

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Agriculture & Natural
2 Resources Subcommittee
3 Representative Porter offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Subsections (1), (3), and (7) of section
8 373.089, Florida Statutes, are amended, and subsection (8) is
9 added to that section, to read:

10 373.089 Sale or exchange of lands, or interests or rights
11 in lands.—The governing board of the district may sell lands, or
12 interests or rights in lands, to which the district has acquired
13 title or to which it may hereafter acquire title in the
14 following manner:

15 (1) Any lands, or interests or rights in lands, determined
16 by the governing board to be surplus may be sold by the
17 district, at any time, for the highest price obtainable;

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18 however, in no case shall the selling price be less than the
19 appraised value of the lands, or interests or rights in lands,
20 as determined by a certified appraisal obtained within 360 ~~120~~
21 days before the effective date of a contract for sale.

22 (3) Before selling any surplus land, or interests or
23 rights in land, it shall be the duty of the district to cause a
24 notice of intention to sell to be published in a newspaper
25 published in the county in which the land, or interests or
26 rights in the land, is situated once each week for 3 successive
27 weeks, ~~(three insertions being sufficient.)~~ The first
28 publication of the required notice must occur at least ~~which~~
29 ~~shall be not less than~~ 30 days, but not ~~nor~~ more than 360 ~~45~~
30 days, before ~~prior to~~ any sale and must include, ~~which notice~~
31 ~~shall set forth~~ a description of lands, or interests or rights
32 in lands, to be offered for sale.

33 (7) Notwithstanding other provisions of this section, the
34 governing board shall first offer title to lands acquired in
35 whole or in part with Florida Forever funds which are determined
36 to be no longer needed for conservation purposes to the Board of
37 Trustees of the Internal Improvement Trust Fund unless the
38 disposition of those lands is for the following purposes:

39 (a) Linear facilities, including electric transmission and
40 distribution facilities, telecommunication transmission and
41 distribution facilities, pipeline transmission and distribution
42 facilities, public transportation corridors, and related
43 appurtenances.

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44 (b) The disposition of the fee interest in the land where
45 a conservation easement is retained by the district to fulfill
46 the conservation objectives for which the land was acquired.

47 (c) An exchange of the land for other lands that meet or
48 exceed the conservation objectives for which the original land
49 was acquired in accordance with subsection (4).

50 (d) To be used by a governmental entity for a public
51 purpose.

52 (e) The portion of an overall purchase deemed surplus at
53 the time of acquisition.

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55 ~~If In the event~~ the Board of Trustees of the Internal
56 Improvement Trust Fund declines to accept title to the lands
57 offered under this section, the land may be disposed of by the
58 district under the provisions of this section.

59 (8) If a parcel of land is no longer essential or necessary
60 for conservation purposes and is valued at \$25,000 or less as
61 determined by a certified appraisal obtained within 360 days
62 before the effective date of the contract for sale, the
63 governing board may determine that the parcel of land is
64 surplus. The notice of intention to sell shall be published as
65 required under subsection (3), one time only. The governing
66 board shall send the notice of intention to sell the parcel to
67 adjacent property owners by certified mail and publish the
68 notice on its website.

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69 (a) Fourteen days after publication of such notice, the
70 district may sell the parcel to an adjacent property owner, or
71 if there are two or more owners of adjacent property, accept
72 sealed bids and sell the parcel to the highest bidder or reject
73 all offers.

74 (b) Thirty days after publication of such notice, the
75 district shall accept sealed bids and may sell the parcel to the
76 highest bidder or reject all offers.

77 Section 2. For the purpose of incorporating the amendment
78 made by this act to section 373.089, Florida Statutes, in a
79 reference thereto, subsection (6) of section 373.139, Florida
80 Statutes, is reenacted to read:

81 373.139 Acquisition of real property.—

82 (6) A district may dispose of land acquired under this
83 section pursuant to s. 373.056 or s. 373.089. However, no such
84 disposition of land shall be made if it would have the effect of
85 causing all or any portion of the interest on any revenue bonds
86 issued pursuant to s. 259.101 or s. 259.105 to fund the
87 acquisition programs detailed in this section to lose the
88 exclusion from gross income for purposes of federal income
89 taxation. Revenue derived from such disposition may not be used
90 for any purpose except the purchase of other lands meeting the
91 criteria specified in this section or payment of debt service on
92 revenue bonds or notes issued under s. 373.584.

93 Section 3. This act shall take effect July 1, 2016.

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

Remove everything before the enacting clause and insert:
An act relating to the sale or exchange of lands; amending s.
373.089, F.S.; extending the timeframe within which a certified
appraisal may be obtained for parcels of land to be sold as
surplus; revising the procedures a water management district
must follow for publishing a notice of intention to sell surplus
lands; providing an exception from such notice requirements if a
parcel of land is valued below a certain threshold; authorizing
such parcels to be sold directly to the highest bidder;
reenacting s. 373.139(6), F.S., relating to the disposition of
certain lands acquired by a water management district, to
incorporate the amendment made by the act to s. 373.089, F.S.,
in a reference thereto; providing an effective date.