

By Senator Silver

38-618-00

1 A bill to be entitled
2 An act relating to eminent domain; amending s.
3 166.411, F.S.; authorizing municipalities to
4 exercise the power of eminent domain for public
5 school purposes; providing an effective date.
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7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Section 166.411, Florida Statutes, is
10 amended to read:

11 166.411 Eminent domain; uses or
12 purposes.--Municipalities are authorized to exercise the power
13 of eminent domain for the following uses or purposes:

14 (1) For the proper and efficient carrying into effect
15 of any proposed scheme or plan of drainage, ditching, grading,
16 filling, or other public improvement deemed necessary or
17 expedient for the preservation of the public health, or for
18 other good reason connected in anywise with the public welfare
19 or the interests of the municipality and the people thereof;

20 (2) Over railroads, traction and streetcar lines,
21 telephone and telegraph lines, all public and private streets
22 and highways, drainage districts, bridge districts, school
23 districts, or any other public or private lands whatsoever
24 necessary to enable the accomplishment of purposes listed in
25 s. 180.06;

26 (3) For streets, lanes, alleys, and ways;

27 (4) For public parks, squares, and grounds;

28 (5) For drainage, for raising or filling in land in
29 order to promote sanitation and healthfulness, and for the
30 taking of easements for the drainage of the land of one person
31 over and through the land of another;

- 1 (6) For reclaiming and filling when lands are low and
2 wet, or overflowed altogether or at times, or entirely or
3 partly;
4 (7) For the abatement of any nuisance;
5 (8) For the use of water pipes and for sewerage and
6 drainage purposes;
7 (9) For laying wires and conduits underground; ~~and~~
8 (10) For city buildings, waterworks, ponds, and other
9 municipal purposes which shall be coextensive with the powers
10 of the municipality exercising the right of eminent domain;
11 and-
12 (11) For obtaining lands to be conveyed by the
13 municipality to the school board of the school district for
14 the county within which the municipality is located, if the
15 school board requests in writing that the municipality obtain
16 such lands for conveyance to the school board and promises to
17 use its best efforts to establish a public school thereon.
18 Fulfilling the purpose of this subsection is recognized as
19 constituting a valid municipal public purpose.

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

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24 SENATE SUMMARY

25 Authorizes a municipality to exercise eminent domain
26 powers to obtain and convey lands to a school board for
27 public school purposes.
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