

1 A bill to be entitled
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. 1003.05, F.S.; requiring school
10 districts to accept certain military orders as proof
11 of residency of dependent children for admission to
12 district programs; amending s. 1009.21, F.S.; revising
13 requirements for active duty servicemembers and their
14 families to be classified as residents for tuition
15 purposes; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraphs (i) through (n) of subsection (2) of
20 section 163.3175, Florida Statutes, are redesignated as
21 paragraphs (j) through (o), respectively, and new paragraphs (i)
22 and (p) are added to that subsection to read:

23 163.3175 Legislative findings on compatibility of
24 development with military installations; exchange of information
25 between local governments and military installations.-

26 (2) Certain major military installations, due to their
 27 mission and activities, have a greater potential for
 28 experiencing compatibility and coordination issues than others.
 29 Consequently, this section and the provisions in s.
 30 163.3177(6)(a), relating to compatibility of land development
 31 with military installations, apply to specific affected local
 32 governments in proximity to and in association with specific
 33 military installations, as follows:

34 (i) Naval Support Activity Orlando, including Bugg Spring
 35 and Naval Ordinance Test Unit, associated with Orange County and
 36 Orlando.

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

39 Section 2. Section 197.572, Florida Statutes, is amended
 40 to read:

41 197.572 Certain easements ~~for conservation purposes,~~
 42 ~~public service purposes, support of certain improvements, or~~
 43 ~~drainage or ingress and egress~~ survive tax sales and deeds.—

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

49 (a) For conservation purposes as provided in s. 704.06 or
 50 for telephone, telegraph, pipeline, power transmission, or other

51 public service purpose.~~†~~

52 (b) ~~and shall continue to be subject to any easement~~ That
 53 supports improvements that may be constructed above the lands.~~†~~

54 (c) ~~and any easement~~ For the purposes of drainage or of
 55 ingress and egress to and from other land.

56 (d) For base buffering encroachment lands acquired through
 57 a fee simple or less-than-fee simple acquisition under s.
 58 288.980(2)(b).

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

76 | after the effective date of this act.

77 | Section 3. Subsection (4) is added to section 1003.05,
78 | Florida Statutes, to read:

79 | 1003.05 Assistance to transitioning students from military
80 | families.—

81 | (4) A school district shall accept a permanent change of
82 | station order relocating a military family to a local military
83 | installation as proof of residency of each dependent child
84 | listed in the order for the child's admission to all district-
85 | authorized programs, including, but not limited to, those
86 | programs provided in subsection (3).

87 | Section 4. Paragraphs (a) and (b) of subsection (10) of
88 | section 1009.21, Florida Statutes, are amended to read:

89 | 1009.21 Determination of resident status for tuition
90 | purposes.—Students shall be classified as residents or
91 | nonresidents for the purpose of assessing tuition in
92 | postsecondary educational programs offered by charter technical
93 | career centers or career centers operated by school districts,
94 | in Florida College System institutions, and in state
95 | universities.

96 | (10) The following persons shall be classified as
97 | residents for tuition purposes:

98 | (a) Active duty members of the Armed Services of the
99 | United States ~~residing or stationed in this state~~, their
100 | spouses, and their dependent children residing or stationed in

101 this state at the time of acceptance to a Florida College System
102 institution or state university, and active drilling members of
103 the Florida National Guard.

104 (b) Active duty members of the Armed Services of the
105 United States and their spouses and dependents attending a
106 Florida College System institution or state university within 50
107 miles of the military establishment where they are stationed at
108 the time of acceptance to the Florida College System institution
109 or state university, if such military establishment is within a
110 county contiguous to Florida.

111 Section 5. This act shall take effect July 1, 2019.