

HB 395

2007

1 A bill to be entitled

2 An act relating to surplus state lands; amending s.  
3 253.034, F.S.; providing for reconveyance of certain state  
4 lands to certain fair associations at no cost under  
5 certain circumstances; authorizing certain agencies to  
6 remove certain improvements, fixtures, goods, wares, and  
7 merchandise from such lands within a time certain after  
8 reconveyance; providing for expiration; providing an  
9 effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Paragraph (f) of subsection (6) of section  
14 253.034, Florida Statutes, is amended to read:

15 253.034 State-owned lands; uses.--

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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 (f)1. In reviewing lands owned by the board, the council  
30 shall consider whether such lands would be more appropriately  
31 owned or managed by the county or other unit of local government  
32 in which the land is located. The council shall recommend to the  
33 board whether a sale, lease, or other conveyance to a local  
34 government would be in the best interests of the state and local  
35 government. The provisions of this paragraph in no way limit the  
36 provisions of ss. 253.111 and 253.115. Such lands shall be  
37 offered to the state, county, or local government for a period  
38 of 30 days. Permittable uses for such surplus lands may include  
39 public schools; public libraries; fire or law enforcement  
40 substations; governmental, judicial, or recreational centers;  
41 and affordable housing meeting the criteria of s. 420.0004(3).  
42 County or local government requests for surplus lands shall be  
43 expedited throughout the surplus process. If the county or  
44 local government does not elect to purchase such lands in  
45 accordance with s. 253.111, then any surplus determination  
46 involving other governmental agencies shall be made upon the  
47 board deciding the best public use of the lands. Surplus  
48 properties in which governmental agencies have expressed no  
49 interest shall then be available for sale on the private market.

50 2. Notwithstanding subparagraph 1., any surplus lands that  
51 were acquired by the state prior to 1958 by a gift or other  
52 conveyance for no consideration from a municipality, and which  
53 the department has filed by July 1, 2006, a notice of its intent  
54 to surplus, shall be first offered for reconveyance to such  
55 municipality at no cost, but for the fair market value of any  
56 building or other improvements to the land, unless otherwise

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57 provided in a deed restriction of record. This subparagraph  
58 expires July 1, 2006.

59 3. Notwithstanding subparagraph 1., any parcel of surplus  
60 lands less than 3 acres in size that was acquired by the state  
61 prior to 1955 by gift or other conveyance for no consideration  
62 from a fair association incorporated under chapter 616 for the  
63 purpose of conducting and operating public fairs or expositions,  
64 and for which the department has filed by July 1, 2008, a notice  
65 of intent to surplus, shall be offered for reconveyance to such  
66 fair association; however, the agency that last held a lease  
67 from the board for management of such lands may remove from the  
68 lands any improvements, fixtures, goods, wares, and merchandise  
69 within 180 days after the effective date of the reconveyance.  
70 This subparagraph expires July 1, 2008.

71 Section 2. This act shall take effect July 1, 2007.