

By Senator Bronson

18-393B-01

See HB

1 A bill to be entitled
2 An act relating to ad valorem tax assessment;
3 amending s. 193.015, F.S.; defining
4 "conservation lands"; directing the property
5 appraiser to consider that the designation or
6 delineation of lands as wetlands or
7 conservation lands constitutes a constraint on
8 the property appraiser's ability to determine
9 the highest and best use of the property;
10 providing an effective date.

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

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14 Section 1. Section 193.015, Florida Statutes, is
15 amended to read:

16 193.015 Additional specific factors ~~factor~~; effect of
17 issuance or denial of permit to dredge, fill, or construct in
18 state waters to their landward extent; effect of designation
19 as wetlands or conservation lands.--

20 (1) If the Department of Environmental Protection
21 issues or denies a permit to dredge, fill, or otherwise
22 construct in or on waters of the state, as defined in chapter
23 403, to their landward extent as determined under s.
24 403.817(2), the property appraiser is expressly directed to
25 consider the effect of that issuance or denial on the value of
26 the property and any limitation that the issuance or denial
27 may impose on the highest and best use of the property to its
28 landward extent.

29 (2) The Department of Environmental Protection shall
30 provide the property appraiser of each county in which such
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1 property is situated a copy of any final agency action
2 relating to an application for such a permit.

3 (3) The provisions of subsection (1) do not apply if:

4 (a) The property owner had no reasonable basis for
5 expecting approval of the application for permit; or

6 (b) The application for permit was denied because of
7 an incomplete filing, failure to meet an applicable deadline,
8 or failure to comply with administrative or procedural
9 requirements.

10 (4)(a) As used in this subsection, "conservation
11 lands" means lands designated under an adopted comprehensive
12 plan or element or portion thereof, land development
13 regulations, or a land development code, to conserve and
14 protect native species' habitats or endangered or threatened
15 species, or to conserve, protect, manage, or restore important
16 ecosystems and forests.

17 (b) The property appraiser is expressly directed to
18 consider that the designation or delineation of lands as
19 wetlands or conservation lands by any government entity
20 constitutes a constraint on the property appraiser's ability
21 to determine the highest and best use of the property.

22 Section 2. This act shall take effect upon becoming a
23 law.

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26 LEGISLATIVE SUMMARY

27 Defines the term "conservation lands" and directs the
28 property appraiser to consider that the designation or
29 delineation of lands as wetlands or conservation lands
30 constitutes a constraint on the property appraiser's
31 ability to determine the highest and best use of the
property.