

1 A bill to be entitled
 2 An act relating to a public records; amending s.
 3 373.089, F.S.; providing an exemption for valuations,
 4 certain records, and sales offers for sales related to
 5 surplus lands; authorizing disclosure of such records
 6 under certain circumstances; providing for future
 7 legislative review and repeal of the exemption;
 8 providing a statement of public necessity; providing a
 9 contingent effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Subsection (1) of section 373.089, Florida
 14 Statutes, is amended to read:

15 373.089 Sale or exchange of lands, or interests or rights
 16 in lands.—The governing board of the district may sell lands, or
 17 interests or rights in lands, to which the district has acquired
 18 title or to which it may hereafter acquire title in the
 19 following manner:

20 (1) (a) Any lands, or interests or rights in lands,
 21 determined by the governing board to be surplus may be sold by
 22 the district, at any time, for the highest price obtainable;
 23 however, ~~in no case shall~~ the selling price may not be less than
 24 the appraised value of the lands, or interests or rights in
 25 lands, as determined by a certified appraisal obtained within

26 | 360 days before the effective date of a contract for sale.

27 | (b) A written valuation of land determined to be surplus
28 | pursuant to this section; related documents used to form, or
29 | which pertain to, the valuation; and written offers to purchase
30 | such surplus land are confidential and exempt from s. 119.07(1)
31 | and s. 24(a), Art. I of the State Constitution. This exemption
32 | expires upon:

33 | 1. The contract or agreement regarding the purchase,
34 | exchange, or disposal of the surplus land being approved by the
35 | district;

36 | 2. In the sole discretion of the district, the conclusion
37 | of negotiations or marketing efforts related to the surplus
38 | land; or

39 | 3. The passage of 1 year from the date of the completion
40 | of the valuation.

41 | (c) Before expiration of the exemption established in
42 | paragraph (b), and in order to facilitate successful or
43 | expedited closure of the sale of surplus land, the district may
44 | disclose confidential and exempt valuations and valuation
45 | information which are related to surplus land, or written offers
46 | to purchase such surplus land, to potential purchasers:

47 | 1. During negotiations for the sale or exchange of the
48 | land; or

49 | 2. During the marketing effort or bidding process
50 | associated with the sale, disposal, or exchange of the land.

51 (d) Paragraphs (b) and (c) are subject to the Open
52 Government Sunset Review Act in accordance with s. 119.15 and
53 shall stand repealed on October 2, 2023, unless reviewed and
54 saved from repeal through reenactment by the Legislature.

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

60 Section 2. The Legislature finds that it is a public
61 necessity that written valuation of land determined to be
62 surplus pursuant to s. 373.089, Florida Statutes, related
63 documents used to form the valuation or which pertain to the
64 valuation, and written offers to purchase surplus land, be made
65 confidential and exempt from s. 119.07(1), Florida Statutes, and
66 s. 24(a), Article I of the State Constitution for up to 1 year
67 at a water management district's discretion in order to
68 facilitate successful or expedited closure of the sale of
69 surplus lands. The public availability of such valuations,
70 related documents, and written offers can negatively impact the
71 ability of water management districts to negotiate with
72 potential purchasers and potentially places water management
73 districts at a disadvantage in attempting to maximize the return
74 on the sale of surplus land.

75 Section 3. This act shall take effect on the same date

76 | that HB 703 or similar legislation takes effect, if such
77 | legislation is adopted in the same legislative session or an
78 | extension thereof and becomes a law.