

By the Committee on Environment and Natural Resources

592-02147-23

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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 373.089, F.S., which
4 provides an exemption from public records requirements
5 for written valuations of surplus lands, documents
6 used to form or pertaining to such a valuation, and
7 written offers to purchase surplus land held by a
8 water management district; removing the scheduled
9 repeal of the exemption; providing an effective date.

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

12
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, the selling price may not be less than the appraised
24 value of the lands, or interests or rights in lands, as
25 determined by a certified appraisal obtained within 360 days
26 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

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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 2 weeks before the contract or agreement regarding the
33 purchase, exchange, or disposal of the surplus land is first
34 considered for approval by the district.

35 (c) Before expiration of the exemption established in
36 paragraph (b), and in order to facilitate successful or
37 expedited closure of the sale of surplus land, the district may
38 disclose confidential and exempt valuations and valuation
39 information which are related to surplus land, or written offers
40 to purchase such surplus land, to potential purchasers:

41 1. During negotiations for the sale or exchange of the
42 land;

43 2. During the marketing effort or bidding process
44 associated with the sale, disposal, or exchange of the land;

45 3. When the passage of time has made the conclusions of
46 value invalid; or

47 4. When negotiations or marketing efforts concerning the
48 land are concluded.

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51 ~~shall stand repealed on October 2, 2023, unless reviewed and~~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

53
54 If the Board of Trustees of the Internal Improvement Trust Fund
55 declines to accept title to the lands offered under this
56 section, the land may be disposed of by the district under the
57 provisions of this section.

58 Section 2. This act shall take effect October 1, 2023.