

FINAL REPORT

// 2022 LEGISLATIVE SESSION

+ MARINE INDUSTRIES ASSOCIATION OF FLORIDA

UPDATED: JUNE 7, 2022

Timmins
CONSULTING, LLC

// FINAL REPORT

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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

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

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

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

259.105 The Florida Forever Act.—

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

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

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

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

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

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

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

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

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

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

8. Access to public lands to support a broad range of outdoor recreational opportunities and the development of necessary infrastructure, if compatible with the resource values of and management objectives for such lands, promotes an appreciation for the state's natural assets and improves the 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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public or private entities for projects to offset adverse impacts to imperiled species or their habitat in order to restore, enhance, manage, repopulate, or acquire land and to implement land management plans developed under s. 253.034 or a land management prospectus developed and implemented under this chapter. Such fees shall be deposited into a foundation or fund created by each land management agency under s. 379.223, s. 589.012, or s. 259.032(9)(c), to be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat.

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

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

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

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

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

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

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

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

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

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assist with the efficient relocation of gopher tortoises.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

327.35215 Penalty for failure to submit to test.—

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

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

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

327.371 Human-powered vessels regulated.—

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

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

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

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

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

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

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

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

327.46 Boating-restricted areas.—

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

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

1. An ordinance establishing an idle speed, no wake

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boating-restricted area, if the area is:

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

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

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

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

a. Within 300 feet of any bridge fender system.

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

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

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

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

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

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area is:

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

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

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

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

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

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

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

(34) "Saltwater fish" means:

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

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

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

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

705.101 Definitions.—As used in this chapter:

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

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

705.103 Procedure for abandoned or lost property.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

705.103 Procedure for abandoned or lost property.—

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

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

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

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

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

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

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

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

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

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

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refuse removal service.

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

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

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

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

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

823.11 Derelict vessels; relocation or removal; penalty.—

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

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

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

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327.02, that is:

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

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

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

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

(I) The steering system;

(II) The propulsion system; or

(III) The exterior hull integrity.

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

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

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

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

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

(2)

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

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

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

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

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

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775.082 or s. 775.083.

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

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

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

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

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

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

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

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

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

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addition to any sentence imposed for the first criminal offense.

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

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

934.50 Searches and seizure using a drone.—

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

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

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

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

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

328.09 Refusal to issue and authority to cancel a

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certificate of title or registration.—

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

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

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

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

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

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

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

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

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2. Class 1: \$2.06 for each 12-month period registered.

3. Class 2: \$9.26 for each 12-month period registered.

4. Class 3: \$16.45 for each 12-month period registered.

5. Class 4: \$20.06 for each 12-month period registered.

6. Class 5: \$25.46 for each 12-month period registered.

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

376.11 Florida Coastal Protection Trust Fund.—

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

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

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

327.73 Noncriminal infractions.—

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

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

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

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

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

125.01 Powers and duties.—

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

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

379.2412 State preemption of power to regulate.—The power to regulate the taking or possession of saltwater fish, as 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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for such agreement; requiring a livery to notify law enforcement of overdue rentals or leases under certain circumstances; prohibiting a livery from knowingly leasing or renting a livery vessel to certain persons; providing an exception; revising livery insurance requirements; providing applicability; requiring specified boating safety education courses for certain instructors; requiring liveries to report certain accidents to the Division of Law Enforcement of the commission; requiring liveries to make facilities and records available to law enforcement upon notice; providing penalties for violations and additional penalties for subsequent violations; prohibiting certain violators from acting as a livery for a specified timeframe after such a violation; authorizing the commission, beginning on a specified date, to revoke or refuse to issue permits for repeated violations; amending s. 327.73, F.S.; increasing fines for violations of certain boating regulations; providing fines for improper transfers of title and failures to update vessel registration information; authorizing certain fees and penalties deposited into the Marine Resources Conservation Trust Fund to be used for law enforcement purposes; amending s. 327.731, F.S.; imposing a fine for persons convicted of certain criminal or noncriminal infractions; providing for the deposit of such fines into the Marine Resources Conservation Trust Fund; 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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Resources Conservation Trust Fund to be used to enhance state and local law enforcement activities related to boating infractions. As used in this subsection, the terms "convicted" and "conviction" mean any judicial disposition other than acquittal or dismissal.

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

327.395 Boating safety education.—

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

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

(b) The danger associated with:

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

2. A passenger falling overboard.

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

4. Starting a vessel with the engine in gear.

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

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

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

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

327.50 Vessel safety regulations; equipment and lighting requirements.—

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

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

327.54 Liveries; safety regulations; penalty.—

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

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

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

(c) "Livery" means a person who advertises and offers a livery vessel for use by another in exchange for any type of consideration when such person does not also provide the lessee or renter with a captain, a crew, or any type of staff or personnel to operate, oversee, maintain, or manage the vessel. The owner of a vessel who does not advertise his or her vessel for use by another for consideration and who loans or offers his or her vessel for use to another known to him or her either for consideration or without consideration is not a livery. A public or private school or postsecondary institution located within this state is not a livery. A vessel rented or leased by a 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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exceeds the number considered to constitute a maximum safety load for the vessel as specified on the authorized persons capacity plate of the vessel.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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minimum mandatory fine of \$500.

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

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

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

327.73 Noncriminal infractions.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(n) Section 327.65, relating to muffling devices.

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

1. That does not result in an accident; or

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

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a. For a first offense, up to a maximum of \$500 ~~\$250~~.

b. For a second offense, up to a maximum of \$1,000 ~~\$750~~.

c. For a third or subsequent offense, up to a maximum of \$1,500 ~~\$1,000~~.

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

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

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

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

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

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

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

(w) Section 327.391(3), relating to the display of a flag

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on an airboat.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1. For a first offense, \$100.

2. For a second offense occurring 30 days or more after a first offense, \$250.

3. For a third or subsequent offense occurring 30 days or more after a previous offense, \$500.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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education or law enforcement purposes.

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

327.731 Mandatory education for violators.—

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

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

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

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

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

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

(a) Track any citations resulting in a conviction under 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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person who does not properly transfer title of a vessel pursuant to this chapter is subject to the penalties provided in s. 327.73(1)(ee).

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

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

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

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

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

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

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 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

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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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fields in Monroe County:

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

(b) 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 an individual has established it as his or her domicile in accordance with s. 222.17 or because the vessel is an individual's primary residence.

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

327.4108 Anchoring of vessels in anchoring limitation areas.—

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

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

2. In a different designated anchoring area. A vessel may not be re-anchored in its originating designated anchoring area 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

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

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

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

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

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

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

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

SB 0690**Resilience-related Advisory Committees** 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

Actions

03/14/2022 SENATE Died in Rules

HB 0691**Resilience-related Advisory Committees** 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

Actions

03/14/2022 HOUSE Died in Government Operations Subcommittee

HB 0701**Boating and Vessel Safety** 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

Actions

03/14/2022 SENATE Died in Appropriations

HB 0711**Endangered and Threatened Species** 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

Actions

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

HB 0729**Everglades Protection Area** 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

Actions

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

SB 0732**Heat Illness Prevention** 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

Actions

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