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Proposed Committee Substitute by the Committee on General
Government Appropriations

A bill to be entitled

An act relating to state-owned lands; amending s.
193.023, F.S.; requiring the property appraiser to
physically inspect any parcel of taxable or state-
owned real property upon the request of the taxpayer
or owner; amending s. 193.085, F.S.; removing
provisions requiring the Department of Revenue to
notify property appraisers of state ownership of real
property; requiring local governments to notify
property appraisers of lands owned by the local
government; amending s. 213.053, F.S.; authorizing the
Department of Revenue to disclose certain information
to the Department of Environmental Protection
regarding state-owned lands; amending s. 216.0152,
F.S.; requiring the Division of Real Estate
Development and Management in the Department of
Environmental Protection rather than the Department of
Management Services to develop and maintain an
automated inventory of all facilities owned, leased,
rented, or otherwise occupied or maintained by any
agency of the state; requiring that the facilities
inventory data be provided to the department on or
before a specified date each year by the owning or
operating state agency; requiring the division to
adopt rules; directing the department to update its
inventory with information concerning the physical
condition of facilities that have 3,000 square feet or



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28 more of usable space; requiring the department to
29 submit annually a report to the Governor and the
30 Legislature which lists the state-owned real property
31 recommended for disposition; amending s. 253.03, F.S.;
32 requiring the Department of Revenue to furnish, in
33 electronic form, annual current tax roll data for
34 public lands to the Board of Trustees of the Internal
35 Improvement Trust Fund to be used in compiling the
36 inventory of public lands; requiring the board to use
37 tax roll data from the Department of Revenue to assist
38 in the identification and confirmation of publicly
39 held lands; amending s. 253.034, F.S.; removing
40 provisions relating to an inventory of public lands,
41 including federal lands, within the state; requiring
42 that a building or parcel of land be offered for lease
43 to state agencies, state universities, and community
44 colleges before being offered for lease, sublease, or
45 sale to a local or federal unit of government or a
46 private party; requiring that priority consideration
47 for such a lease be given to state universities and
48 community colleges; requiring that a state university
49 or community college submit a plan regarding the
50 intended use of such building or parcel of land for
51 review and approval by the Board of Trustees of the
52 Internal Improvement Trust Fund before approval of a
53 lease; creating the comprehensive state-owned real
54 property system; directing the Department of
55 Environmental Protection to create, administer,
56 operate, and maintain a comprehensive system for all



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57 state lands and real property leased, owned, rented,
58 or otherwise occupied or maintained by any state
59 agency or the judicial branch; providing for a
60 database of all real property owned or leased by the
61 state; requiring all state agencies to enter required
62 real property information into the comprehensive
63 state-owned real property system; describing the
64 principal objectives of the comprehensive state-owned
65 real property system; setting forth the timeframes in
66 which the department must complete the comprehensive
67 state-owned real property system; requiring the
68 department to report to the Governor and Legislature
69 by a specified date; providing for an executive
70 steering committee for management of the comprehensive
71 state-owned real property system; describing the
72 composition of the executive steering committee;
73 setting forth the responsibilities of the executive
74 steering committee; creating a project management team
75 to work under the direction of the executive steering
76 committee; requiring the project management team to be
77 headed by a full-time project manager and to consist
78 of senior managers and personnel appointed by members
79 of the executive steering committee; setting forth the
80 responsibilities of the project management team;
81 providing an effective date.

82
83 Be It Enacted by the Legislature of the State of Florida:

84
85 Section 1. Subsection (2) of section 193.023, Florida



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86 Statutes, is amended to read

87 193.023 Duties of the property appraiser in making
88 assessments.—

89 (2) In making his or her assessment of the value of real
90 property, the property appraiser is required to physically
91 inspect the property at least once every 5 years. Where
92 geographically suitable, and at the discretion of the property
93 appraiser, the property appraiser may use image technology in
94 lieu of physical inspection to ensure that the tax roll meets
95 all the requirements of law. The Department of Revenue shall
96 establish minimum standards for the use of image technology
97 consistent with standards developed by professionally recognized
98 sources for mass appraisal of real property. However, the
99 property appraiser shall physically inspect any parcel of
100 taxable or state-owned real property upon the request of the
101 taxpayer or owner.

102 Section 2. Paragraph (a) of subsection (3) of section
103 193.085, Florida Statutes, is amended to read:

104 193.085 Listing all property.—

105 (3) (a) ~~The department will coordinate with all other~~
106 ~~departments of state government to ensure that the several~~
107 ~~property appraisers are properly notified annually of state~~
108 ~~ownership of real property. The department shall promulgate~~
109 ~~regulations to ensure that~~ All forms of local government,
110 special taxing districts, multicounty districts, and
111 municipalities shall provide written annual notification to
112 ~~properly notify annually~~ the several property appraisers of any
113 and all real property owned by any of them so that ownership of
114 all such property will be properly listed.



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115 Section 3. Paragraph (z) is added to subsection (8) of
116 section 213.053, Florida Statutes, to read:

117 213.053 Confidentiality and information sharing.—

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

120 (z) Information relative to ss. 253.03(8) and 253.0325 to
121 the Department of Environmental Protection in the conduct of its
122 official business.

123

124 Disclosure of information under this subsection shall be
125 pursuant to a written agreement between the executive director
126 and the agency. Such agencies, governmental or nongovernmental,
127 shall be bound by the same requirements of confidentiality as
128 the Department of Revenue. Breach of confidentiality is a
129 misdemeanor of the first degree, punishable as provided by s.
130 775.082 or s. 775.083.

131 Section 4. Section 216.0152, Florida Statutes, is amended
132 to read:

133 216.0152 Inventory of state-owned facilities or state-
134 occupied facilities.—

135 (1) The Division of Real Estate Development and Management
136 in the Department of Environmental Protection Management
137 ~~Services~~ shall develop and maintain an automated inventory of
138 all facilities owned, leased, rented, or otherwise occupied or
139 maintained by any agency of the state or by the judicial branch,
140 ~~except those with less than 3,000 square feet.~~ The inventory
141 data shall be provided by the owning or operating agency and
142 shall include the location, occupying agency, ownership, size,
143 condition assessment, valuations, operating costs, maintenance



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144 record, age, parking and employee facilities, building uses,
145 full-time equivalent occupancy, known restrictions or historic
146 designations including conservation land status, leases or
147 subleases and associated revenues, and other information as
148 required in a rule adopted by the department. The department
149 shall use this data for determining maintenance needs,
150 conducting strategic analyses, including, but not limited to,
151 analyzing and identifying candidates for surplus, valuation, and
152 disposition, and life-cycle cost evaluations of the facility.
153 Inventory data shall be provided to the department on or before
154 July 1 of each year by the owning or operating agency in a
155 format prescribed by the department. The inventory need not
156 include a condition assessment or maintenance record of
157 facilities not owned by a state agency or by the judicial
158 branch. The term "facility," as used in this section, means
159 buildings, structures, and building systems, but does not
160 include transportation facilities of the state transportation
161 system. The Department of Transportation shall develop and
162 maintain an inventory of transportation facilities of the state
163 transportation system. The Board of Governors of the State
164 University System and the Department of Education, respectively,
165 shall develop and maintain an inventory, in the manner
166 prescribed by the Department of Management Services, of all
167 state university and community college facilities and shall make
168 the data available in a format acceptable to the Department of
169 Environmental Protection ~~Management Services.~~ The division shall
170 adopt rules pursuant to ss. 120.536 and 120.54, Florida Statutes
171 to, administer this section by March 15, 2011.

172 (2) For the purpose of assessing needed repairs and



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173 renovations of facilities, the Department of Environmental
174 Protection Management Services shall update its inventory with
175 condition information for facilities of 3,000 square feet or
176 more and cause to be updated the other inventories required by
177 subsection (1) at least once every 5 years, but the inventories
178 shall record acquisitions of new facilities and significant
179 changes in existing facilities as they occur. The Department of
180 Management Services shall provide each agency and the judicial
181 branch with the most recent inventory applicable to that agency
182 or to the judicial branch. Each agency and the judicial branch
183 shall, in the manner prescribed by the Department of Management
184 Services, report significant changes in the inventory as they
185 occur. Items relating to the condition and life-cycle cost of a
186 facility shall be updated at least every 5 years.

187 (3) By October 1, 2011, and annually thereafter, the
188 Division of Real Estate Development and Management, in the
189 Department of Environmental Protection, shall submit to the
190 Governor, the President of the Senate, and the Speaker of the
191 House of Representatives a report that lists the state-owned
192 real property recommended for disposition. ~~The Department of~~
193 ~~Management Services shall, every 3 years, publish a complete~~
194 ~~report detailing this inventory and shall publish an annual~~
195 ~~update of the report. The department shall furnish the updated~~
196 ~~report to the Executive Office of the Governor and the~~
197 ~~Legislature no later than September 15 of each year.~~

198 Section 5. Subsection (8) of section 253.03, Florida
199 Statutes, is amended to read:

200 253.03 Board of trustees to administer state lands; lands
201 enumerated.-



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202 (8) (a) The Board of Trustees of the Internal Improvement
203 Trust Fund shall prepare, using tax roll data provided by the
204 Department of Revenue, as supplied by the counties, an annual
205 inventory of all publicly owned lands within the state. Such
206 inventory shall include all lands owned by any unit of state
207 government or local government; by the Federal Government, to
208 the greatest extent possible; and by any other public entity.
209 ~~The board shall submit a summary report of the inventory and a~~
210 ~~list of major discrepancies between the inventory and the tax~~
211 ~~roll data to the President of the Senate and the Speaker of the~~
212 ~~House of Representatives on or before March 1 of each year.~~

213 (b) In addition to any other parcel data available, the
214 inventory shall include a legal description or proper reference
215 thereto, the number of acres or square feet within the
216 boundaries, and the assessed value of all publicly owned
217 uplands. To the greatest extent practicable, the legal
218 description or proper reference thereto and the number of acres
219 or square feet shall be determined for all publicly owned
220 submerged lands. For the purposes of this subsection, the term
221 "submerged lands" means publicly owned lands below the ordinary
222 high-water mark of fresh waters and below the mean high-water
223 line of salt waters extending seaward to the outer jurisdiction
224 of the state. ~~By October 31 of each year, the Department of~~
225 ~~Revenue shall furnish, in machine-readable form, annual, current~~
226 ~~tax roll data for public lands to the board to be used in~~
227 ~~compiling the inventory.~~

228 (c) By September 30 of each year, the Department of Revenue
229 shall furnish, in electronic form, annual current tax roll data
230 for public lands to the board to be used in compiling the



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231 inventory. By November 30 ~~December 31~~ of each year, the board
232 shall prepare and provide to each state agency and local
233 government and any other public entity which holds title to real
234 property, including any water management district, drainage
235 district, navigation district, or special taxing district, a
236 list of the real property owned by such entity, required to be
237 listed on county assessment rolls, using tax roll data provided
238 by the Department of Revenue. By January ~~March~~ 31 of the
239 following year, each such entity shall review its list and
240 inform the appropriate property appraiser of any corrections to
241 the list. The appropriate county property appraiser ~~Department~~
242 ~~of Revenue~~ shall enter ~~provide for entering~~ such corrections on
243 the appropriate county tax roll.

244 (d) Whenever real property is listed on the real property
245 assessment rolls of the respective counties in the name of the
246 State of Florida or any of its agencies, the listing shall not
247 be changed in the absence of a recorded deed executed by the
248 State of Florida or the state agency in whose name the property
249 is listed. If, in preparing the assessment rolls, the ~~several~~
250 property appraisers within the state become aware of the
251 existence of a recorded deed not executed by the state and
252 purporting to convey real property listed on the assessment
253 rolls as state-owned, the property appraiser shall immediately
254 forward a copy of the recorded deed to the state agency in whose
255 name the property is listed.

256 (e) The board shall use tax roll data, which shall be
257 provided by the Department of Revenue, to assist in the
258 identification and confirmation of publicly held lands. Lands
259 that are held by the state or a water management district and



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260 lands that are purchased by the state, a state agency, or a
261 water management district and that are deemed not essential or
262 necessary for conservation purposes are subject to review for
263 surplus sale.

264 Section 6. Subsections (8) and (16) of section 253.034,
265 Florida Statutes, are amended to read:

266 253.034 State-owned lands; uses.-

267 (8) (a) ~~Notwithstanding other provisions of this section,~~
268 ~~the Division of State Lands is directed to prepare a state~~
269 ~~inventory of all federal lands and all lands titled in the name~~
270 ~~of the state, a state agency, a water management district, or a~~
271 ~~local government on a county-by-county basis. To facilitate the~~
272 ~~development of the state inventory, each county shall direct the~~
273 ~~appropriate county office with authority over the information to~~
274 ~~provide the division with a county inventory of all lands~~
275 ~~identified as federal lands and lands titled in the name of the~~
276 ~~state, a state agency, a water management district, or a local~~
277 ~~government.~~ The Legislature recognizes the value of the state's
278 conservation lands as water recharge areas and air filters and,
279 in an effort to better understand the scientific underpinnings
280 of carbon sequestration, carbon capture, and greenhouse gas
281 mitigation, to inform policymakers and decisionmakers, and to
282 provide the infrastructure for landowners, the Division of State
283 Lands shall contract with an organization experienced and
284 specialized in carbon sinks and emission budgets to conduct an
285 inventory of all lands that were acquired pursuant to
286 Preservation 2000 and Florida Forever and that were titled in
287 the name of the Board of Trustees of the Internal Improvement
288 Trust Fund. The inventory shall determine the value of carbon



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289 capture and carbon sequestration. Such inventory shall consider
290 potential carbon offset values of changes in land management
291 practices, including, but not limited to, replanting of trees,
292 routine prescribed burns, and land use conversion. Such an
293 inventory shall be completed and presented to the board of
294 trustees by July 1, 2009.

295 ~~(b) The state inventory must distinguish between lands~~
296 ~~purchased by the state or a water management district as part of~~
297 ~~a core parcel or within original project boundaries, as those~~
298 ~~terms are used to meet the surplus requirements of subsection~~
299 ~~(6), and lands purchased by the state, a state agency, or a~~
300 ~~water management district which are not essential or necessary~~
301 ~~for conservation purposes.~~

302 ~~(c) In any county having a population of 75,000 or fewer,~~
303 ~~or a county having a population of 100,000 or fewer which is~~
304 ~~contiguous to a county having a population of 75,000 or fewer,~~
305 ~~in which more than 50 percent of the lands within the county~~
306 ~~boundary are federal lands and lands titled in the name of the~~
307 ~~state, a state agency, a water management district, or a local~~
308 ~~government, those lands titled in the name of the state or a~~
309 ~~state agency which are not essential or necessary to meet~~
310 ~~conservation purposes may, upon request of a public or private~~
311 ~~entity, be made available for purchase through the state's~~
312 ~~surplusing process. Rights-of-way for existing, proposed, or~~
313 ~~anticipated transportation facilities are exempt from the~~
314 ~~requirements of this paragraph. Priority consideration shall be~~
315 ~~given to buyers, public or private, willing to return the~~
316 ~~property to productive use so long as the property can be~~
317 ~~reentered onto the county ad valorem tax roll. Property acquired~~



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318 ~~with matching funds from a local government shall not be made~~
319 ~~available for purchase without the consent of the local~~
320 ~~government.~~

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

325 (16) Before a building or parcel of land is offered for
326 lease, sublease, or sale to a local or federal unit of
327 government or a private party, it shall first be offered for
328 lease to state agencies, ~~and~~ state universities, and community
329 colleges, with priority consideration given to state
330 universities and community colleges. A state university or
331 community college must submit a plan for review and approval by
332 the Board of Trustees of the Internal Improvement Trust Fund
333 regarding the intended use of the building or parcel of land
334 before approval of a lease.

335 Section 7. Comprehensive state-owned real property system.—

336 (1) The Department of Environmental Protection shall
337 create, administer, operate, and maintain a comprehensive system
338 for all state lands and real property leased, owned, rented, and
339 otherwise occupied or maintained by any state agency or by the
340 judicial branch. The comprehensive state-owned real property
341 system shall enable the Board of Trustees of the Internal
342 Improvement Trust Fund to perform its statutory responsibilities
343 and the Division of Real Estate Development and Management in
344 the Department of Environmental Protection to conduct strategic
345 analyses and prepare annual valuation and disposition analyses
346 and recommendations for all state real property assets.



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347 (a) The comprehensive state-owned real property system must
348 contain a database that includes an accurate inventory of all
349 real property that is leased, owned, rented, occupied, or
350 managed by the state or the judicial branch.

351 (b) The Division of Real Estate Development and Management,
352 in the Department of Environmental Protection, shall be the
353 statewide custodian of the real property information and shall
354 be accountable for its accuracy.

355 (c) All state agencies shall enter required real property
356 information according to rules established by the Division of
357 Real Estate Development and Management pursuant to s. 216.0152,
358 Florida Statutes.

359 (2) The comprehensive state-owned real property system must
360 accomplish the following objectives:

361 (a) Eliminate the need for redundant state real property
362 information collection processes and state agency information
363 systems.

364 (b) Reduce the need to lease or acquire additional real
365 property as a result of an annual surplus valuation,
366 utilization, and disposition analysis.

367 (c) Enable cost-effective buy, sell, lease decisions.

368 (d) Increase state revenues and maximize operational
369 efficiencies by annually identifying those state-owned real
370 properties that are the best candidates for surplus and or
371 disposition.

372 (e) Ensure all state real property is identified by
373 collaborating and integrating with the county property appraiser
374 systems.

375 (f) Implement required functionality and processes for



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376 state agencies to electronically submit all applicable real
377 property information using a web browser application.

378 (3) The development of the comprehensive state-owned real
379 property system must be composed of the following implementation
380 timeframes and initial deliverables:

381 (a) By March 15, 2011, the real property components of the
382 comprehensive state-owned real property system must be fully
383 operational.

384 (b) By September 1, 2012, the land inventory components of
385 the comprehensive state-owned real property system must be fully
386 operational.

387 (c) By October 1, 2010, the Division of Real Estate
388 Development and Management shall submit a report to the
389 Governor, the President of the Senate, and the Speaker of the
390 House of Representatives which identifies and recommends state-
391 owned real property for disposition. The report shall include
392 specific information that documents the valuation and analysis
393 process used to identify the specific state-owned real property
394 recommended for disposition.

395 (d) By October 15, 2010, the Department of Environmental
396 Protection shall submit an updated feasibility study for the
397 Lands Inventory Tracking System, to include in its scope the
398 comprehensive state-owned real property system. The feasibility
399 study shall be submitted to the Governor, the President of the
400 Senate, and the Speaker of the House of Representatives.

401 (e) By March 1, 2011, the executive steering committee
402 shall complete the business process analysis and documentation
403 of both the detailed system requirements and the overall system
404 architecture and submit this information to the Governor, the



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405 President of the Senate, and the Speaker of the House of
406 Representatives.

407 (4) The Department of Environmental Protection shall
408 implement the project governance structure until such time as
409 the comprehensive state-owned real property system is
410 successfully completed, suspended, or terminated.

411 (5) The project sponsor for the comprehensive state-owned
412 real property system is the Secretary of Environmental
413 Protection.

414 (6) The project shall be governed by an executive steering
415 committee composed of the following voting members or their
416 designees:

417 (a) The Secretary of Environmental Protection, who shall
418 serve as chair of the committee.

419 (b) The executive director of the Department of Revenue.

420 (c) The director of the Division of Real Estate Development
421 and Management in the Department of Environmental Protection.

422 (d) The Chief Financial Officer.

423 (e) A property appraiser appointed by the Florida
424 Association of Property Appraisers, Inc.

425 (f) A property appraiser appointed by the Property
426 Appraisers' Association of Florida, Inc.

427 (g) The executive director of the Agency for Enterprise
428 Information Technology.

429 (7) The executive steering committee shall take action by
430 the majority vote of its members and has the overall management
431 responsibility for ensuring that the system meets the main
432 business objectives in subsection (1). The executive steering
433 committee is specifically responsible for:



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434 (a) Providing management direction and support to the
435 project management team.

436 (b) Reviewing, approving, or disapproving project
437 deliverables and any changes to the project's scope, schedule,
438 and costs.

439 (c) Preparing an update to the feasibility study for the
440 Lands Inventory Tracking System, including the scope of the real
441 property system. The feasibility study shall include, but need
442 not be limited to, a description of the overall scope of the
443 comprehensive state-owned real property system. In determining
444 the overall scope, the study shall address whether a single,
445 comprehensive database of state-owned real property should
446 replace all existing real property databases and whether the
447 comprehensive real property system should accept data from and
448 send data to only existing databases. At a minimum, the
449 following database systems shall be included in this review and
450 analysis:

451 1. The Public Lands Inventory of the Department of
452 Environmental Protection, the statewide public lands inventory,
453 the Board of Trustees Land Document Systems, and the Lands
454 Information Tracking System.

455 2. The property tax rolls of the Department of Revenue.

456 3. The state facilities inventory of the Department of
457 Management Services.

458 4. The risk management database of the Department of
459 Financial Services.

460 (d) Further functions must include:

461 1. Identification of the role and responsibilities of the
462 county property appraisers in a comprehensive system of state-



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463 owned real property which includes the integration of their real
464 property data.

465 2. A description of the methods for maintaining and
466 updating the system and conducting strategic analyses, including
467 valuation and real property surplus or disposition analysis.

468 3. Specifications describing all functional and technical
469 requirements of the comprehensive system.

470 4. Reliable estimates of the initial and ongoing state and
471 local effort required to implement the comprehensive system of
472 state-owned real property.

473 5. Identification of the business processes that county
474 property appraisers and state agencies will use to keep the
475 comprehensive system data complete, current, and accurate.

476 6. Identification of state agency system usage requirements
477 and responsibilities.

478 7. Cost-benefit analysis documenting the specific direct
479 and indirect costs, savings, and qualitative and quantitative
480 benefits involved in or resulting from the implementation of the
481 comprehensive state-owned real property system.

482 8. Identify and recommend to the Governor and the chair of
483 the House Full Appropriations Council on General Government &
484 Health Care and the chair of the Senate Policy and Steering
485 Committee on Ways and Means any fiscal and substantive policy
486 changes that are needed to implement and maintain the
487 comprehensive system as documented in the feasibility study.

488 (8) The project management team shall work under the
489 direction of the executive steering committee. The project
490 management team must be headed by a full-time project manager
491 and consist of senior managers and personnel appointed by



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492 members of the executive steering committee. The project
493 management team is responsible for:

494 (a) Providing daily planning, management, and
495 implementation resources and capabilities for the project.

496 (b) Developing an operational work plan for the project and
497 providing proposed updates to the work plan to the executive
498 steering committee whenever necessary. The plan must specify
499 project milestones, deliverables, development, and
500 implementation schedule, and expenditures necessary to achieve
501 the main objectives identified in subsection (1).

502 (c) Submitting written monthly project status reports to
503 the executive steering committee which describe:

504 1. Planned project costs versus actual project costs.

505 2. Completion status of major milestones and deliverables
506 according to the project schedule.

507 3. Any issues requiring resolution, the proposed resolution
508 for the issues, and information regarding the status of the
509 resolution.

510 4. Specific risks that must be managed and methods for
511 their management.

512 5. Recommendations for necessary changes in the project's
513 scope, schedule, or costs. All recommendations must be reviewed
514 by project stakeholders before submission to the executive
515 steering committee in order to ensure that the recommendations
516 meet required acceptance criteria.

517 (d) Preparing the feasibility study required in subsection
518 (7) under the direction of the executive steering committee.

519 (e) Preparing project work plans and project status
520 reports, which shall also be provided to the Governor and the



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521 chair of the House Full Appropriations Council on General
522 Government & Health Care and the chair of the Senate Policy and
523 Steering Committee on Ways and Means.

524 (9) By October 1, 2010, the Division of Real Estate
525 Development and Management shall submit to the Governor, the
526 President of the Senate, and the Speaker of the House of
527 Representatives a report that lists the state-owned real
528 property recommended for disposition.

529 Section 8. This act shall take effect upon becoming a law.