

By the Committees on General Government Appropriations;  
Agriculture; and Senator Fasano

601-2402-07

1                                   A bill to be entitled  
2           An act relating to surplus state lands;  
3           amending s. 253.034, F.S.; providing for  
4           reconveyance of certain state lands to certain  
5           fair associations under specified  
6           circumstances; authorizing agencies last  
7           holding a lease of such lands to remove  
8           improvements, fixtures, goods, wares, and  
9           merchandise from such lands within a time  
10          certain after reconveyance; providing for  
11          expiration; providing an effective date.

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

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15           Section 1. Paragraph (f) of subsection (6) of section  
16 253.034, Florida Statutes, is amended to read:

17           253.034 State-owned lands; uses.--

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

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1           (f)1. In reviewing lands owned by the board, the  
2 council shall consider whether such lands would be more  
3 appropriately owned or managed by the county or other unit of  
4 local government in which the land is located. The council  
5 shall recommend to the board whether a sale, lease, or other  
6 conveyance to a local government would be in the best  
7 interests of the state and local government. The provisions of  
8 this paragraph in no way limit the provisions of ss. 253.111  
9 and 253.115. Such lands shall be offered to the state, county,  
10 or local government for a period of 30 days. Permittable uses  
11 for such surplus lands may include public schools; public  
12 libraries; fire or law enforcement substations; governmental,  
13 judicial, or recreational centers; and affordable housing  
14 meeting the criteria of s. 420.0004(3). County or local  
15 government requests for surplus lands shall be expedited  
16 throughout the surplusing process. If the county or local  
17 government does not elect to purchase such lands in accordance  
18 with s. 253.111, then any surplusing determination involving  
19 other governmental agencies shall be made upon the board  
20 deciding the best public use of the lands. Surplus properties  
21 in which governmental agencies have expressed no interest  
22 shall then be available for sale on the private market.

23           2. Notwithstanding subparagraph 1., any surplus lands  
24 that were acquired by the state prior to 1958 by a gift or  
25 other conveyance for no consideration from a municipality, and  
26 which the department has filed by July 1, 2006, a notice of  
27 its intent to surplus, shall be first offered for reconveyance  
28 to such municipality at no cost, but for the fair market value  
29 of any building or other improvements to the land, unless  
30 otherwise provided in a deed restriction of record. This  
31 subparagraph expires July 1, 2006.

1           3. Notwithstanding subparagraph 1., any parcel of  
2 surplus lands less than 3 acres in size which was acquired by  
3 the state before 1955 by gift or other conveyance or for \$1  
4 consideration from a fair association incorporated under  
5 chapter 616 for the purpose of conducting and operating public  
6 fairs or expositions, and concerning which the department has  
7 filed by July 1, 2008, a notice of intent to dispose of as  
8 surplus lands, shall be offered for reconveyance to such fair  
9 association for no consideration; however, the agency that  
10 last held the lease from the board for management of such  
11 lands may remove from the lands any improvements, fixtures,  
12 goods, wares, and merchandise within 180 days after the  
13 effective date of the reconveyance. This subparagraph expires  
14 July 1, 2008.

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

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17           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
18           COMMITTEE SUBSTITUTE FOR  
19           CS/SB 668

20           Corrects a drafting error to clarify the bill only pertains to  
21           lands gifted or conveyed to the state from a fair association,  
22           prior to 1955, for no consideration or for one dollar.  
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