

By the Committees on Judiciary; Community Affairs; and Senator Margolis

590-2348-05

1 A bill to be entitled
2 An act relating to the exercise of eminent
3 domain by municipalities; providing legislative
4 intent; authorizing specified municipalities to
5 exercise the power of eminent domain for public
6 school purposes; providing for future
7 expiration; providing an effective date.

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

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11 Section 1. The Legislature recognizes that certain
12 counties that have large student populations may have
13 difficulties in obtaining suitable land for the establishment
14 of public schools to serve those student populations. The
15 intent of the Legislature is to authorize municipalities in
16 these counties to exercise the power of eminent domain to aid
17 the school districts in these counties in obtaining suitable
18 land to meet the needs of the districts' student population.

19 Section 2. A municipality located within a county that
20 has a public school student population in grades K-12 of
21 350,000 or more before December 31, 2006, may exercise the
22 power of eminent domain for the purpose of obtaining lands to
23 be conveyed by the municipality to the school board of the
24 school district within which the municipality is located if
25 the school board of that county requests in writing that the
26 municipality obtain such land for conveyance to the school
27 board and promises to use the land to establish a public
28 school thereon. Fulfilling the purpose of this section is
29 recognized as constituting a valid municipal public purpose.
30 This section expires January 1, 2007. Such expiration does

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1 not affect an action in eminent domain which was filed before
2 January 1, 2007.

3 Section 3. This act shall take effect upon becoming a
4 law.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 CS/Senate Bill 0756

9 The committee substitute makes the following change to the
10 underlying committee substitute:

- 11 -- Revises the criteria for a municipality to exercise the
12 power of eminent domain on behalf of a local school
13 district, providing that to exercise the power created by
14 the act a municipality must be located in a county having
15 a public school student population of at least 350,000.

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