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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2580

03/20/2025 Authored by Hansen, R.; Jordan and Lee, F., The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to natural resources; requiring removal and disposal of abandoned boats;
1.3 providing criminal and civil penalties; amending Minnesota Statutes 2024, sections
1.4 97A.223, subdivision 1; 97A.421, by adding a subdivision; proposing coding for
1.5 new law in Minnesota Statutes, chapter 86B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. 86B.109 ABANDONED BOATS.

1.8 Subdivision 1. Tagging authority; notice to owner. (a) A peace officer or an employee
1.9 designated by the commissioner under section 84.0835 may place a tag on a boat unlawfully
1.10 located on waters of this state or unlawfully located on property adjacent to waters of this
1.11 state if the boat appears to be:

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

1.13 (2) in immediate danger of sinking; or

1.14 (3) unmoored and unattended.

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

1.18 (c) Upon receiving notification under paragraph (b), the commissioner must send a notice
1.19 by certified mail, return receipt requested, to the registered owner of the boat. The notice
1.20 must state that:

1.21 (1) the boat has been tagged and the condition that resulted in the boat being tagged
1.22 must be remedied immediately; and

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

2.3 Subd. 2. **Failure to remedy.** The registered owner of a boat who knowingly fails to  
 2.4 remedy the condition that resulted in the boat being tagged within 14 days of the  
 2.5 commissioner sending the notice required by subdivision 1, paragraph (c), is guilty of a  
 2.6 misdemeanor. In addition, the owner is liable to the Department of Natural Resources for  
 2.7 all costs incurred by the commissioner in enforcing this section against the owner and is  
 2.8 subject to a civil penalty of not less than two times nor more than five times the costs incurred  
 2.9 by the commissioner to remove, process, and dispose of the boat. Civil penalties imposed  
 2.10 under this subdivision may be enforced and distributed as provided in section 115A.99.

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

2.17 Subd. 4. **Respect for private property.** A peace officer or employee may not enter  
 2.18 private property to tag or remove a boat under this section without the property owner's  
 2.19 express permission, a warrant, or another applicable court order.

2.20 Subd. 5. **Relation to other law.** An abandoned boat that becomes submerged and subject  
 2.21 to section 86B.107 must be removed and disposed of in accordance with that section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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