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1
2 An act relating to vessels; amending s. 327.45, F.S.;
3 specifying that the Fish and Wildlife Conservation
4 Commission's authorization to establish protection
5 zones includes modifying the allowable means of
6 certain vessel positioning to prevent significant harm
7 to certain springs; revising what constitutes
8 significant harm; amending s. 327.56, F.S.;
9 prohibiting an officer from performing a vessel stop
10 or boarding a vessel without probable cause;
11 prohibiting an officer from performing a vessel stop
12 or boarding a vessel under certain circumstances;
13 providing that a violation of safety or marine
14 sanitation equipment requirements is a secondary
15 rather than a primary offense; amending s. 327.70,
16 F.S.; requiring the commission, in coordination with
17 the Department of Highway Safety and Motor Vehicles,
18 to create the "Florida Freedom Boater" safety
19 inspection decal for specified purposes; providing for
20 the award of such decal; providing requirements for
21 such decal; authorizing an officer to stop a vessel
22 for a lawful purpose when the officer has probable
23 cause or knowledge to believe a violation of certain
24 provisions has occurred or is occurring; creating s.
25 327.75, F.S.; providing a short title; defining the
26 terms "energy source" and "watercraft"; prohibiting
27 specified entities from restricting the use or sale of
28 watercraft based on the energy source used by such
29 watercraft; amending s. 379.226, F.S.; revising

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provisions prohibiting the issuance of a license to a vessel owned by certain alien powers; providing an effective date.

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

Section 1. Subsection (2) of section 327.45, Florida Statutes, is amended to read:

327.45 Protection zones for springs.—

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

Section 2. Section 327.56, Florida Statutes, is amended to read:

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

(1) An ~~No~~ officer may not ~~shall~~ board any vessel or perform a vessel stop in this state unless ~~to make a safety or marine sanitation equipment inspection if the owner or operator is not~~

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59 ~~aboard. When the owner or operator is aboard, an officer may~~
60 ~~board a vessel with consent or when the officer has probable~~
61 ~~cause or knowledge to believe that a violation of a provision of~~
62 ~~this chapter has occurred or is occurring.~~

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

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

75 Section 3. Subsection (2) of section 327.70, Florida
76 Statutes, is amended to read:

77 327.70 Enforcement of this chapter and chapter 328.—

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

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

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

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

116 Section 4. Section 327.75, Florida Statutes, is created to

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read:

327.75 Watercraft Energy Source Freedom Act.—

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

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

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

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

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

Section 5. Subsection (3) of section 379.226, Florida
Statutes, is amended to read:

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

(3) No license shall be issued by the Fish and Wildlife
Conservation Commission under s. 379.361~~7~~ to any vessel owned in
whole or in part by any alien power~~, which subscribes to the~~
~~doctrine of international communism, or any subject or national~~
~~thereof, who subscribes to the doctrine of international~~
~~communism, or any individual who subscribes to the doctrine of~~
~~international communism, or who shall have signed a treaty of~~

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~~trade, friendship and alliance or a nonaggression pact with any
communist power. The commission shall grant or withhold said
licenses where other alien vessels are involved on the basis of
reciprocity and retorsion, unless the nation concerned shall be
designated as a friendly ally or neutral by a formal suggestion
transmitted to the Governor of Florida by the Secretary of State
of the United States. Upon the receipt of such suggestion
licenses shall be granted under s. 379.361, without regard to
reciprocity and retorsion, to vessels of such nations.~~

Section 6. This act shall take effect July 1, 2025.