

Bill No. CS for CS for SB 132

Barcode 193948

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

On page 22, line 23, through
page 24, line 12, delete those lines

and insert:

Section 11. 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

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1 longer needed and may dispose of them by an affirmative vote
2 of at least three members.

3 (f)1. In reviewing lands owned by the board, the
4 council shall consider whether such lands would be more
5 appropriately owned or managed by the county or other unit of
6 local government in which the land is located. The council
7 shall recommend to the board whether a sale, lease, or other
8 conveyance to a local government would be in the best
9 interests of the state and local government. The provisions of
10 this paragraph in no way limit the provisions of ss. 253.111
11 and 253.115. Such lands shall be offered to the state, county,
12 or local government for a period of 30 days. Permittable uses
13 for such surplus lands may include public schools; public
14 libraries; fire or law enforcement substations; ~~and~~
15 governmental, judicial, or recreational centers; and
16 affordable housing meeting the criteria of s. 420.0004(3).

17 County or local government requests for surplus lands shall be
18 expedited throughout the surplusing process. If the county or
19 local government does not elect to purchase such lands in
20 accordance with s. 253.111, then any surplusing determination
21 involving other governmental agencies shall be made upon the
22 board deciding the best public use of the lands. Surplus
23 properties in which governmental agencies have expressed no
24 interest shall then be available for sale on the private
25 market.

26 2. Notwithstanding subparagraph 1., any surplus lands
27 that were acquired by the state prior to 1958 by a gift or
28 other conveyance for no consideration from a municipality, and
29 which the department has filed by July 1, 2006, a notice of
30 its intent to surplus, shall be first offered for reconveyance
31 to such municipality at no cost, but for the fair market value

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1 of any building or other improvements to the land, unless
2 otherwise provided in a deed restriction of record. This
3 subparagraph expires July 1, 2006.

4 Section 12. Section 253.0341, Florida Statutes, is
5 amended to read:

6 253.0341 Surplus of state-owned lands to counties or
7 local governments.--Counties and local governments may submit
8 surplus requests for state-owned lands directly to the
9 board of trustees. County or local government requests for the
10 state to surplus conservation or nonconservation lands,
11 whether for purchase or exchange, shall be expedited
12 throughout the surplus process. Property jointly acquired
13 by the state and other entities shall not be surplus without
14 the consent of all joint owners.

15 (1) The decision to surplus state-owned
16 nonconservation lands may be made by the board without a
17 review of, or a recommendation on, the request from the
18 Acquisition and Restoration Council or the Division of State
19 Lands. Such requests for nonconservation lands shall be
20 considered by the board within 60 days of the board's receipt
21 of the request.

22 (2) County or local government requests for the
23 surplus of state-owned conservation lands are subject to
24 review of, and recommendation on, the request to the board by
25 the Acquisition and Restoration Council. Requests to surplus
26 conservation lands shall be considered by the board within 120
27 days of the board's receipt of the request.

28 (3) A local government may request that state lands be
29 specifically declared surplus lands for the purpose of
30 providing affordable housing. The request shall comply with
31 the requirements of subsection (1) if the lands are

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1 nonconservation lands or subsection (2) if the lands are
 2 conservation lands. Surplus lands that are conveyed to a local
 3 government for affordable housing shall be disposed of by the
 4 local government under the provisions of s. 125.379 or s.
 5 166.0451.

6
 7 (Redesignate subsequent sections.)
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 9

10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 2, lines 12-18, delete those lines

13

14 and insert:

15 amending s. 253.034, F.S.; providing for the
 16 disposition of state lands for affordable
 17 housing; amending s. 253.0341, F.S.;
 18 authorizing local governments to request state
 19 lands be declared surplus for the purpose of
 20 affordable housing; providing for use of lands
 21 that are declared surplus; amending s. 295.16,
 22 F.S.; expanding

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