

2019620er

1  
2 An act relating to military-friendly initiatives;  
3 amending s. 163.3175, F.S.; specifying additional  
4 military installations that may exchange certain  
5 information with local governments regarding  
6 compatibility of land development; amending s.  
7 197.572, F.S.; providing that an easement for certain  
8 military lands continues after a tax sale or deed  
9 execution; amending s. 320.08058, F.S.; directing the  
10 Department of Highway Safety and Motor Vehicles to  
11 develop a Blue Angels license plate; providing for the  
12 distribution and use of fees collected from the sale  
13 of such plate; amending s. 1003.05, F.S.; requiring a  
14 student whose parent is transferred or pending  
15 transfer to a military installation within a school  
16 district to be considered a resident of the district  
17 and provided preferential treatment in the controlled  
18 open enrollment process under certain circumstances;  
19 amending s. 1009.21, F.S.; revising requirements for  
20 active duty servicemembers and their families to be  
21 classified as residents for tuition purposes;  
22 providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:  
25

26 Section 1. Present paragraphs (i) through (n) of subsection  
27 (2) of section 163.3175, Florida Statutes, are redesignated as  
28 paragraphs (j) through (o), respectively, and a new paragraph  
29 (i) and paragraph (p) are added to that subsection, to read:

2019620er

30           163.3175 Legislative findings on compatibility of  
31 development with military installations; exchange of information  
32 between local governments and military installations.-

33           (2) Certain major military installations, due to their  
34 mission and activities, have a greater potential for  
35 experiencing compatibility and coordination issues than others.  
36 Consequently, this section and the provisions in s.  
37 163.3177(6)(a), relating to compatibility of land development  
38 with military installations, apply to specific affected local  
39 governments in proximity to and in association with specific  
40 military installations, as follows:

41           (i) Naval Support Activity Orlando, including Bugg Spring  
42 and Naval Ordnance Test Unit, associated with Orange County and  
43 Orlando.

44           (p) United States Southern Command, associated with Miami-  
45 Dade County and Doral.

46           Section 2. Section 197.572, Florida Statutes, is amended to  
47 read:

48           197.572 Certain easements ~~for conservation purposes, public~~  
49 ~~service purposes, support of certain improvements, or drainage~~  
50 ~~or ingress and egress~~ survive tax sales and deeds.-

51           (1) When any lands are sold for the nonpayment of taxes, or  
52 any tax certificate is issued thereon by a governmental unit or  
53 agency or pursuant to any tax lien foreclosure proceeding, the  
54 title to the lands shall continue to be subject to any easement:

55           (a) For conservation purposes as provided in s. 704.06 or  
56 for telephone, telegraph, pipeline, power transmission, or other  
57 public service purpose.+

58           (b) ~~and shall continue to be subject to any easement~~ That

2019620er

59 supports improvements that may be constructed above the lands.~~†~~  
60 ~~(c) and any easement~~ For the purposes of drainage or of  
61 ingress and egress to and from other land.

62 (d) For base buffering encroachment lands acquired through  
63 a fee simple or less-than-fee simple acquisition under s.  
64 288.980(2)(b).

65 (2) An ~~The~~ easement described in subsection (1) and the  
66 rights of the owner of the easement ~~it~~ shall survive and be  
67 enforceable after the execution, delivery, and recording of a  
68 tax deed, a master's deed, or a clerk's certificate of title  
69 pursuant to foreclosure of a tax deed, tax certificate, or tax  
70 lien, to the same extent as though the land had been conveyed by  
71 voluntary deed. The easement must be evidenced by written  
72 instrument recorded in the office of the clerk of the circuit  
73 court in the county where such land is located before the  
74 recording of such tax deed or master's deed, or, if not  
75 recorded, an easement for a public service purpose must be  
76 evidenced by wires, poles, or other visible occupation, an  
77 easement for drainage must be evidenced by a waterway, water  
78 bed, or other visible occupation, and an easement for the  
79 purpose of ingress and egress must be evidenced by a road or  
80 other visible occupation to be entitled to the benefit of this  
81 section; however, this shall apply only to tax deeds issued  
82 after the effective date of this act.

83 Section 3. Subsection (84) is added to section 320.08058,  
84 Florida Statutes, to read:

85 320.08058 Specialty license plates.—

86 (84) BLUE ANGELS LICENSE PLATES.—

87 (a) The department shall develop a Blue Angels license

2019620er

88 plate as provided in this section and s. 320.08053. The plate  
89 must bear the colors and design approved by the department. The  
90 word "Florida" must appear at the top of the plate, and the  
91 words "Home of the Blue Angels" must appear at the bottom of the  
92 plate; however, the development of the plate is contingent upon  
93 the enactment of legislation creating an annual use fee under s.  
94 320.08056 for the Blue Angels license plate.

95 (b) The annual use fees from the sale of the plate shall be  
96 distributed to the Naval Aviation Museum Foundation, a nonprofit  
97 Florida corporation under s. 501(c)(3) of the Internal Revenue  
98 Code, to fund the maintenance, programs, marketing, and projects  
99 of the foundation, including the National Naval Aviation Museum  
100 and the National Flight Academy in Pensacola. Up to 10 percent  
101 of the funds received by the Naval Aviation Museum Foundation  
102 may be used for marketing of the plate and costs directly  
103 associated with the administration of the foundation. The Naval  
104 Aviation Museum Foundation shall distribute 50 percent of the  
105 funds to eligible programs and projects associated with the  
106 National Flight Academy and the remainder of the funds to  
107 eligible programs and projects associated with the National  
108 Naval Aviation Museum.

109 Section 4. Subsection (4) is added to section 1003.05,  
110 Florida Statutes, to read:

111 1003.05 Assistance to transitioning students from military  
112 families.—

113 (4) A student whose parent is transferred or is pending  
114 transfer to a military installation within a school district  
115 while on active military duty pursuant to an official military  
116 order shall be considered a resident of the school district for

2019620er

117 purposes of enrollment when the order is submitted to the school  
118 district and shall be provided preferential treatment in the  
119 controlled open enrollment process of the school district  
120 pursuant to s. 1002.31.

121 Section 5. Paragraphs (a) and (b) of subsection (10) of  
122 section 1009.21, Florida Statutes, are amended to read:

123 1009.21 Determination of resident status for tuition  
124 purposes.—Students shall be classified as residents or  
125 nonresidents for the purpose of assessing tuition in  
126 postsecondary educational programs offered by charter technical  
127 career centers or career centers operated by school districts,  
128 in Florida College System institutions, and in state  
129 universities.

130 (10) The following persons shall be classified as residents  
131 for tuition purposes:

132 (a) Active duty members of the Armed Services of the United  
133 States ~~residing or stationed in this state~~, their spouses, and  
134 their dependent children residing or stationed in this state at  
135 the time of acceptance to a Florida College System institution  
136 or state university, and active drilling members of the Florida  
137 National Guard.

138 (b) Active duty members of the Armed Services of the United  
139 States and their spouses and dependents attending a Florida  
140 College System institution or state university within 50 miles  
141 of the military establishment where they are stationed at the  
142 time of acceptance to the Florida College System institution or  
143 state university, if such military establishment is within a  
144 county contiguous to Florida.

145 Section 6. This act shall take effect July 1, 2019.