By the Committee on Rules; and Senators Trumbull, Rouson, and Berman

595-03810-25 20251622c1

A bill to be entitled

An act relating to beaches; repealing s. 163.035, F.S., relating to the establishment of recreational customary use of beaches; providing a legislative declaration establishing the erosion control line for certain counties; providing a declaration of intent; requiring the Board of Trustees of the Internal Improvement Trust Fund to adopt the erosion control line by resolution in certain circumstances; authorizing the Department of Environmental Protection to proceed with certain beach restoration projects; providing that such projects do not require a public easement; providing a legislative declaration of public interest; providing applicability; providing an effective date.

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

Section 1. Section 163.035, Florida Statutes, is repealed.

Section 2. (1) Notwithstanding s. 161.161(5) and (6), Florida Statutes, for the counties identified in subsection (4), the Legislature declares the erosion control line shall be the mean high-water line as determined by a survey conducted by the Board of Trustees of the Internal Improvement Trust Fund. The Legislature further declares that there is no intention on the part of the state to deprive any upland or submerged land owner of the legitimate and constitutional use and enjoyment of his or her property.

(2) If an erosion control line has not been established for

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a critically eroded shoreline, the Board of Trustees of the Internal Improvement Trust Fund must adopt the erosion control line by resolution and file:

(a) In the official records of the respective county, a copy of the resolution establishing the location of the erosion control line; and

(b) In the book of plats of the respective county, a survey showing the area of beach to be restored and the location of the erosion control line.

(3) The Department of Environmental Protection may proceed with beach restoration projects for any area designated by the department as critically eroded in the Critically Eroded Beaches in Florida report dated August 2024. Notwithstanding s. 161.141, Florida Statutes, beach restoration projects conducted pursuant to this section do not require a public easement. Any additions to property seaward of the erosion control line which result from the restoration project remain state sovereignty lands. The Legislature declares that such projects are in the public interest.

(4) This section applies to counties located adjacent to the Gulf of America with:

(a) At least three municipalities; and

(b) An estimated population of less than 275,000, according to the most recent population estimate prepared pursuant to s. 186.901, Florida Statutes, excluding the inmate population.

Section 3. This act shall take effect upon becoming a law.

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