

1.1 **Senator Hawj from the Committee on Environment, Climate, and Legacy, to which**
1.2 **was referred**

1.3 **S.F. No. 2735:** A bill for an act relating to natural resources; requiring removal and
1.4 disposal of abandoned boats; providing criminal and civil penalties; amending Minnesota
1.5 Statutes 2024, sections 97A.223, subdivision 1; 97A.421, by adding a subdivision; proposing
1.6 coding for new law in Minnesota Statutes, chapter 86B.

1.7 Reports the same back with the recommendation that the bill be amended as follows:

1.8 Delete everything after the enacting clause and insert:

1.9 "Section 1. **[86B.109] ABANDONED WATERCRAFT.**

1.10 Subdivision 1. **Tagging authority; notice to owner.** (a) A peace officer or an employee
1.11 designated by the commissioner under section 84.0835 may place a tag on a watercraft
1.12 unlawfully located on public accesses, public lands, and waters of this state or unlawfully
1.13 located on property adjacent to waters of this state. A watercraft is unlawfully located if the
1.14 watercraft appears to be:

1.15 (1) inoperative and neglected, wrecked, stranded, or substantially dismantled;

1.16 (2) in immediate danger of sinking; or

1.17 (3) unmoored and unattended.

1.18 (b) A peace officer or employee who places a tag on a watercraft under this subdivision
1.19 must notify the commissioner of placing the tag within 48 hours. The notification must
1.20 include a statement of the basis for the decision to place a tag on the watercraft.

1.21 (c) Upon receiving notification under paragraph (b), the commissioner must send a notice
1.22 by certified mail, return receipt requested, to the registered owner of the watercraft. The
1.23 notice must state that:

1.24 (1) the watercraft has been tagged and the condition that resulted in the watercraft being
1.25 tagged must be remedied immediately; and

1.26 (2) failure to remedy within 14 days of the notice being sent is a criminal violation that
1.27 may result in civil and criminal penalties and the forfeiture of the watercraft.

1.28 Subd. 2. **Failure to remedy.** The registered owner of a watercraft who knowingly fails
1.29 to remedy the condition that resulted in the watercraft being tagged within 14 days of the
1.30 commissioner sending the notice required by subdivision 1, paragraph (c), is guilty of a
1.31 misdemeanor. In addition, the owner is liable to the Department of Natural Resources for
1.32 all costs incurred by the commissioner in enforcing this section against the owner and is
1.33 subject to a civil penalty of not less than two times nor more than five times the costs incurred

by the commissioner to remove, process, and dispose of the watercraft. Civil penalties imposed under this subdivision may be enforced and distributed as provided in section 115A.99.

Subd. 3. Seizure of abandoned watercraft. Fourteen days after the commissioner sends the notice required by subdivision 1, paragraph (c), to the registered owner, or concludes that there is no registered owner, the commissioner must investigate the watercraft. If, upon inspection, the watercraft has not been removed and the condition that prompted the peace officer or employee to tag it has not been substantially remedied, the watercraft is considered abandoned and the commissioner must seize and forfeit the watercraft according to section 97A.223.

Subd. 4. Relation to other law. An abandoned watercraft that becomes submerged and subject to section 86B.107 must be removed and disposed of in accordance with that section.

Subd. 5. Exceptions. This section does not apply to previously sunk watercraft of historical significance or that are currently a destination for scuba divers or commercial tourism that do not pose an ongoing environmental or public safety risk.

Sec. 2. Minnesota Statutes 2024, section 97A.223, subdivision 1, is amended to read:

Subdivision 1. **Property subject to seizure and forfeiture.** (a) An enforcement officer must seize:

(1) firearms possessed in violation of state or federal law or court order; ~~and~~

(2) property described in section 97A.221, subdivision 1, where no owner can be determined; and

(3) a watercraft that is abandoned according to section 86B.109, subdivision 3.

(b) Property seized under this section is subject to administrative forfeiture.

Sec. 3. Minnesota Statutes 2024, section 97A.421, is amended by adding a subdivision to read:

Subd. 3c. Restrictions after conviction; abandoned watercraft. (a) After a conviction under section 86B.109, subdivision 2, the following license and registration restrictions remain in effect until the person reimburses the Department of Natural Resources for all the department's costs under section 86B.109, subdivision 2:

(1) all the person's annual game and fish licenses are void;

(2) the person may not act under any lifetime game and fish license;

(3) all the person's watercraft licenses and registrations that are required to operate watercraft in the state are void;

(4) all the person's off-highway vehicle and snowmobile licenses and registrations that are required to operate those vehicles in the state are void; and

(5) the person may not obtain any of the licenses or registrations described in clauses (1) to (4).

(b) If a conviction under section 86B.109, subdivision 2, was for abandoning a watercraft in a boundary water of the state, the commissioner must coordinate with neighboring jurisdictions to ensure that, to the maximum extent practicable, the person is subject to similar consequences in the neighboring jurisdiction as those imposed under paragraph (a)."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.


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(Committee Chair)

April 1, 2025.....
(Date of Committee recommendation)