

By the Committee on Governmental Oversight and Productivity;
and Senators Geller and Constantine

302-2138-04

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A bill to be entitled
An act relating to local governments; amending
s. 253.034, F.S.; providing for the disposition
of certain surplus state lands; amending s.
274.02, F.S.; revising a definition to increase
the monetary value of fixtures and tangible
personal property that must be included in an
inventory of property; amending s. 274.12,
F.S.; authorizing special districts to use the
surplus property alternative procedure;
providing an effective date.

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

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

253.034 State-owned lands; uses.--

(6) The Board of Trustees of the Internal Improvement
Trust Fund shall determine which lands, the title to which is
vested in the board, may be surplusd. For conservation lands,
the board shall make a determination that the lands are no
longer needed for conservation purposes and may dispose of
them by an affirmative vote of at least three members. In the
case of a land exchange involving the disposition of
conservation lands, the board must determine by an affirmative
vote of at least three members that the exchange will result
in a net positive conservation benefit. For all other lands,
the board shall make a determination that the lands are no
longer needed and may dispose of them by an affirmative vote
of at least three members.

1 (f) In reviewing lands owned by the board, the council
2 shall consider whether such lands would be more appropriately
3 owned or managed by the county or other unit of local
4 government in which the land is located. The council shall
5 recommend to the board whether a sale, lease, or other
6 conveyance to a local government would be in the best
7 interests of the state and local government. The provisions of
8 this paragraph in no way limit the provisions of ss. 253.111
9 and 253.115. Such lands shall be offered to the state, county,
10 or local government for a period of 30 days. Permittable uses
11 for such surplus lands may include public schools; public
12 libraries; fire or law enforcement substations; and
13 governmental, judicial, or recreational centers. County or
14 local government requests for surplus lands shall be expedited
15 throughout the surplusing process. If the county or local
16 government does not elect to purchase such lands in accordance
17 with s. 253.111, then any surplusing determination involving
18 other governmental agencies shall be made upon the board
19 deciding the best public use of the lands. Surplus properties
20 in which governmental agencies have expressed no interest
21 shall then be available for sale on the private market.
22 Notwithstanding this paragraph, any surplus lands that were
23 acquired by the state prior to 1958 by a gift or other
24 conveyance for no consideration from a municipality shall be
25 first offered for reconveyance to such municipality at no
26 cost, but for the fair market value of any building or other
27 improvements to the land, unless otherwise provided in a deed
28 restriction of record.

29 Section 2. Subsection (1) of section 274.02, Florida
30 Statutes, is amended to read:

31 274.02 Record and inventory of certain property.--

1 (1) The word "property" as used in this section means
2 fixtures and other tangible personal property of a
3 nonconsumable nature the value of which is \$1,000~~\$750~~ or more
4 and the normal expected life of which is 1 year or more.

5 Section 3. Section 274.12, Florida Statutes, is
6 amended to read:

7 274.12 Special districts subject to this chapter ~~ch.~~
8 ~~79-183.~~--Every special district governed by the provisions of
9 this act shall comply with the provisions of this chapter ~~s.~~
10 ~~274.05.~~

11 Section 4. This act shall take effect July 1, 2004.

12
13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 SB 424

16 Changes the date of lands captured by the bill from 1960 to
17 1958.

18 Requires payment for fair market value of improvements to the
19 land being surplus.

20 Provides that special districts subject to the provisions of
21 the act must comply with the provisions of the chapter.