

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Simpson

576-03003-16

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1 A bill to be entitled

2 An act relating to the sale or exchange of lands;
3 amending s. 373.089, F.S.; extending the timeframe
4 within which a certified appraisal may be obtained for
5 parcels of land 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 an exception from such notice
9 requirements if a parcel of land is valued below a
10 certain threshold; authorizing such parcels to be sold
11 directly to the highest bidder; providing an effective
12 date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsections (1), (3), and (7) of section
17 373.089, Florida Statutes, are amended, and subsection (8) is
18 added to that section, to read:

19 373.089 Sale or exchange of lands, or interests or rights
20 in lands.—The governing board of the district may sell lands, or
21 interests or rights in lands, to which the district has acquired
22 title or to which it may hereafter acquire title in the
23 following manner:

24 (1) Any lands, or interests or rights in lands, determined
25 by the governing board to be surplus may be sold by the
26 district, at any time, for the highest price obtainable;
27 however, in no case shall the selling price be less than the
28 appraised value of the lands, or interests or rights in lands,
29 as determined by a certified appraisal obtained within 360 ~~120~~
30 days before the effective date of a contract for sale.

31 (3) Before selling any surplus land, or interests or rights

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

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

48 (a) Linear facilities, including electric transmission and
49 distribution facilities, telecommunication transmission and
50 distribution facilities, pipeline transmission and distribution
51 facilities, public transportation corridors, and related
52 appurtenances.

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

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

59 (d) To be used by a governmental entity for a public
60 purpose.

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

63
64 ~~If In the event~~ the Board of Trustees of the Internal
65 Improvement Trust Fund declines to accept title to the lands
66 offered under this section, the land may be disposed of by the
67 district under the provisions of this section.

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

78 (a) Fourteen days after publication of such notice, the
79 district may sell the parcel to an adjacent property owner, or
80 if there are two or more owners of adjacent property, accept
81 sealed bids and sell the parcel to the highest bidder or reject
82 all offers.

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

86 Section 2. This act shall take effect July 1, 2016.