

By Senator Powell

24-00624-23

2023678__

1 A bill to be entitled
2 An act relating to disposal of property; amending s.
3 337.25, F.S.; providing that the use of property as
4 affordable housing qualifies as use for a public
5 purpose in the context of the authorization of the
6 Department of Transportation to convey property
7 without consideration to a governmental entity;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (b) of subsection (4) of section
13 337.25, Florida Statutes, is amended to read:

14 337.25 Acquisition, lease, and disposal of real and
15 personal property.—

16 (4) The department may convey, in the name of the state,
17 any land, building, or other property, real or personal, which
18 was acquired under subsection (1) and which the department has
19 determined is not needed for the construction, operation, and
20 maintenance of a transportation facility. When such a
21 determination has been made, property may be disposed of through
22 negotiations, sealed competitive bids, auctions, or any other
23 means the department deems to be in its best interest, with due
24 advertisement for property valued by the department at greater
25 than \$10,000. A sale may not occur at a price less than the
26 department's current estimate of value, except as provided in
27 paragraphs (a)-(d). The department may afford a right of first
28 refusal to the local government or other political subdivision
29 in the jurisdiction in which the parcel is situated, except in a

24-00624-23

2023678__

30 conveyance transacted under paragraph (a), paragraph (c), or
31 paragraph (e). Notwithstanding any provision of this section to
32 the contrary, before any conveyance under this subsection may be
33 made, except a conveyance under paragraph (a) or paragraph (c),
34 the department shall first afford a right of first refusal to
35 the previous property owner for the department's current
36 estimate of value of the property. The right of first refusal
37 must be made in writing and sent to the previous owner via
38 certified mail or hand delivery, effective upon receipt. The
39 right of first refusal must provide the previous owner with a
40 minimum of 30 days to exercise the right in writing and must be
41 sent to the originator of the offer by certified mail or hand
42 delivery, effective upon dispatch. If the previous owner
43 exercises his or her right of first refusal, the previous owner
44 has a minimum of 90 days to close on the property. The right of
45 first refusal set forth in this subsection may not be required
46 for the disposal of property acquired more than 10 years before
47 the date of disposition by the department.

48 (b) If the property is to be used for a public purpose,
49 including, but not limited to, affordable housing as provided in
50 ss. 125.379 and 166.0451, the property may be conveyed without
51 consideration to a governmental entity.

52 Section 2. This act shall take effect July 1, 2023.