

By Senator Fasano

11-1697-04

1 A bill to be entitled
2 An act relating to public records; amending s.
3 253.034, F S.; providing a time-limited
4 exemption from public records requirements for
5 information regarding valuation of surplus
6 state-owned land before the associated
7 agreement for purchase, exchange, or disposal
8 is first considered for approval by the Board
9 of Trustees of the Internal Improvement Trust
10 Fund; authorizing the Division of State Lands
11 in the Department of Environmental Protection
12 to disclose valuation information under certain
13 circumstances, notwithstanding the
14 confidentiality requirement; providing for
15 future legislative review and repeal; providing
16 a statement of public necessity; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:
20

21 Section 1. Paragraph (g) of subsection (6) of section
22 253.034, Florida Statutes, is amended to read:

23 253.034 State-owned lands; uses.--

24 (6) The Board of Trustees of the Internal Improvement
25 Trust Fund shall determine which lands, the title to which is
26 vested in the board, may be surplusd. For conservation lands,
27 the board shall make a determination that the lands are no
28 longer needed for conservation purposes and may dispose of
29 them by an affirmative vote of at least three members. In the
30 case of a land exchange involving the disposition of
31 conservation lands, the board must determine by an affirmative

1 vote of at least three members that the exchange will result
2 in a net positive conservation benefit. For all other lands,
3 the board shall make a determination that the lands are no
4 longer needed and may dispose of them by an affirmative vote
5 of at least three members.

6 (g) The sale price of lands determined to be surplus
7 pursuant to this subsection shall be determined by the
8 division and shall take into consideration an appraisal of the
9 property, or, when the estimated value of the land is less
10 than \$100,000, a comparable sales analysis or a broker's
11 opinion of value, and the price paid by the state to
12 originally acquire the lands.

13 1. A written valuation of land determined to be
14 surplus pursuant to this subsection, and related documents
15 used to form the valuation or which discuss the valuation, are
16 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
17 of the State Constitution, until 2 weeks before the associated
18 agreement regarding surplus land purchase, exchange, or
19 disposal is first considered for approval by the board. The
20 division may, notwithstanding this exemption, disclose
21 appraisals, valuations, or valuation information about surplus
22 land during negotiations for the sale or exchange of the land,
23 during the marketing effort or bidding process associated with
24 the the sale or exchange of the land to facilitate closure of
25 such effort or process, when the passage of time has made the
26 conclusions of value invalid, or when negotiations or
27 marketing efforts concerning the land are concluded. This
28 subparagraph is subject to the Open Government Sunset Review
29 Act of 1995 in accordance with s. 119.15, and shall stand
30 repealed on October 2, 2009, unless reviewed and saved from
31 repeal through reenactment by the Legislature.

