

1 A bill to be entitled
 2 An act relating to local government; amending s. 125.35,
 3 F.S.; authorizing a board of county commissioners to
 4 negotiate the lease of certain county property for a
 5 limited period; amending s. 337.29, F.S.; authorizing
 6 transfers of right-of-way between local governments by
 7 deed; amending s. 843.08, F.S.; prohibiting a person from
 8 falsely personating a firefighter; providing criminal
 9 penalties; reenacting s. 921.0022(3)(b), F.S., relating to
 10 the offense severity ranking chart of the Criminal
 11 Punishment Code, to incorporate the amendment made to s.
 12 843.08, F.S., in a reference thereto; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Subsection (1) of section 125.35, Florida
 18 Statutes, is amended to read:

19 125.35 County authorized to sell real and personal
 20 property and to lease real property.—

21 (1) (a) The board of county commissioners may ~~is expressly~~
 22 ~~authorized to~~ sell and convey any real or personal property, and
 23 to lease real property, belonging to the county, whenever the
 24 board determines that it is to the best interest of the county
 25 to do so, to the highest and best bidder for the particular use
 26 the board deems to be the highest and best, for such length of
 27 term and such conditions as the governing body may in its
 28 discretion determine.

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29 (b) Notwithstanding ~~the provisions of~~ paragraph (a), the
 30 board of county commissioners is expressly authorized to:

31 1. Negotiate the lease of an airport or seaport facility;

32 2. Negotiate the lease of county property, other than an
 33 airport or seaport facility, for a term not to exceed 5 years;

34 3.2. Modify or extend an existing lease of real property
 35 for an additional term not to exceed 25 years, where the
 36 improved value of the lease has an appraised value in excess of
 37 \$20 million; or

38 4.3. Lease a professional sports franchise facility
 39 financed by revenues received pursuant to s. 125.0104 or s.
 40 212.20;

41
 42 under such terms and conditions as negotiated by the board.

43 (c) A ~~No~~ sale of any real property may not ~~shall~~ be made
 44 unless notice thereof is published once a week for at least 2
 45 weeks in some newspaper of general circulation published in the
 46 county, calling for bids for the purchase of the real estate so
 47 advertised to be sold. In the case of a sale, the bid of the
 48 highest bidder complying with the terms and conditions set forth
 49 in such notice shall be accepted, unless the board of county
 50 commissioners rejects all bids because they are too low. The
 51 board of county commissioners may require a deposit to be made
 52 or a surety bond to be given, in such form or in such amount as
 53 the board determines, with each bid submitted.

54 Section 2. Subsection (3) of section 337.29, Florida
 55 Statutes, is amended to read:

56 337.29 Vesting of title to roads; liability for torts.—

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57 (3) Title to all roads transferred in accordance with the
58 provisions of s. 335.0415 shall be in the governmental entity to
59 which such roads have been transferred, upon the recording of a
60 deed or a right-of-way map by the appropriate governmental
61 entity in the public land records of the county or counties in
62 which such rights-of-way are located. To the extent that
63 sovereign immunity has been waived, liability for torts shall be
64 in the governmental entity having operation and maintenance
65 responsibility as provided in s. 335.0415. Except as otherwise
66 provided by law, a municipality shall have the same
67 governmental, corporate, and proprietary powers with relation to
68 any public road or right-of-way within the municipality which
69 has been transferred to another governmental entity pursuant to
70 s. 335.0415 that the municipality has with relation to other
71 public roads and rights-of-way within the municipality.

72 Section 3. Section 843.08, Florida Statutes, is amended to
73 read:

74 843.08 Falsely personating officer, etc.—A person who
75 falsely assumes or pretends to be a sheriff, officer of the
76 Florida Highway Patrol, officer of the Fish and Wildlife
77 Conservation Commission, officer of the Department of
78 Environmental Protection, officer of the Department of
79 Transportation, officer of the Department of Financial Services,
80 officer of the Department of Corrections, correctional probation
81 officer, deputy sheriff, state attorney or assistant state
82 attorney, statewide prosecutor or assistant statewide
83 prosecutor, state attorney investigator, coroner, police
84 officer, firefighter, lottery special agent or lottery

85 | investigator, beverage enforcement agent, or watchman, or any
 86 | member of the Parole Commission and any administrative aide or
 87 | supervisor employed by the commission, or any personnel or
 88 | representative of the Department of Law Enforcement, or a
 89 | federal law enforcement officer as defined in s. 901.1505, and
 90 | takes upon himself or herself to act as such, or to require any
 91 | other person to aid or assist him or her in a matter pertaining
 92 | to the duty of any such officer, commits a felony of the third
 93 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
 94 | 775.084; however, a person who falsely personates any such
 95 | officer during the course of the commission of a felony commits
 96 | a felony of the second degree, punishable as provided in s.
 97 | 775.082, s. 775.083, or s. 775.084; except that if the
 98 | commission of the felony results in the death or personal injury
 99 | of another human being, the person commits a felony of the first
 100 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
 101 | 775.084.

102 | Section 4. For the purpose of incorporating the amendment
 103 | made by this act to section 843.08, Florida Statutes, in a
 104 | reference thereto, paragraph (b) of subsection (3) of section
 105 | 921.0022, Florida Statutes, is reenacted to read:

106 | 921.0022 Criminal Punishment Code; offense severity
 107 | ranking chart.—

108 | (3) OFFENSE SEVERITY RANKING CHART

109 | (b) LEVEL 2

Florida	Felony	
Statute	Degree	Description

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111	379.2431(1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
112	379.2431(1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
113	403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
114	517.07	3rd	Registration of securities and furnishing of prospectus required.
115	590.28(1)	3rd	Willful, malicious, or intentional burning.
116	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
117	787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more

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118			to public communication or any other public service.
	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
119			
	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
120			
	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
121			
	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
122			
	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
123			
	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
124			
	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
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126	817.52 (3)	3rd	Failure to redeliver hired vehicle.
127	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
128	817.60 (5)	3rd	Dealing in credit cards of another.
129	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
130	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
131	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
132	831.01	3rd	Forgery.
133	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
134	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
135	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.

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136 831.09 3rd Uttering forged notes, bills, checks,
drafts, or promissory notes.

137 831.11 3rd Bringing into the state forged bank
bills, checks, drafts, or notes.

138 832.05(3)(a) 3rd Cashing or depositing item with intent
to defraud.

139 843.08 3rd Falsely impersonating an officer.

140 893.13(2)(a)2. 3rd Purchase of any s. 893.03(1)(c),
(2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9.,
(3), or (4) drugs other than cannabis.

141 893.147(2) 3rd Manufacture or delivery of drug
paraphernalia.

142 Section 5. This act shall take effect July 1, 2010.