

By the Committee on Community Affairs; and Senator Margolis

578-1633-05

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A bill to be entitled

An act relating to the exercise of eminent domain by municipalities; authorizing specified municipalities to exercise the power of eminent domain for public school purposes; providing for future expiration; providing an effective date.

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

Section 1. A municipality located within a county, as defined in section 125.011(1), Florida Statutes, may exercise the power of eminent domain for the purpose of obtaining lands to be conveyed by the municipality to the school board of the school district within which the municipality is located if the school board of that county requests in writing that the municipality obtain such land for conveyance to the school board and promises to use the land to establish a public school thereon. Fulfilling the purpose of this section is recognized as constituting a valid municipal public purpose. This section expires January 1, 2007. Such expiration does not affect an action in eminent domain which was filed before January 1, 2007.

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

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 756

The CS limits the application of the provisions contained in the bill to Miami-Dade County. Additionally, the CS extends the expiration date from January 1, 2006, to January 1, 2007.