

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Poppell offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. The Legislature finds that the management of  
6 state-owned real property requires a comprehensive integrated  
7 inventory system to support decisionmaking processes, including,  
8 but not limited to, dispositions. This comprehensive database  
9 will serve as the authoritative inventory repository for state-  
10 owned facilities and publicly owned lands data that is collected  
11 through various agency operations in disparate systems. The  
12 comprehensive database must provide agencies owning property,  
13 the public, and state policy makers with ready access to an  
14 integrated view of collected information and, wherever  
15 operationally feasible and cost effective, replace any  
16 duplicative state property databases. The initial objective for  
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17 the database is establishing an integrated inventory of the  
18 state-owned real property data from the Department of  
19 Environmental Protection, the Department of Management Services,  
20 and the Department of Revenue and to collect operating costs and  
21 occupancy data from state agencies, while considering future  
22 developments to include leased lands and facilities data used by  
23 the Department of Financial Services and the Department of  
24 Management Services. The new database must optimize the use of  
25 existing data collection processes and minimize imposing new  
26 collection and reporting requirements where adequate existing  
27 data sources are available and must incorporate interfaces for  
28 tax roll data collected under statutory authorities by the  
29 Department of Revenue from the county property appraisers and  
30 other sources. The Legislature therefore intends to promote the  
31 development, maintenance, and use of the database through a  
32 coordinated interagency effort that leverages existing resources  
33 and processes to minimize costs and impacts on agencies owning  
34 property and county property appraisers.

35 Section 2. Subsection (2) of section 193.023, Florida  
36 Statutes, is amended to read:

37 193.023 Duties of the property appraiser in making  
38 assessments.—

39 (2) In making his or her assessment of the value of real  
40 property, the property appraiser is required to physically  
41 inspect the property at least once every 5 years. Where  
42 geographically suitable, and at the discretion of the property  
43 appraiser, the property appraiser may use image technology in  
44 lieu of physical inspection to ensure that the tax roll meets  
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45 all the requirements of law. The Department of Revenue shall  
46 establish minimum standards for the use of image technology  
47 consistent with standards developed by professionally recognized  
48 sources for mass appraisal of real property. However, the  
49 property appraiser shall physically inspect any parcel of  
50 taxable or state-owned real property upon the request of the  
51 taxpayer or owner.

52 Section 3. Paragraph (a) of subsection (3) of section  
53 193.085, Florida Statutes, is amended to read:

54 193.085 Listing all property.—

55 (3) (a) ~~The department will coordinate with all other~~  
56 ~~departments of state government to ensure that the several~~  
57 ~~property appraisers are properly notified annually of state~~  
58 ~~ownership of real property. The department shall promulgate~~  
59 ~~regulations to ensure that~~ All forms of local government,  
60 special taxing districts, multicounty districts, and  
61 municipalities must provide each year written notification to  
62 ~~properly notify annually the several~~ property appraisers of any  
63 and all real property owned by any of them so that ownership of  
64 all such property will be properly listed.

65 Section 4. Paragraph (z) is added to subsection (8) of  
66 section 213.053, Florida Statutes, to read:

67 213.053 Confidentiality and information sharing.—

68 (8) Notwithstanding any other provision of this section,  
69 the department may provide:

70 (z) Information relative to ss. 253.03(8) and 253.0325 to  
71 the Department of Environmental Protection in the conduct of its  
72 official business.

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73  
74 Disclosure of information under this subsection shall be  
75 pursuant to a written agreement between the executive director  
76 and the agency. Such agencies, governmental or nongovernmental,  
77 shall be bound by the same requirements of confidentiality as  
78 the Department of Revenue. Breach of confidentiality is a  
79 misdemeanor of the first degree, punishable as provided by s.  
80 775.082 or s. 775.083.

81 Section 5. Subsections (1) and (2) of section 216.0152,  
82 Florida Statutes, are amended to read:

83 216.0152 Inventory of state-owned facilities or state-  
84 occupied facilities.—

85 (1) The Department of Management Services shall develop  
86 and maintain an automated inventory of all facilities owned,  
87 leased, rented, or otherwise occupied or maintained by any  
88 agency of the state or by the judicial branch, ~~except those with~~  
89 ~~less than 3,000 square feet.~~ The inventory data shall be  
90 provided by the owning or operating agency and shall include the  
91 location, occupying agency, ownership, size, condition  
92 assessment, valuations, operating costs, maintenance record,  
93 age, parking and employee facilities, building use, full-time  
94 equivalent occupancy, known restrictions or historic  
95 designations including conservation land status, leases or  
96 subleases and associated revenues, and other information as  
97 required by the department. The department shall use such data  
98 for determining maintenance needs, conducting strategic  
99 analyses, including, but not limited to, candidates for surplus,  
100 and life-cycle cost evaluations of the facility. Beginning July

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101 1, 2011, and each July 1 thereafter, inventory information shall  
102 be provided to the department by the owning or operating agency  
103 in a format prescribed by the department. The inventory need not  
104 include a condition assessment or maintenance record of  
105 facilities not owned by a state agency or by the judicial  
106 branch. The term "facility," as used in this section, means  
107 buildings, structures, and building systems, but does not  
108 include transportation facilities of the state transportation  
109 system. The Department of Transportation shall develop and  
110 maintain an inventory of transportation facilities of the state  
111 transportation system. The Board of Governors of the State  
112 University System and the Department of Education, respectively,  
113 shall develop and maintain an inventory, in the manner  
114 prescribed by the Department of Management Services, of all  
115 state university and community college facilities and shall make  
116 the data available in a format acceptable to the Department of  
117 Management Services.

118 (2) For purposes of assessing needed repairs and  
119 renovations of facilities, the Department of Management Services  
120 shall update its inventory with condition information for  
121 facilities of 3,000 square feet or more and cause to be updated  
122 the other inventories required by subsection (1) at least once  
123 every 5 years, but the inventories shall record acquisitions of  
124 new facilities and significant changes in existing facilities as  
125 they occur. The Department of Management Services shall provide  
126 each agency and the judicial branch with the most recent  
127 inventory applicable to that agency or to the judicial branch.  
128 Each agency and the judicial branch shall, in the manner

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129 prescribed by the Department of Management Services, report  
130 significant changes in the inventory as they occur. Items  
131 relating to the condition and life-cycle cost of a facility  
132 shall be updated at least every 5 years.

133 Section 6. Subsection (8) of section 253.03, Florida  
134 Statutes, is amended to read:

135 253.03 Board of trustees to administer state lands; lands  
136 enumerated.—

137 (8) (a) The Board of Trustees of the Internal Improvement  
138 Trust Fund shall prepare, using tax roll data provided by the  
139 Department of Revenue as supplied by the counties, an annual  
140 inventory of all publicly owned lands within the state. Such  
141 inventory shall include all lands owned by any unit of state  
142 government or local government; by the Federal Government, to  
143 the greatest extent possible; and by any other public entity.  
144 ~~The board shall submit a summary report of the inventory and a~~  
145 ~~list of major discrepancies between the inventory and the tax~~  
146 ~~roll data to the President of the Senate and the Speaker of the~~  
147 ~~House of Representatives on or before March 1 of each year.~~

148 (b) The Department of Environmental Protection shall  
149 maintain a comprehensive database of all state-owned real  
150 property. The database shall be available to the public in an  
151 electronic format and be complete and operational by March 31,  
152 2011. The database shall be used by agencies when analyzing  
153 candidates for real property acquisition, use consolidation, or  
154 disposition. The Department of Management Services shall direct  
155 agency entries of facility data and analysis as identified in s.  
156 216.0152(1) for the statewide database.

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157        ~~(c)(b)~~ In addition to any other parcel data available, the  
158 inventory shall include a legal description or proper reference  
159 thereto, the number of acres or square feet within the  
160 boundaries, and the assessed value of all publicly owned  
161 uplands. To the greatest extent practicable, the legal  
162 description or proper reference thereto and the number of acres  
163 or square feet shall be determined for all publicly owned  
164 submerged lands. For the purposes of this subsection, the term  
165 "submerged lands" means publicly owned lands below the ordinary  
166 high-water mark of fresh waters and below the mean high-water  
167 line of salt waters extending seaward to the outer jurisdiction  
168 of the state. ~~By October 31 of each year, the Department of~~  
169 ~~Revenue shall furnish, in machine-readable form, annual, current~~  
170 ~~tax roll data for public lands to the board to be used in~~  
171 ~~compiling the inventory.~~

172        ~~(d)1.(c)~~ Beginning September 30, 2011, and each September  
173 30 thereafter, the Department of Revenue shall furnish to the  
174 board, in electronic form, current tax roll data for public  
175 lands to be used in compiling the inventory.

176        2. By November 30 ~~By December 31~~ of each year, the board  
177 shall prepare and provide to each state agency and local  
178 government and any other public entity which holds title to real  
179 property, including any water management district, drainage  
180 district, navigation district, or special taxing district, a  
181 list of the real property owned by such entity, required to be  
182 listed on county assessment rolls, using tax roll data provided  
183 by the Department of Revenue.

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184       3. By January ~~March~~ 31 of the following year, each such  
185 entity shall review its list and inform the appropriate property  
186 appraiser of any corrections to the list. The appropriate county  
187 property appraiser ~~Department of Revenue~~ shall provide for  
188 entering such corrections on the appropriate county tax roll.

189       (e) The board shall use tax roll data, which shall be  
190 provided by the Department of Revenue, to assist in the  
191 identification and confirmation of publicly held lands. Lands  
192 held by the state or a water management district and lands  
193 purchased by the state, a state agency, or a water management  
194 district deemed not essential or unnecessary for conservation  
195 purposes shall be subject to review by the board for surplus  
196 sale. New data requirements may not be imposed upon property  
197 appraisers solely for the comprehensive database.

198       (f) ~~(d)~~ Whenever real property is listed on the real  
199 property assessment rolls of the respective counties in the name  
200 of the State of Florida or any of its agencies, the listing  
201 shall not be changed in the absence of a recorded deed executed  
202 by the State of Florida or the state agency in whose name the  
203 property is listed. If, in preparing the assessment rolls, the  
204 ~~several~~ property appraisers within the state become aware of the  
205 existence of a recorded deed not executed by the state and  
206 purporting to convey real property listed on the assessment  
207 rolls as state-owned, the property appraiser shall immediately  
208 forward a copy of the recorded deed to the state agency in whose  
209 name the property is listed.

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210 (g) Wherever operationally feasible and cost effective,  
211 when the comprehensive database is available, agencies shall  
212 retire any duplicative state property databases.

213 Section 7. Subsection (8) of section 253.034, Florida  
214 Statutes, is amended to read:

215 253.034 State-owned lands; uses.-

216 ~~(8) (a) Notwithstanding other provisions of this section,~~  
217 ~~the Division of State Lands is directed to prepare a state~~  
218 ~~inventory of all federal lands and all lands titled in the name~~  
219 ~~of the state, a state agency, a water management district, or a~~  
220 ~~local government on a county-by-county basis. To facilitate the~~  
221 ~~development of the state inventory, each county shall direct the~~  
222 ~~appropriate county office with authority over the information to~~  
223 ~~provide the division with a county inventory of all lands~~  
224 ~~identified as federal lands and lands titled in the name of the~~  
225 ~~state, a state agency, a water management district, or a local~~  
226 ~~government.~~ The Legislature recognizes the value of the state's  
227 conservation lands as water recharge areas and air filters and,  
228 in an effort to better understand the scientific underpinnings  
229 of carbon sequestration, carbon capture, and greenhouse gas  
230 mitigation, to inform policymakers and decisionmakers, and to  
231 provide the infrastructure for landowners, the Division of State  
232 Lands shall contract with an organization experienced and  
233 specialized in carbon sinks and emission budgets to conduct an  
234 inventory of all lands that were acquired pursuant to  
235 Preservation 2000 and Florida Forever and that were titled in  
236 the name of the Board of Trustees of the Internal Improvement  
237 Trust Fund. The inventory shall determine the value of carbon  
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238 capture and carbon sequestration. Such inventory shall consider  
239 potential carbon offset values of changes in land management  
240 practices, including, but not limited to, replanting of trees,  
241 routine prescribed burns, and land use conversion. Such an  
242 inventory shall be completed and presented to the board of  
243 trustees by July 1, 2009.

244 ~~(b) The state inventory must distinguish between lands~~  
245 ~~purchased by the state or a water management district as part of~~  
246 ~~a core parcel or within original project boundaries, as those~~  
247 ~~terms are used to meet the surplus requirements of subsection~~  
248 ~~(6), and lands purchased by the state, a state agency, or a~~  
249 ~~water management district which are not essential or necessary~~  
250 ~~for conservation purposes.~~

251 ~~(c) In any county having a population of 75,000 or fewer,~~  
252 ~~or a county having a population of 100,000 or fewer which is~~  
253 ~~contiguous to a county having a population of 75,000 or fewer,~~  
254 ~~in which more than 50 percent of the lands within the county~~  
255 ~~boundary are federal lands and lands titled in the name of the~~  
256 ~~state, a state agency, a water management district, or a local~~  
257 ~~government, those lands titled in the name of the state or a~~  
258 ~~state agency which are not essential or necessary to meet~~  
259 ~~conservation purposes may, upon request of a public or private~~  
260 ~~entity, be made available for purchase through the state's~~  
261 ~~surplusing process. Rights-of-way for existing, proposed, or~~  
262 ~~anticipated transportation facilities are exempt from the~~  
263 ~~requirements of this paragraph. Priority consideration shall be~~  
264 ~~given to buyers, public or private, willing to return the~~  
265 ~~property to productive use so long as the property can be~~

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266 ~~reentered onto the county ad valorem tax roll. Property acquired~~  
267 ~~with matching funds from a local government shall not be made~~  
268 ~~available for purchase without the consent of the local~~  
269 ~~government.~~

270 (b) ~~(d)~~ If state-owned lands are subject to annexation  
271 procedures, the Division of State Lands must notify the county  
272 legislative delegation of the county in which the land is  
273 located.

274 Section 8. This act shall take effect July 1, 2010.

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**T I T L E A M E N D M E N T**

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Remove the entire title and insert:

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A bill to be entitled

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An act relating to state-owned real property; providing

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legislative findings; amending s. 193.023, F.S.; requiring

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assessments of state-owned real property upon request;

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amending s. 193.085, F.S.; deleting an agency coordination

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requirement for the Department of Revenue; requiring

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annual written notification from local governments to

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property appraisers; amending s. 213.053, F.S.;

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authorizing the Department of Revenue to provide certain

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information to the Department of Environmental Protection;

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amending s. 216.0152, F.S.; revising requirements for the

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Department of Management Services to develop inventories

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of state-owned or state-occupied facilities; amending s.

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253.03, F.S.; requiring the Department of Environmental

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294 Protection to maintain a comprehensive database of state-  
295 owned land; providing requirements; specifying duties of  
296 the Department of Management Services; requiring the  
297 Department of Revenue to provide certain tax roll data to  
298 the Board of Trustees of the Internal Improvement Trust  
299 Fund for certain purposes; requiring the board of trustees  
300 to use tax roll data for certain purposes; requiring the  
301 board to review certain lands for surplus sales;  
302 prohibiting imposition of new data requirements on  
303 property appraisers for certain purposes; requiring  
304 agencies to retire duplicative state property databases  
305 under certain circumstances; amending s. 253.034, F.S.;  
306 deleting requirements for the Division of State Lands to  
307 prepare state inventories of certain federal, state, and  
308 local lands; deleting inventory requirements; providing an  
309 effective date.