

By Senator Simpson

18-00494A-15

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1                   A bill to be entitled  
2       An act relating to the sale or exchange of surplus  
3       lands; amending s. 373.089, F.S.; extending the  
4       timeframe within which a certified appraisal may be  
5       obtained for lands to be sold as surplus; revising the  
6       procedures a water management district must follow for  
7       publishing a notice of intention to sell surplus  
8       lands; providing that parcels no longer essential or  
9       necessary for conservation purposes and valued below a  
10      certain threshold may be sold directly to the highest  
11      bidder; authorizing districts to include restrictions  
12      on future use of land sold; reenacting ss.  
13      259.101(6)(a), 373.139(6), and 380.0677(9), F.S., to  
14      incorporate the amendments made by this act to s.  
15      373.089, F.S., in references thereto; providing an  
16      effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

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20       Section 1. Subsections (1) and (3) of section 373.089,  
21      Florida Statutes, are amended, and subsection (8) is added to  
22      that section, to read:

23       373.089 Sale or exchange of lands, or interests or rights  
24      in lands.—The governing board of the district may sell lands, or  
25      interests or rights in lands, to which the district has acquired  
26      title or to which it may hereafter acquire title in the  
27      following manner:

28       (1) Any lands, or interests or rights in lands, determined  
29      by the governing board to be surplus may be sold by the

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30 district, at any time, for the highest price obtainable;  
31 however, in no case shall the selling price be less than the  
32 appraised value of the lands, or interests or rights in lands,  
33 as determined by a certified appraisal obtained within 360 ~~120~~  
34 days before the sale.

35 (3) Before selling any surplus land, or interests or rights  
36 in land, it shall be the duty of the district to cause a notice  
37 of intention to sell to be published ~~in a newspaper published in~~  
38 ~~the county in which the land, or interests or rights in the~~  
39 ~~land, is situated once each week~~ for 3 successive weeks. (three  
40 insertions being sufficient), The first publication of the  
41 required notice must occur at least ~~which shall be not less than~~  
42 30 days, but not ~~nor~~ more than 360 ~~45~~ days, before ~~prior to~~ any  
43 sale, and must include ~~which notice shall set forth~~ a  
44 description of lands, or interests or rights in lands, to be  
45 offered for sale.

46 (8) Notwithstanding this section, if a parcel of land is no  
47 longer essential or necessary for conservation purposes and is  
48 valued at \$25,000 or less as determined by a certified appraisal  
49 obtained within 360 days before any sale, the governing board  
50 may, after sending notice of its intention to sell the parcel to  
51 adjacent property owners by certified mail and publishing the  
52 required notice on its website, receive sealed offers for the  
53 parcel and sell the parcel directly to the highest bidder. The  
54 district may include a restriction on the future use of such  
55 parcel as a term and condition of the sale.

56 Section 2. Paragraph (a) of subsection (6) of s. 259.101,  
57 subsection (6) of s. 373.139, and subsection (9) of s. 380.0677,  
58 Florida Statutes, are reenacted for the purpose of incorporating

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59 the amendments made by this act to s. 373.089, Florida Statutes,  
60 in references thereto.

61 Section 3. This act shall take effect July 1, 2015.