

1 Section 1. Section 570.70, Florida Statutes, is
2 amended to read:

3 570.70 Legislative findings; study.--

4 (1) The Legislature finds and declares that:

5 (a)(1) A thriving rural economy with a strong
6 agricultural base, healthy natural environment, and viable
7 rural communities is an essential part of Florida. Rural areas
8 also include the largest remaining intact ecosystems and best
9 examples of remaining wildlife habitats as well as a majority
10 of privately owned land targeted by local, state, and federal
11 agencies for natural resource protection.

12 (b)(2) The growth of Florida's population can result
13 in agricultural and rural lands being converted into
14 residential or commercial development.

15 (c)(3) The agricultural, rural, natural resource, and
16 commodity values of rural lands are vital to the state's
17 economy, productivity, rural heritage, and quality of life.

18 (d)(4) There is ~~The Legislature further recognizes~~ the
19 need for enhancing the ability of rural landowners to obtain
20 economic value from their property, protecting rural
21 character, controlling urban sprawl, ~~and~~ providing necessary
22 open space for agriculture and the natural environment, and
23 ~~the importance of~~ maintaining and protecting Florida's rural
24 economy through innovative planning and development strategies
25 in rural areas and the use of incentives that reward
26 landowners for good stewardship of land and natural resources.

27 (e)(5) The purpose of this act is to bring under
28 public protection lands that serve to limit subdivision and
29 conversion of agricultural and natural areas that provide
30 economic, open space, water, and wildlife benefits by
31 acquiring land or related interests in land such as perpetual,

1 less-than-fee acquisitions, agricultural protection
2 agreements, and resource conservation agreements and
3 innovative planning and development strategies in rural areas.

4 (2) A study conducted by the department to determine
5 and prioritize needs for implementing this section and s.
6 570.71 concluded the following:

7 (a) Between 1964 and 1997, this state lost nearly 5
8 million acres of valuable agricultural land, with most of the
9 loss involving ranch and forest lands.

10 (b) This state currently has 9,114,000 acres of
11 agricultural land with natural resource attributes, including
12 groundwater recharge, natural floodplain, and significant
13 species habitat, and more than 900,000 acres of this land will
14 be converted to other uses within a decade.

15 (c) The objective of a program to protect agricultural
16 land with natural resource value through conservation
17 easements and other tools should be the protection of 1 acre
18 for every acre lost.

19 Section 2. Paragraph (d) of subsection (1) of section
20 201.15, Florida Statutes, is amended to read:

21 201.15 Distribution of taxes collected.--All taxes
22 collected under this chapter shall be distributed as follows
23 and shall be subject to the service charge imposed in s.
24 215.20(1), except that such service charge shall not be levied
25 against any portion of taxes pledged to debt service on bonds
26 to the extent that the amount of the service charge is
27 required to pay any amounts relating to the bonds:

28 (1) Sixty-two and sixty-three hundredths percent of
29 the remaining taxes collected under this chapter shall be used
30 for the following purposes:
31

1 (d) The remainder of the moneys distributed under this
2 subsection, after the required payments under paragraphs (a),
3 (b), and (c), shall be paid into the State Treasury to the
4 credit of the General Revenue Fund of the state to be used and
5 expended for the purposes for which the General Revenue Fund
6 was created and exists by law, ~~or~~ to the Ecosystem Management
7 and Restoration Trust Fund or to the Marine Resources
8 Conservation Trust Fund as provided in subsection (11), or to
9 the Rural Lands Program Trust Fund of the Department of
10 Agriculture and Consumer Services as provided in s. 215.6195.
11 Moneys available under this paragraph shall first be used to
12 pay debt service due on any rural land protection bond or to
13 make any other payments required by the bond documents
14 authorizing the issuance before such moneys are used for other
15 purposes authorized by this paragraph.

16 Section 3. Section 215.6195, Florida Statutes, is
17 created to read:

18 215.6195 Bonds for rural land protection.--

19 (1) The issuance of rural land protection bonds is
20 authorized. The rural land protection bonds may be issued over
21 the next 10 fiscal years commencing on July 1, 2005, in an
22 amount not exceeding \$50 million in any fiscal year, subject
23 to s. 570.71 and s. 11(e), Art. VII of the State Constitution.
24 The duration of each series of bonds issued may not exceed 20
25 annual maturities. Except for refunding bonds, a series of
26 bonds may not be issued unless an amount equal to the debt
27 service coming due in the year of issuance has been
28 specifically appropriated in the General Appropriations Act.

29 (2) The state covenants with the holders of rural land
30 protection bonds that it will not take any action that will
31 materially and adversely affect the rights of such holders so

1 long as the bonds are outstanding, including, but not limited
2 to, a reduction in the portion of documentary stamp taxes
3 distributable to the Rural Lands Program Trust Fund of the
4 Department of Agriculture and Consumer Services for payment of
5 debt service.

6 (3) Bonds issued under this section shall be payable
7 from taxes distributable to the Rural Lands Program Trust Fund
8 of the Department of Agriculture and Consumer Services under
9 s. 201.15(1)(d). Bonds issued under this section do not
10 constitute a general obligation of, or a pledge of the full
11 faith and credit of, the state.

12 (4) The Department of Agriculture and Consumer
13 Services shall request the Division of Bond Finance of the
14 State Board of Administration to issue the rural land
15 protection bonds authorized by this section. The Division of
16 Bond Finance shall issue such bonds pursuant to the State Bond
17 Act.

18 (5) The proceeds from the sale of bonds issued under
19 this section, less the costs of issuance, the costs of funding
20 reserve accounts, and other costs with respect to the bonds,
21 shall be deposited into the Conservation and Recreation Lands
22 Program Trust Fund of the Department of Agriculture and
23 Consumer Services as provided in s. 570.71.

24 (6) The sale, disposition, lease, easement, license,
25 or other use of any land, water areas, or related property
26 interests acquired or improved with proceeds of rural land
27 protection bonds which would cause all or any portion of the
28 interest of such bonds to lose the exclusion from gross income
29 for federal income tax purposes is prohibited.

30 (7) The initial series of rural land protection bonds
31 shall be validated in addition to any other bonds required to

1 be validated under s. 215.82. Any complaint for validation of
2 bonds issued under this section shall be filed only in the
3 circuit court of the county where the seat of state government
4 is situated, the notice required to be published by s. 75.06
5 shall be published only in the county where the complaint is
6 filed, and the complaint and order of the circuit court shall
7 be served only on the state attorney of the circuit in which
8 the action is pending.

9 Section 4. In accordance with section 215.98(1),
10 Florida Statutes, the Legislature determines that the issuance
11 of rural land protection bonds under section 3 of this act is
12 in the best interest of the state and should be implemented.

13 Section 5. Subsection (1) of section 570.207, Florida
14 Statutes, is amended to read:

15 570.207 Conservation and Recreation Lands Program
16 Trust Fund of the Department of Agriculture and Consumer
17 Services.--

18 (1) There is created a Conservation and Recreation
19 Lands Program Trust Fund within the Department of Agriculture
20 and Consumer Services. The purpose of the trust fund is to
21 provide for the management of conservation and recreation
22 lands by the department and to fund the Rural and Family Lands
23 Protection Act created in ss. 570.70 and 570.71. The
24 department may use not more than one-half of 1 percent of the
25 bond proceeds deposited into the trust fund for administrative
26 purposes. Funds may be appropriated to the trust fund from the
27 Conservation and Recreation Lands Trust Fund in the Department
28 of Environmental Protection, as created by s. 259.032(2), or
29 from such other sources as the Legislature may determine for
30 the management of conservation and recreation lands by the
31 department. Additionally, subject to s. 11(e), Art. VII of the

1 State Constitution, the department may use bond proceeds
2 deposited under s. 215.6195 and funds from such other sources
3 as the Legislature determines for acquiring conservation
4 easements and rural land protection easements and for funding
5 agricultural protection agreements and resource conservation
6 agreements pursuant to s. 570.71.

7 Section 6. Subsection (12) of section 570.71, Florida
8 Statutes, is amended, and subsection (15) is added to that
9 section, to read:

10 570.71 Conservation easements and agreements.--

11 (12) The department is authorized to use funds from
12 the following sources to implement this act:

13 (a) State funds;

14 (b) Rural land protection bonds as authorized by s.
15 215.6195;

16 ~~(c)(b)~~ Federal funds;

17 ~~(d)(c)~~ Other governmental entities;

18 ~~(e)(d)~~ Nongovernmental organizations; or

19 ~~(f)(e)~~ Private individuals.

20
21 Any such funds provided shall be deposited into the
22 Conservation and Recreation Lands Program Trust Fund within
23 the Department of Agriculture and Consumer Services and used
24 for the purposes of this act.

25 (15) The department may grant municipalities and
26 counties a portion of moneys available for the purposes of
27 this section to acquire perpetual, less-than-fee interest in
28 land, to enter into agricultural protection agreements, and to
29 enter into resource conservation agreements, as defined by and
30 for the public purposes set forth in this section. The
31 department shall adopt rules that provide for a grants program

