

CHAPTER 98-339

House Bill No. 4039

An act relating to state lands; creating s. 253.0345, F.S.; providing for special events; providing an effective date.

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

Section 1. Section 253.0345, Florida Statutes, is created to read:

253.0345 Special events; submerged land leases.—

(1) The trustees are authorized to issue consents of use or leases to riparian landowners and event promoters to allow the installation of temporary structures, including docks, moorings, pilings and access walkways, on sovereign submerged lands solely for the purpose of facilitating boat shows and displays in, or adjacent to, established marinas or government owned upland property. Riparian owners of adjacent uplands who are not seeking a lease or consent of use shall be notified by certified mail of any request for such a lease or consent of use prior to approval by the trustees. The trustees shall balance the interests of any objecting riparian owners with the economic interests of the public and the state as a factor in determining if a lease or consent of use should be executed over the objection of adjacent riparian owners. This section shall not apply to structures for viewing motorboat racing, high speed motorboat contests or high speed displays in waters where manatees are known to frequent.

(2) Any special event provided for in subsection (1) shall be for a period not to exceed 30 days. The lease or consent of use may also contain appropriate requirements for removal of the temporary structures, including the posting of sufficient surety to guarantee appropriate funds for removal of the structures should the promoter or riparian owner fail to do so within the time specified in the agreement.

(3) Nothing in this section shall be construed to allow any lease or consent of use that would result in harm to the natural resources of the area as a result of the structures or the activities of the special events agreed to.

Section 2. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 30, 1998.

Filed in Office Secretary of State May 29, 1998.