

26 governmental or proprietary capacity or from complying with
 27 applicable local pollution control programs authorized under
 28 this chapter or other requirements of county and municipal
 29 governments:

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

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

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

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

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

51 | rights of adjacent property owners, as defined in s. 253.141;
 52 | d.4. ~~Be~~ Are constructed and used so as to minimize adverse
 53 | impacts to submerged lands, wetlands, shellfish areas, aquatic
 54 | plant and animal species, and other biological communities,
 55 | including locating such structures in areas where seagrasses are
 56 | least dense adjacent to the dock or bulkhead; and
 57 | e.5. ~~Are~~ Not be constructed in areas specifically
 58 | prohibited for boat mooring under conditions of a permit issued
 59 | in accordance with ss. 403.91-403.929, 1984 Supplement to the
 60 | Florida Statutes 1983, as amended, or part IV of chapter 373, or
 61 | other form of authorization issued by a local government.
 62 | 2. The owner of a structure ~~Structures~~ that qualifies
 63 | ~~qualify~~ for an ~~this~~ exemption under this paragraph is not
 64 | required ~~are relieved from any requirement~~ to obtain permission
 65 | to use or occupy lands owned by the Board of Trustees of the
 66 | Internal Improvement Trust Fund, and, with the exception of
 67 | those structures attached to a bulkhead on a parcel of land
 68 | where there is no docking structure, the structure may not be
 69 | subject to any more stringent permitting requirements,
 70 | registration requirements, or other regulation by any local
 71 | government. For a floating vessel platform to be attached to a
 72 | bulkhead on a parcel of land where there is no docking
 73 | structure, a local government ~~governments~~ may require the
 74 | platform owner to obtain a permit ~~either permitting~~ or one-time
 75 | registration of the floating vessel platform ~~platforms to be~~

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

94 | 3. The exemption provided in this paragraph ~~is shall be~~ in
 95 | addition to the exemption provided in paragraph (b). The
 96 | department shall adopt a general permit by rule for the
 97 | construction, installation, operation, or maintenance of those
 98 | floating vessel platforms or floating boat lifts that do not
 99 | qualify for the exemption provided in this paragraph but do not
 100 | cause significant adverse impacts to occur individually or

101 cumulatively. The issuance of such general permit constitutes
 102 ~~shall also constitute~~ permission to use or occupy lands owned by
 103 the Board of Trustees of the Internal Improvement Trust Fund. A
 104 local government ~~governments~~ may not impose a more stringent
 105 regulation, permitting requirement, registration requirement, or
 106 other regulation covered by such general permit. A local
 107 government ~~governments~~ may require a structure owner to obtain
 108 either a permit ~~permitting~~ or one-time registration of floating
 109 vessel platforms as necessary to ensure compliance with the
 110 general permit in this section; to ensure compliance with local
 111 ordinances, codes, or regulations relating to building or zoning
 112 that are no more stringent than the general permit in this
 113 section; and to ensure proper installation and maintenance of a
 114 floating vessel platform or floating boat lift that is proposed
 115 to be attached to a bulkhead or parcel of land where there is no
 116 other docking structure.

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