

By Senator Geller

29-1160-00

1                                   A bill to be entitled  
2           An act relating to public facilities;  
3           designating the procedure for the sale of  
4           public facilities to tenants; authorizing the  
5           Department of Management Services to procure  
6           real estate appraisals and requiring the  
7           department to institute a procedure for  
8           negotiating the sale and privatization of the  
9           facilities; requiring that such a facility be  
10          of a specified age and in need of substantial  
11          renovation before it may be sold; providing an  
12          effective date.

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

16           Section 1. (1) The Department of Management Services  
17 shall privatize the ownership of certain state facilities  
18 where the majority of tenants are private businesses and the  
19 majority of such tenants petition the department to sell the  
20 facility if the facility meets any of the following criteria:

21           (a) The facility is more than 25 years old and is in  
22 need of substantial capital improvements, the cost of which  
23 exceeds 25 percent of the appraised value of the property,  
24 including the cost of removal and replacement of outdated  
25 facilities;

26           (b) The Office of Program Policy Analysis and  
27 Governmental Accounting has issued a report questioning the  
28 long-term viability of the facility or stating that the sale  
29 of the facility is appropriate;

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1           (c) A state agency has provided in its budget for  
2 substantial capital improvements and the budget request has  
3 gone unfunded for 2 consecutive years;

4           (d) The facility requires asbestos removal and such  
5 removal has not been undertaken within 2 years after discovery  
6 of the asbestos;

7           (e) The department has made budget requests for  
8 substantial improvements that have remained unfunded for at  
9 least 2 years.

10           (2) The Department of Management Services shall have 6  
11 months from the date of the receipt of the petition to procure  
12 up to three appraisals of the facility for purposes of  
13 negotiating to sell the facility for the average price of the  
14 appraisals.

15           (3) An agreement for purchase shall be executed by the  
16 appropriate state agency within 90 days after the return of  
17 the appraisals at the average price of the three appraisals.

18           (4) The petitioning tenants have a right of first  
19 refusal to purchase the facility if the majority of the  
20 tenants have joined in the petition.

21           (5) The agency selling the facility and receiving the  
22 moneys shall pay the expenses of the sale to the Department of  
23 Management Services, which shall use the proceeds from the  
24 sale for capital improvements of other state facilities.

25           Section 2. This act shall take effect upon becoming a  
26 law.

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29 SENATE SUMMARY

30 Provides for the Department of Management Services to  
31 institute a program to sell certain older state-owned  
facilities. Provides procedures and guidelines for the  
program.