions**

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03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**SB 0604 Safe Waterways Act** by Berman

Safe Waterways Act; Requiring, rather than authorizing, the Department of Health to adopt and enforce certain rules; requiring the department to notify a municipality or county if the department issues a health advisory against swimming on the basis of elevated bacteria levels in a public bathing place within the municipality's or county's jurisdiction; requiring the department to adopt by rule a certain health advisory sign; providing that municipalities and counties are responsible for maintaining the health advisory signs for affected beach waters and public bathing places that they own, etc. Effective Date: 7/1/2022

**Actions**

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03/14/2022 SENATE Died in Community Affairs

**SB 0606 Boating Safety** by Garcia

Boating Safety; Citing this act as the "Boating Safety Act of 2022"; authorizing a court to impose a specified fine for certain boating collisions and accidents; requiring certain boating safety education courses and temporary certificate examinations to include specified components; requiring operators of vessels used in the instruction of water sports and activities to use engine cutoff switches and wear operative links to the switches under certain conditions; prohibiting liveries from offering a vessel for lease or rent without a livery permit, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2022

**Actions**

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03/08/2022 SENATE Enrolled Text (ER) Filed

**SB 0612 Apprenticeship Contracts** by Hutson

Apprenticeship Contracts; Authorizing an apprentice to enter into a contract with a business organization for a specified duration; requiring such contracts to be signed by specified individuals, etc. Effective Date: 7/1/2022

**Actions**

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03/14/2022 SENATE Died in Commerce and Tourism

**SB 0620 Local Business Protection Act** by Hutson

Local Business Protection Act; Citing this act as the "Local Business Protection Act"; authorizing certain businesses to claim business damages from a county or municipality if the county or municipality enacts or amends certain ordinances or charter provisions; limiting the amount of business damages that may be recovered; specifying ordinances and charter provisions that do not result in liability for business

damages; requiring businesses and counties or municipalities to follow certain presuit procedures before businesses file an action for business damages, etc. Effective Date: Upon becoming a law

#### **Actions**

03/09/2022 SENATE Enrolled Text (ER) Filed

#### **HB 0627 Employment Practices for Family and Medical Leave by Nixon**

Employment Practices for Family and Medical Leave: Creates "Florida Family & Medical Leave Act"; requires employer to allow employees to take paid family leave to bond with minor child upon birth, adoption, or foster care placement; provides for civil action & penalties; creates family & medical leave insurance benefits program; prohibits specified employment practices on basis of pregnancy, childbirth, or medical condition related to pregnancy or childbirth; provides for leave, maintenance of health coverage, reasonable accommodation & transfer, & return rights for employee who is disabled from pregnancy, childbirth, or medical condition related to pregnancy or childbirth. Effective Date: July 1, 2022

#### **Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

#### **HB 0629 Trust Funds/Family and Medical Leave Insurance Benefits Fund/DFS by Nixon**

Trust Funds/Family and Medical Leave Insurance Benefits Fund/DFS: Creates Family & Medical Leave Insurance Benefits Fund under DFS; provides purpose of trust fund; provides for future review & termination of trust fund. Effective Date: on the same date that HB 627 or similar legislation takes effect

#### **Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

#### **SB 0656 Family and Medical Leave Insurance Benefits Fund by Cruz**

Family and Medical Leave Insurance Benefits Fund; Creating the Family and Medical Leave Insurance Benefits Fund under the Department of Financial Services; providing the purpose of the trust fund; providing for future review and termination of the trust fund, etc. Effective Date: On the same date that SB 688 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

#### **Actions**

03/14/2022 SENATE Died in Commerce and Tourism

#### **HB 0683 Recreational Licenses and Permits for Military Servicemembers and Veterans by Willhite**

Recreational Licenses and Permits for Military Servicemembers and Veterans: Provides free & discounted hunting, freshwater fishing, & saltwater fishing licenses & permits to certain military servicemembers & veterans. Effective Date: July 1, 2022

#### **Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

#### **SB 0688 Employment Practices for Family and Medical Leave by Cruz**

Employment Practices for Family and Medical Leave; Creating the "Florida Family and Medical Leave Act"; requiring an employer to allow certain employees to take family and medical leave to bond with a minor child upon the child's birth, adoption, or foster care placement; prohibiting an employer from taking adverse action against an employee who requests or obtains family and medical leave; requiring that family and medical leave be taken concurrently with any leave taken under federal family and medical leave law; requiring the Department of Economic Opportunity to create a model notice that specifies an employee's rights related to family and medical leave and family and medical leave insurance benefits, etc. Effective Date: 7/1/2022

#### **Actions**

03/14/2022 SENATE Died in Commerce and Tourism

<b>SB 0690</b>	<b>Resilience-related Advisory Committees</b> by Rodriguez (A)
	Resilience-related Advisory Committees; Authorizing specified resilience-related advisory committees to conduct public meetings and workshops by means of communications media technology; providing that use of such technology by a committee member constitutes that member's presence at such meeting or workshop; requiring that such technology allow the public to audibly communicate, etc. Effective Date: Upon becoming a law
	<b>Actions</b>
	03/14/2022 SENATE Died in Rules
<b>HB 0691</b>	<b>Resilience-related Advisory Committees</b> by Slosberg
	Resilience-related Advisory Committees: Authorizes resilience-related advisory committees to conduct public meetings & workshops by means of communications media technology; provides that use of technology by committee member constitutes member's presence at meeting or workshop; provides notice requirements for public meetings or workshops conducted by means of communications media technology. Effective Date: upon becoming a law
	<b>Actions</b>
	03/14/2022 HOUSE Died in Government Operations Subcommittee
<b>HB 0701</b>	<b>Boating and Vessel Safety</b> by McFarland
	Boating and Vessel Safety: Requires boating safety education courses & temporary certificate examinations to include specified components; directs FWCC to include such components in boating safety education campaigns & educational materials; requires instructors of water sports & activities to use engine cutoff switches & wear operative links to switches under certain conditions. Effective Date: October 1, 2022
	<b>Actions</b>
	03/14/2022 SENATE Died in Appropriations
<b>HB 0711</b>	<b>Endangered and Threatened Species</b> by Diamond
	Endangered and Threatened Species: Revises legislative intent of Florida Endangered & Threatened Species Act; directs FWCC & DACS to protect certain endangered or threatened species; revises criteria for placement of species on Regulated Plant Index by DACS; prohibits FWCC & DACS from considering certain costs when designating species as endangered or threatened. Effective Date: July 1, 2022
	<b>Actions</b>
	03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee
<b>HB 0729</b>	<b>Everglades Protection Area</b> by Aloupis, Jr.
	Everglades Protection Area: Requires comprehensive plans & plan amendments that apply to certain lands within or near Everglades Protection Area to follow state coordinated review process; requires DEP to make determinations, consult, & coordinate with specified entities regarding such plans & amendments; provides additional limitation for compliance determination of such plans & plan amendments; prohibits & provides requirements for adoption of certain development amendments within Everglades Protection Area. Effective Date: July 1, 2022
	<b>Actions</b>
	03/14/2022 HOUSE Died in Agriculture & Natural Resources Appropriations Subcommittee
<b>SB 0732</b>	<b>Heat Illness Prevention</b> by Rodriguez (A)
	Heat Illness Prevention; Providing responsibilities for certain employers and employees; providing an exception; requiring employers to provide annual training for employees and supervisors; requiring the Department of Agriculture and Consumer Services, in conjunction with the Department of Health, to adopt specified rules, etc. Effective Date: 10/1/2022
	<b>Actions</b>

**HB 0761 Inventories of Critical Wetlands** by Truenow

Inventories of Critical Wetlands: Requires each water management district governing board, in cooperation with local governments, to develop list of critical wetlands for acquisition using funds from Land Acquisition Trust Fund; requires boards to consider certain criteria when including wetlands on list. Effective Date: July 1, 2022

**Actions**

03/04/2022 HOUSE Read Second Time; Substituted for SB 0882; Laid on Table, Refer to SB 0882

**SB 0786 Aircraft Sales and Lease Tax** by Hutson

Aircraft Sales and Lease Tax; Exempting all aircraft sales and leases, rather than the sales and leases of certain aircraft, from the sales and use tax; defining the term "aircraft"; deleting the definition of the term "common carrier" to conform to changes made by the act, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Appropriations

**SB 0808 Sales Tax Holiday for Disaster Preparedness Supplies** by Gruters

Sales Tax Holiday for Disaster Preparedness Supplies; Providing exemptions from the sales and use tax for specified disaster preparedness supplies during specified timeframes; defining the term "impact-resistant"; requiring purchasers of certain items to furnish a specified affidavit and information to the selling dealer; providing a criminal penalty for furnishing a false affidavit with certain intent; specifying locations where the exemptions do not apply, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Military and Veterans Affairs, Space, and Domestic Security

**SB 0820 Yacht and Ship Brokers' Act** by Hooper

Yacht and Ship Brokers' Act; Redefining the term "yacht" to include vessels longer than a specified length which are manufactured or operated primarily for pleasure or are leased, rented, or chartered for pleasure; exempting a person who conducts business as a broker or salesperson in another state from licensure for specified transactions; requiring, rather than authorizing, the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation to deny licenses for applicants who fail to meet certain requirements; requiring the division to take certain actions if the division determines that a broker or salesperson violated the act, etc. Effective Date: 10/1/2022

**Actions**

03/14/2022 SENATE Died in Regulated Industries

**SB 0830 Sales Tax** by Hooper

Sales Tax; Specifying the sales tax rate on new mobile homes; defining the term "new mobile home", etc. Effective Date: 10/1/2022

**Actions**

03/14/2022 SENATE Died in Appropriations

**SB 0832 Implementation of the Recommendations of the Blue-Green Algae Task Force** by Stewart

Implementation of the Recommendations of the Blue-Green Algae Task Force; Requiring owners of certain onsite sewage treatment and disposal systems to have the systems periodically inspected, beginning on a specified date; requiring the Department of Environmental Protection to administer the inspection program; requiring new or revised basin management action plans to include a list that identifies and prioritizes certain spatially focused projects, etc. Effective Date: 7/1/2022

**Actions**

**SB 0834 Long-term Cleanup of Harmful Algal Blooms** by Brodeur

Long-term Cleanup of Harmful Algal Blooms; Citing this act as the "Implementation of Long-term Solutions for Cleaning Florida's Water Bodies Act"; requiring the Department of Environmental Protection to take certain actions to physically remove, reduce, clean up, and respond to harmful algal blooms; requiring the department to give preference to innovative technologies that meet certain standards, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Appropriations Subcommittee on Agriculture, Environment, and General Government

**SB 0840 Residential Property Riparian Rights** by Albritton

Residential Property Riparian Rights; Requiring land surveyors to give preference to using the prolongation-of-property-line method to establish a property owner's riparian rights along a channel under certain circumstances; requiring courts to award reasonable attorney fees and costs to a prevailing party in a civil action under certain circumstances, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 HOUSE Died in Messages

**HB 0841 Residential Property Riparian Rights** by DiCeglie

Residential Property Riparian Rights: Requires land surveyors to give preference to using prolongation-of-property-line method to establish property owner's riparian rights along channel; requires courts to award reasonable attorney fees & costs to prevailing party in civil actions. Effective Date: upon becoming a law

**Actions**

03/14/2022 HOUSE Died on Second Reading Calendar

**HB 0853 Unlawful Employment Practices** by Daley

Unlawful Employment Practices: Revises unlawful employment practices in Florida Civil Rights Act of 1992 to include discriminatory practices relating to military status. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Civil Justice & Property Rights Subcommittee

**HB 0867 Towing, Storage, and Release of Motor Vehicles** by Rizo

Towing, Storage, and Release of Motor Vehicles: Provides requirements for release of motor vehicle towed to investigating agency's storage facility; requires investigating agency to pay towing & storage charges to wrecker operator under certain circumstances; prohibits towing company from releasing motor vehicle owned by rental car company to person who rented vehicle unless person is appointed as agent of rental car company; provides requirements for evidence of such agency. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Civil Justice & Property Rights Subcommittee

**SB 0882 Inventories of Critical Wetlands** by Brodeur

Inventories of Critical Wetlands; Requiring each water management district governing board, in cooperation with local governments, to develop a list of critical wetlands for acquisition using funds from the Land Acquisition Trust Fund; requiring the governing boards to consider certain criteria when including wetlands on the list and to notify owners of property contemplated to be included on the list; requiring owners who wish to have their property removed from the list to submit a certified letter requesting removal; requiring a governing board to approve such removal if the request meets those requirements, etc. Effective Date: 7/1/2022

## Actions

04/27/2022 Approved by Governor; Chapter No. 2022-76

### **HB 0887 Heat Illness Prevention in Outdoor Environment Industries** by Chambliss

Heat Illness Prevention in Outdoor Environment Industries: Requires certain employers to provide drinking water, shade, & annual training to employees & supervisors; requires DACS, in conjunction with DOH, to adopt specified rules. Effective Date: October 1, 2022

## Actions

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

### **SB 0908 Fees/Electric Vehicles and Plug-in Hybrid Electric Vehicles** by Brandes

Fees/Electric Vehicles and Plug-in Hybrid Electric Vehicles; Imposing specified additional annual flat fees on electric vehicles; imposing a license tax and an additional annual flat fee on plug-in hybrid electric vehicles; authorizing persons and entities to biennially renew vehicle registrations for electric vehicles and plug-in hybrid electric vehicles; providing for the distribution of proceeds from the additional fees, etc. Effective Date: July 1, 2022, but only if SB 918 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

## Actions

03/14/2022 SENATE Died in Transportation

### **SB 0918 Electric Vehicle Charging Infrastructure** by Brandes

Electric Vehicle Charging Infrastructure; Revising a requirement for the Department of Transportation's goals relating to mobility; requiring that certain funds be used for specified purposes relating to the Electric Vehicle Infrastructure Grant Program, beginning in a specified fiscal year; requiring the department to establish the Electric Vehicle Infrastructure Grant Program; providing the purpose of the program; requiring the Department of Transportation to seek programmatic federal approval for the issuance of permits and for the accommodation as a utility of the installation of electric vehicle charging stations in highway rights-of-way, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2022

## Actions

03/14/2022 SENATE Died in Transportation

### **HB 0921 Campaign Financing** by Drake

Campaign Financing: Providing applicability of a limitation on certain political contributions; providing that a foreign national may not make or offer to make certain contributions or expenditures; revising limitations on the use or acceptance of public funds for certain political advertisements or communications by a local government or a person acting on behalf of a local government, etc. Effective Date: July 1, 2022

## Actions

04/06/2022 Approved by Governor; Chapter No. 2022-56

### **SB 0932 Everglades Protection Area** by Rodriguez (A)

Everglades Protection Area; Requiring comprehensive plans and plan amendments that apply to certain lands within or near the Everglades Protection Area to follow the state coordinated review process; requiring the Department of Environmental Protection, in consultation with specified entities, to make certain determinations for such plans and amendments, to provide written determinations to the local government and specified entities within a specified timeframe, and to coordinate with the local government and specified entities on certain planning strategies and mitigation measures; authorizing site-specific text changes for small scale future land use map amendments; prohibiting the adoption of small scale development amendments for properties located within or near the Everglades Protection Area, etc. Effective Date: 7/1/2022

## Actions

03/14/2022 SENATE Died in Environment and Natural Resources

**SB 0944 Online Marketplace Transparency** by Baxley

Online Marketplace Transparency; Requiring online marketplaces to require high-volume third-party sellers using their service to provide certain information to the online marketplace within a specified timeframe; requiring the online marketplace to verify such information, or changes to such information, within a specified timeframe; providing that information on valid government-issued tax documents is presumed verified as of the issuance date; requiring an online marketplace to update and require certification of the updated information at least annually, etc. Effective Date: 1/1/2023

**Actions**

03/14/2022 HOUSE Died in Messages

**HB 0949 Employment Accommodations for Family or Household Members of Homicide Victims** by Chambliss

Employment Accommodations for Family or Household Members of Homicide Victims: Requires that employer grant certain leave upon request of employee; provides requirements for such leave; requires employee to provide advance notice & certain documentation to his or her employer except; requires confidentiality; prohibits employer from taking certain actions relating to exercise of certain rights; provides remedies. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**SB 0952 Taxation** by Gruters

Taxation; Exempting federal loans related to a state of emergency from the excise tax imposed on documents; increasing the combined total amount of credits which may be granted to business enterprises during any calendar year, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Appropriations

**HB 0965 Environmental Management** by Truenow

Environmental Management: Provides for water quality enhancement areas & permits, water quality enhancement service areas, & enhancement credits; directs DEP & water management districts to authorize sale & use of enhancement credits for specified purposes; directs DEP to maintain specified ledgers; revises requirements for developers & homebuilders to qualify for graywater technology incentives; requires to modify specified rules. Effective Date: July 1, 2022

**Actions**

03/04/2022 HOUSE Enrolled Text (ER) Filed

**SB 0990 Towing Vehicles** by Diaz

Towing Vehicles; Prohibiting investigating agencies from releasing motor vehicles towed to an agency's storage facility until certain proof of payment is presented to the agency; specifying that investigating agencies that do not obtain proof of payment must pay certain charges within a specified timeframe; revising the timeframe required for sending notices of lien; prohibiting towing companies from releasing vehicles owned by rental car companies, which are towed under certain circumstances, to the person who rented the vehicle unless the rental car company appoints the person as its agent, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died on Calendar

**HB 1019 Saltwater Intrusion Vulnerability Assessments** by Duggan

Saltwater Intrusion Vulnerability Assessments: Requires coastal counties to conduct vulnerability assessments analyzing effects of saltwater intrusion on water supplies & preparedness to respond to threats & provide copies to DEP & water management districts; requires water management districts to submit certain projects to DEP; requires DEP to update comprehensive statewide flood vulnerability &

sea level rise data, make certain information available online, & provide cost-share funding to coastal counties. Effective Date: upon becoming a law

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**HB 1065 Vessel Anchoring** by Mooney, Jr.

Vessel Anchoring: Provides tenancy conditions for certain moorings & mooring fields in Monroe County; provides relocation & reanchoring requirements for vessels anchored on waters of state within Monroe County; directs FWCC, in consultation with certain entities, to establish designated anchoring areas throughout Monroe County; removes provisions requiring Monroe County to approve certain moorings; requires certain vessels equipped with marine sanitation devices to maintain pumpout records. Effective Date: July 1, 2022

**Actions**

03/03/2022 HOUSE Read Second Time; Substituted for SB 1432; Laid on Table, Refer to SB 1432

**HB 1077 Public Financing of Potentially At-risk Structures and Infrastructure** by Hunschofsky

Public Financing of Potentially At-risk Structures and Infrastructure: Provides certain areas are at risk due to sea level rise & structures & infrastructure within those areas are potentially at risk. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died on Second Reading Calendar

**HB 1081 Office of the Blue Economy** by Skidmore

Office of the Blue Economy: Establishes Office of the Blue Economy within DEO; provides duties of office; requires EDR to conduct biennial evaluation of blue economy for inclusion in certain assessment. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Tourism, Infrastructure & Energy Subcommittee

**SB 1090 Corporate Income Tax** by Gruters

Corporate Income Tax; Adopting the 2022 version of the Internal Revenue Code for purposes of the state corporate income tax code; providing for retroactive operation; providing applicability for adjustments taxpayers must make to adjusted federal income with respect to bonus depreciation; revising the adjustments taxpayers must make to adjusted federal income with respect to business interest, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law

**Actions**

03/14/2022 SENATE Died in Appropriations

**HB 1113 Employer Retaliation for Covid-19 Quarantine** by Benjamin

Employer Retaliation for Covid-19 Quarantine: Prohibits employer from taking retaliatory action against employee who takes leave of absence to quarantine after testing positive for COVID-19 & provides proof of positive test to employer; authorizes employee to use sick leave for such quarantine if sick leave is available to employee. Effective Date: upon becoming a law

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**SB 1128 Aquatic Plant Management** by Harrell

Aquatic Plant Management; Requiring the Fish and Wildlife Conservation Commission, in consultation with the Institute of Food and Agricultural Sciences at the University of Florida and the Water School at Florida Gulf Coast University, to implement and study certain nutrient removal technologies and mechanical aquatic plant management techniques within the Lake Okeechobee watershed; authorizing



the commission to consult and contract with entities for such implementation and study, etc.  
APPROPRIATION: \$500,000 Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**HB 1129 Mangrove Replanting and Restoration** by Avila

Mangrove Replanting and Restoration: Requires DEP to adopt rules for mangrove replanting & restoration; provides rule requirements. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in State Affairs Committee

**HB 1153 Contacting Consumer Debtors** by Toledo

Contacting Consumer Debtors: Prohibits contacting debtors in certain situations; provides requirements for each type of debtor; specifies length of each prohibition. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Insurance & Banking Subcommittee

**HB 1163 Sales Tax Exemptions for Hydrogen Products** by Overdorf

Sales Tax Exemptions for Hydrogen Products: Exempts from sales taxes purchase of machinery & equipment that produce electric or steam energy from burning green hydrogen; requires proration of exemption under specified conditions; exempts from sales taxes purchase of hydrogen used in specified industrial settings; exempts from sales taxes purchase of machinery & equipment involving green hydrogen, certain types of ammonia, & electrochemical reactions of green hydrogen & oxygen. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Ways & Means Committee

**HB 1185 Legislative Review of Proposed Regulation of Unregulated Functions** by Plakon

Legislative Review of Proposed Regulation of Unregulated Functions: Provides certain requirements before adoption of regulation of unregulated profession or occupation or substantial expansion of regulation of regulated profession or occupation; requires proponents to provide certain information to state agency & Legislature; requires state agency to provide certain information to Legislature; provides exception; revises information that legislative committee must consider when determining whether regulation is justified. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Commerce Committee

**HB 1191 Restrictions on Employment** by Altman

Restrictions on Employment: Provides that restrictive covenants are only enforceable against former employee, agent, or independent contractor who voluntarily resigned or was terminated because of misconduct; defines "misconduct". Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**HB 1225 Vessel Safety Flags** by Altman

Vessel Safety Flags: Removes requirement that airboats be equipped with masts or flagpoles bearing certain safety flags; prohibits operation & anchoring of vessels without masts or flagpoles bearing certain safety flags under specified conditions; provides penalties. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**HB 1227 Online Marketplace Transparency** by Toledo

Online Marketplace Transparency: Requires online marketplaces to require high-volume third-party sellers using their service to provide information to online marketplace within specified timeframe; requires online marketplace to suspend sellers who do not provide such certification or updated information; requires online marketplaces to disclose information in specified manner; preempts regulation of verification & disclosure of such information to Department of Legal Affairs. Effective Date: January 1, 2023

**Actions**

03/14/2022 HOUSE Died in Commerce Committee

**SB 1232 Florida Occupational Safety and Health State Plan** by Pizzo

Florida Occupational Safety and Health State Plan; Repealing a provision relating to the Florida Occupational Safety and Health State Plan, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Criminal Justice

**SB 1234 Vaccinations During Public Health Emergencies** by Pizzo

Vaccinations During Public Health Emergencies; Authorizing the State Health Officer to order the vaccination of individuals upon declaration of a public health emergency under certain circumstances; revising a requirement that the Department of Health adopt certain rules, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Criminal Justice

**SB 1238 Saltwater Intrusion Vulnerability Assessments** by Polsky

Saltwater Intrusion Vulnerability Assessments; Authorizing the Department of Environmental Protection to provide grants for saltwater intrusion vulnerability assessments; requiring the department to update the comprehensive statewide flood vulnerability and sea level rise data set and make certain information received from the saltwater intrusion vulnerability assessments available on its website; requiring the department to provide cost-share funding up to a specified amount for awarded grants, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Governmental Oversight and Accountability

**HB 1265 Local Regulation of Vessels** by Caruso

Local Regulation of Vessels: Authorizes local governments to regulate the anchoring of certain vessels. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**HB 1267 Calculation for Measuring Shrimp Trawls** by Shoaf

Calculation for Measuring Shrimp Trawls: Proposes amendment to State Constitution to provide calculation for measuring mesh area of shrimp trawls under marine net fishing limitation.

**Actions**

03/14/2022 HOUSE Died in Environment, Agriculture & Flooding Subcommittee

**SB 1270 Recreational Licenses and Permits for Military Servicemembers and Veterans** by Albritton

Recreational Licenses and Permits for Military Servicemembers and Veterans; Providing free and discounted hunting, freshwater fishing, and saltwater fishing licenses and permits to certain military servicemembers and veterans, etc. Effective Date: 7/1/2022

## Actions

03/14/2022 SENATE Died in Military and Veterans Affairs, Space, and Domestic Security

### **SB 1276** Legislative Review of Proposed Regulation of Unregulated Functions by Diaz

Legislative Review of Proposed Regulation of Unregulated Functions; Providing that certain requirements must be met before adopting the regulation of an unregulated profession or occupation or the substantial expansion of regulation of a regulated profession or occupation; requiring the proponents of legislation that proposes such regulation to provide certain information to the state agency that would have jurisdiction over the proposed regulation and to the Legislature by a certain date; requiring such state agency to provide certain information to the Legislature within a specified timeframe; providing an exception, etc. Effective Date: 7/1/2022

## Actions

03/14/2022 SENATE Died in Regulated Industries

### **HB 1293** Tax Exemptions and Tax Credits by Gregory

Tax Exemptions and Tax Credits: Exempts certain federal loans from documentary stamp taxes; revises upward amount of money available for research & development tax credits. Effective Date: July 1, 2022

## Actions

03/14/2022 HOUSE Died in Ways & Means Committee

### **SB 1306** Leave for Family or Household Members of Homicide Victims by Jones

Leave for Family or Household Members of Homicide Victims; Requiring employers to authorize employees to request and take up to a specified number of days of leave from work under certain circumstances; requiring employees taking such leave to provide advance notice and documentation to employers; requiring private employers to keep information relating to such leave confidential; providing a remedy for violations of specified provisions, etc. Effective Date: 7/1/2022

## Actions

03/14/2022 SENATE Died in Commerce and Tourism

### **SB 1308** Public Records/Family or Household Members of Homicide Victims by Jones

Public Records/Family or Household Members of Homicide Victims; Providing a public records exemption for certain personal identifying information, records, and timesheets submitted to an agency by an employee who is requesting specified leave relating to a homicide; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 1306 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

## Actions

03/14/2022 SENATE Died in Commerce and Tourism

### **SB 1338** Floating Solar Facilities by Diaz

Floating Solar Facilities; Defining the term "floating solar facility"; providing that a floating solar facility must be a permitted use in appropriate land use categories in each local government's comprehensive plan; requiring each local government to amend its development regulations to promote the expanded use of floating solar facilities; requiring the Office of Energy within the Department of Agriculture and Consumer Services to submit specified recommendations to the Legislature to provide a regulatory framework relating to floating solar facilities, etc. Effective Date: 7/1/2022

## Actions

03/02/2022 SENATE Read Second Time; Substituted for HB 1411; Laid on Table, Refer to HB 1411

### **SB 1352** Limitations on Political Contributions by Brodeur

Limitations on Political Contributions; Defining the term "foreign national"; providing that a foreign national may not make or offer to make certain contributions or expenditures, etc. Effective Date: 7/1

/2022

**Actions**

03/03/2022 SENATE Read Second Time; Amendments Adopted (917348, 168508); Substituted for HB 0921; Laid on Table, Refer to HB 0921

**HB 1381 Retail Petroleum Fuel Measuring Devices** by Silvers

Retail Petroleum Fuel Measuring Devices: Removes provisions authorizing security tape & daily inspections as security measure options for retail petroleum fuel measuring devices; requires owners & operators of retail petroleum fuel measuring devices to conduct daily inspections & report security breaches to DACS; requires registered meter mechanics to report illegal devices to DACS. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**HB 1411 Floating Solar Facilities** by Avila

Floating Solar Facilities: Requires floating solar facility to be permitted use in certain land use categories; requires local governments to promote expanded uses of floating solar facilities by taking specified actions; authorizes county or municipality to specify buffer & landscaping requirements; requires Office of Energy within DACS to submit recommendations to Legislature regarding floating solar facilities. Effective Date: July 1, 2022

**Actions**

04/27/2022 Approved by Governor; Chapter No. 2022-83

**SB 1416 Mangrove Replanting and Restoration** by Garcia

Mangrove Replanting and Restoration: Requiring the Department of Environmental Protection to adopt rules for mangrove replanting and restoration, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**SB 1424 Prohibited Practices when Collecting Consumer Debts** by Rodriguez (A)

Prohibited Practices when Collecting Consumer Debts; Prohibiting persons from contacting debtors when collecting a consumer debt if the debt arises from specified circumstances relating to domestic abuse, elder abuse, human trafficking, identify theft, exploitation of a vulnerable adult, or sexual abuse and certain requirements are met; providing applicability, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Banking and Insurance

**SB 1426 Environmental Management** by Burgess

Environmental Management; Providing for water quality enhancement areas; requiring the Department of Environmental Protection to establish water quality enhancement service areas; requiring the department and water management districts to authorize the sale and use of enhancement credits to governmental entities to address certain adverse water quality impacts and to meet certain water quality requirements; revising the conditions that a developer or homebuilder must certify it meets as part of its application for development approval or amendment of a development order, etc. Effective Date: Upon becoming a law

**Actions**

03/04/2022 SENATE Read Second Time; Substituted for HB 0965; Laid on Table, Refer to HB 0965

**SB 1432 Vessel Anchoring** by Rodriguez (A)

Vessel Anchoring; Providing tenancy and lease conditions for approved and permitted mooring and mooring fields in Monroe County; requiring certain anchored vessels in Monroe County to be re-anchored in a new location that meets certain requirements according to a specified timeframe;

requiring the Fish and Wildlife Conservation Commission, in consultation with certain entities, to establish designated anchoring areas within the county by rule; providing an exception for certain domiciled vessels; requiring certain vessels equipped with marine sanitation devices to maintain specified records of such devices, etc. Effective Date: 7/1/2022

**Actions**

04/27/2022 Approved by Governor; Chapter No. 2022-78

**SB 1434 Public Financing of Potentially At-risk Structures and Infrastructure** by Rodriguez (A)

Public Financing of Potentially At-risk Structures and Infrastructure; Providing that certain areas are at risk due to sea-level rise and structures and infrastructure within those areas are potentially at risk; providing an additional requirement for the standard for conducting a SLIP study, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Appropriations

**SB 1454 Office of the Blue Economy** by Ausley

Office of the Blue Economy; Establishing the office within the Department of Economic Opportunity; defining the term "blue economy"; providing duties of the office; requiring the Office of Economic and Demographic Research to conduct a biennial evaluation of the blue economy for inclusion in a certain assessment, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**SB 1546 Vessel Safety Flags** by Baxley

Vessel Safety Flags: Removing the requirement that airboats be equipped with masts or flagpoles bearing certain safety flags; prohibiting the operation and anchoring of vessels without masts or flagpoles bearing certain safety flags under specified conditions, etc. Effective Date: 7/1/2023

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**SB 1570 Economic Assistance to New Businesses** by Jones

Economic Assistance to New Businesses; Requiring the Department of Management Services to encourage agencies to allocate a certain percentage of specified funds to purchase commodities and contractual services from certain businesses; requiring the Department of Economic Opportunity to award a specified minimum amount of funds to certain businesses; creating the "Florida Right to Start Act"; prohibiting agencies from requiring eligible new businesses or persons establishing an eligible new business from paying fees relating to licenses or registrations for the business for a specified amount of time; creating the Self-Employment Assistance Program within the Department of Economic Opportunity; requiring that a specified percentage of workforce development funding go to certain individuals and businesses, etc. Effective Date: 1/1/2023

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**SB 1584 Outstanding Florida Springs** by Gruters

Outstanding Florida Springs; Designating additional springs as Outstanding Florida Springs, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**HB 1593 Ocean Highway and Port Authority, Nassau County** by Byrd

Ocean Highway and Port Authority, Nassau County: Prohibits shifting responsibility for paying ad valorem taxes of authority-owned properties used for private purposes to authority; provides exceptions

for necessity of authority to obtain certain documentation to develop facilities or otherwise improve its facilities. Effective Date: upon becoming a law

**Actions**

03/14/2022 HOUSE Died in Local Administration & Veterans Affairs Subcommittee

**SB 1610 Taxation** by Rodriguez (A)

Taxation; Providing for the eligibility for abatement of ad valorem taxes and non-ad valorem assessments for residential improvements destroyed following certain events; requiring property appraisers to provide specified statements to tax collectors; prohibiting property appraisers and tax collectors from issuing specified notices for parcels meeting certain requirements; requiring property appraisers to notify taxpayers of the abatement of taxes and non-ad valorem assessments under certain circumstances; requiring value adjustment boards to dismiss petitions under certain circumstances, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died on Calendar

**SB 1650 Boating and Vessel Safety** by Gruters

Boating and Vessel Safety; Requiring certain boating safety education courses and temporary certificate examinations to include specified components; directing the Fish and Wildlife Conservation Commission to include such components in boating safety education campaigns and certain educational materials; requiring instructors of water sports and activities to wear engine cutoff switches under certain conditions, etc. Effective Date: 7/1/2022

**Actions**

03/14/2022 SENATE Died in Environment and Natural Resources

**SB 1714 Prohibited Employer Retaliation Related to COVID-19** by Taddeo

Prohibited Employer Retaliation Related to COVID-19; Prohibiting an employer from taking retaliatory action against an employee who takes a leave of absence to quarantine after testing positive for COVID-19 and provides proof of the positive test to the employer; authorizing an employee to use sick leave for such quarantine if sick leave is available to the employee, etc. Effective Date: Upon becoming a law

**Actions**

03/14/2022 SENATE Died in Commerce and Tourism

**SB 1900 Preemption to the State** by Torres, Jr.

Preemption to the State; Removing provisions which preempt counties, municipalities, and other local governmental entities from enacting or adopting any limitation or restriction involving certain contributions and expenditures, or establishing contribution limits different than those established in the Florida Election Code; removing provisions which require counties and entities of local government to pay ad valorem taxes or fees under specified conditions on certain telecommunications facilities; removing provisions which require municipalities and other entities of local government to pay ad valorem taxes or fees under specified conditions on certain telecommunications facilities, etc. Effective Date: On the effective date of the amendment to the State Constitution proposed by SJR 152 or a similar joint resolution having substantially the same specific intent and purpose, if such amendment to the State Constitution is approved at the general election held in November 2022 or at an earlier special election specifically authorized by law for that purpose

**Actions**

03/14/2022 SENATE Died in Community Affairs

**SB 1940 Statewide Flooding and Sea Level Rise Resilience** by Brodeur

Statewide Flooding and Sea Level Rise Resilience; Establishing the Statewide Office of Resilience within the Executive Office of the Governor; providing for the appointment of a Chief Resilience Officer; requiring the Department of Transportation to develop a resilience action plan for the State Highway System; revising the projects the Department of Environmental Protection may fund within the Resilient

Florida Grant Program; extending the dates by which the department must complete a comprehensive statewide flood vulnerability and sea-level rise data set and assessment; requiring the Florida Flood Hub for Applied Research and Innovation to provide tidal and storm surge flooding data to counties and municipalities for vulnerability assessments, etc. Effective Date: 7/1/2022

**Actions**

03/09/2022 SENATE Read Second Time; Substituted for HB 7053; Laid on Table, Refer to HB 7053

**HB 2233 Bonefish and Tarpon Trust Restoring Coastal Resilience and Water Quality** by Rommel

Bonefish and Tarpon Trust Restoring Coastal Resilience and Water Quality: Provides an appropriation for the Bonefish and Tarpon Trust Restoring Coastal Resilience and Water Quality. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE See HB 5001 (line item 1775B)

**SB 2508 Environmental Resources** by Appropriations

Environmental Resources; Providing that certain land acquisitions are not required to meet specified valuation procedures; providing requirements for budget amendments requesting the release of state funds for specified water project components; requiring the South Florida Water Management District to make a specified certification to the Legislature regarding its recommendations to the United States Army Corps of Engineers; authorizing the Department of Environmental Protection to enter into agreements or contracts with certain entities to expedite the evaluation of certain environmental permits, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2022

**Actions**

06/08/2022 Vetoed by Governor

**HB 2819 Florida Ocean Alliance Expanding Florida's Blue Economy** by Latvala

Florida Ocean Alliance Expanding Florida's Blue Economy: Provides an appropriation for the Florida Ocean Alliance Expanding Florida's Blue Economy. Effective Date: July 1, 2022

**Actions**

06/02/2022 HOUSE Vetoed by Governor; See HB 5001 (line item 1768)

**HB 2897 Monroe County Mobile Vessel Pumpout Program** by Mooney, Jr.

Monroe County Mobile Vessel Pumpout Program: Provides an appropriation for the Monroe County Mobile Vessel Pumpout Program. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE See HB 5001 (line item 1618)

**HB 5001 General Appropriations Act** by Appropriations Committee

General Appropriations Act: Provides moneys for annual period beginning July 1, 2022, & ending June 30, 2023, & supplemental appropriations for period ending June 30, 2022, to pay salaries & other expenses, capital outlay—buildings & other improvements, & for other specified purposes of various agencies of state government. Effective Date: Except as otherwise provided herein, this act shall take effect July 1, 2022, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2022, then it shall operate retroactively to July 1, 2022.

**Actions**

06/02/2022 Approved by Governor with Appropriation Veto; Chapter No. 2022-156

**HB 5015 Evaluation of Significant State Risks** by Appropriations Committee

Evaluation of Significant State Risks: Creates Legislative Office of Risk Assessment; provides office shall be headed by chief risk officer; requires office to develop & update State Risk Register; provides specifications for State Risk Register; requires office to biennially submit register & certain list to LBC;

requires office to submit annual progress report to Legislature; establishes Risk Estimating Conference; requires conference to estimate economic damage associated with risks identified in register. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Conference Committee

**HB 6001 Verification of Employment Eligibility by a Private Employer** by Sabatini

Verification of Employment Eligibility by a Private Employer: Removes option for private employer to verify person's employment eligibility using specified federal form; removes requirement that private employer maintain records for specified length of time; removes authorization for certain persons & entities to request, & requirement that private employer provide, documentation relating to person's employment eligibility. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**HB 6003 Legal Rights of the Natural Environment** by Eskamani

Legal Rights of the Natural Environment: Removes provisions prohibiting local governments from recognizing or granting certain legal rights to natural environment or granting such rights relating to natural environment to person or political subdivision. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Civil Justice & Property Rights Subcommittee

**HB 6047 Wage and Employment Benefits Requirements** by Smith (C)

Wage and Employment Benefits Requirements: Repeals provisions relating to prohibitions on establishment of minimum wage & employment benefits requirements by political subdivisions. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Regulatory Reform Subcommittee

**HB 6051 Aircraft Sales and Lease Tax** by Overdorf

Aircraft Sales and Lease Tax: Exempts all aircraft sales & leases from sales & use tax. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Ways & Means Committee

**HB 6083 Fuel Sales Tax** by Learned

Fuel Sales Tax: Removes annual indexing of fuel sales tax rates. Effective Date: July 1, 2022

**Actions**

03/14/2022 HOUSE Died in Tourism, Infrastructure & Energy Subcommittee

**HB 7053 Statewide Flooding and Sea Level Rise Resilience** by Environment, Agriculture & Flooding Subcommittee

Statewide Flooding and Sea Level Rise Resilience: Establishes Statewide Office of Resilience within EOG; provides for appointment of Chief Resilience Officer; requires DEP to submit report to Governor & Legislature; requires DOT to develop resilience action plan for State Highway System & submit plan & reports to Governor & Legislature; revises projects DEP may fund within Resilient Florida Grant Program; revises vulnerability assessment requirements for noncoastal communities; extends dates by which DEP must complete comprehensive statewide flood vulnerability & sea level rise data set & assessment; requires projects to be ranked in Statewide Flood & Sea Level Rise Resilience Plan;



requires Florida Flood Hub for Applied Research & Innovation to provide tidal & storm surge flooding data to certain entities; revises requirements for copies of evaluation certificates that must be submitted to DEM. Effective Date: July 1, 2022

**Actions**

05/03/2022 Approved by Governor; Chapter No. 2022-89

**HB 7071 Taxation** by Ways & Means Committee

Taxation: Prohibiting counties from imposing requirements on borrowers other than requiring proof of the borrower's income; providing for the assessment of land used in the production of aquaculture to be based solely on its agricultural use; providing that real property includes certain portions; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; increasing the property tax exemption for residents who are widows, widowers, blind persons, or totally and permanently disabled persons; defining the term "residential improvement"; providing for an abatement of ad valorem taxes and non-ad valorem assessments for certain residential improvements destroyed due to a sudden and unforeseen collapse; exempting certain federal loans from documentary stamp taxes; exempting certain Formula One Grand Prix race admissions from the sales tax on admissions; exempting certain Daytona 500 race admissions from the sales tax on admissions; exempting from sales and use tax the retail sale of children's books during a specified timeframe; exempting from sales and use tax the retail sale of children's diapers during a specified timeframe, etc. Effective Date: July 1, 2022

**Actions**

06/01/2022 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 06/03/22, 9:00 am, 117 K (No Votes Will Be Taken)

**EAF1 Statewide Flooding and Sea Level Rise Resilience** by Environment, Agriculture & Flooding Subcommittee

PCB EAF 22-01 – Statewide Flooding and Sea Level Rise Resilience

**Actions**

02/03/2022 HOUSE Committee Bill Filed as HB 7053

**WMC1 Taxation** by Ways & Means Committee

PCB WMC 22-01 – Taxation

**Actions**

02/18/2022 HOUSE Committee Bill filed as HB 7071