



SENATE BILL 257: 2026 Appropriations Act, Sec. 15.1: Abandoned And Derelict Vessels.

2025-2026 General Assembly

Analysis of: S.L. 2026-41, Sec. 15.1

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Section 15.1 of S.L. 2026-41 (Senate Bill 257) directs that funds appropriated under the 2026 Appropriations Act to the Wildlife Resources Commission (WRC) for the removal of abandoned and derelict vessels must be used to contract with the Coastal Federation (Federation) to remove and dispose of abandoned and derelict vessels identified by the WRC. Prior to the removal and disposal of a vessel under this subsection, the WRC must (i) send written notice to the last known owner of the status of the vessel if an owner can be determined and (ii) post a notice on the vessel advising that the vessel is abandoned. If no response to the written notice to the owner or the notice posted on the vessel is received within 30 days indicating intent to recover while taking specific acts to remove the vessel, then the Federation may proceed with removal and disposal of the vessel. The Federation may remove and dispose of abandoned and derelict vessels on private property after receiving written permission from the property owner or an authorized representative of the property owner and following the other procedures set forth in this section. The Federation must prioritize the use of State funds for the removal of abandoned and derelict vessels located on public waters and lands.

The phrase "abandoned and derelict vessel" means an abandoned vessel, as defined in the Boating Safety Act, or a vessel, as defined in the Boating Safety Act, that is left for more than 30 days in one of the following states:

- In a wrecked, junked, or substantially damaged or dismantled condition upon any public waters and lands of the State.
- Docked, grounded, or beached upon the property of another without the consent of the owner of the property.

The section further provides that when a state of emergency has been declared, the WRC may act, authorize, or join in action with the Federation and with other agencies and contractors in the area subject to the declaration to immediately determine and abate any unsafe conditions or obstructions to navigation of abandoned and derelict vessels without following certain procedures.

An abandoned or derelict vessel, together with all cargo, tackle, and equipment, that remains unclaimed or has not been otherwise brought into compliance 30 days after notice is deemed forfeited and may be disposed of at any suitable solid waste facility permitted for such waste.

The WRC, any cooperating law enforcement agency, or any contractor or employee or agent of the WRC acting under authority granted by this section to remove, relocate, cause to be removed or relocated, or dispose of an abandoned or derelict vessel from waters of the State, public land, or private land are not liable in any claim or action seeking damages for any damage to an abandoned or derelict vessel resulting from such relocation, removal, or disposal unless the damage is a result of gross negligence or willful misconduct.

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The Federation must report on the use of allocated funds to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division on or before October 1, 2027. The report must include a description of the number, type, and approximate location of vessels removed and a summary of funding from other public and private sources obtained by the Federation for the program.

Further, the section:

- Makes a change to the Boating Account within the Wildlife Resources Fund to provide that the Wildlife Resources Commission must use ten percent (10%) of the revenue generated from issuance of each one-year and three-year certificate of number for vessels for the removal of abandoned and derelict vessels in a manner authorized by law.
- Increases various fees, based on vessel length, for certificates of number, as well as the fee for duplicate certificates of number.

The provisions concerning revisions to the boating account and fee increases for certificates of number become effective October 1, 2026, and apply to fees imposed for certificates of number and duplicate certificates issued on or after that date. The remainder of this section became effective July 1, 2026.