

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 4065](#)

**TITLE:** City of Auburndale, Polk County

**SPONSOR(S):** Albert

**COMPANION BILL:** None

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 115 Y's

0 N's

**GOVERNOR'S ACTION:** Pending

### SUMMARY

#### Effect of the Bill:

The bill directs the Board of Trustees of the Internal Improvement Trust Fund to convey approximately 3.15 acres from the state to the City of Auburndale in Polk County. The bill requires the city to use the land for recreational purposes.

#### Fiscal or Economic Impact:

None.

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### ANALYSIS

#### EFFECT OF THE BILL:

The bill directs the Board of Trustees of the Internal Improvement Trust Fund (Board) to convey, in fee simple, approximately 3.15 acres of [state lands](#) to the City Commission of the [City of Auburndale](#) in Polk County. (Section [1](#))

The bill requires the city to manage and protect the conveyed property and use it continuously for recreational purposes. In the event of a sale or disposition of the property, the bill gives the Board the option to regain ownership of the property. (Section [2](#))

The bill requires the Board to convey the property to the city within 90 days of the bill taking effect. (Section [3](#))

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law. (Section [4](#))

### RELEVANT INFORMATION

#### SUBJECT OVERVIEW:

##### State Lands

The State of Florida owns lands for many purposes including preservation, conservation, recreation, water management, historic preservation, and administration of government. These lands include all:

- Swamp and overflowed lands held by the state or that may inure to the state.
- Lands owned by the state by right of its sovereignty.<sup>1</sup>
- Internal improvement lands proper.
- Tidal lands.
- Lands covered by shallow waters of the ocean or gulf, or bays or lagoons thereof, and all lands owned by the state covered by fresh water.
- Parks, reservations, or lands or bottoms set aside in the name of the state, excluding lands held for transportation facilities and transportation corridors and canal rights-of-way.

<sup>1</sup> These are "sovereignty submerged lands," which include but are not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated. R. 18-21.003(67), F.A.C.

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- Lands that have accrued or may accrue to the state.<sup>2</sup>

State lands are held in trust for the use and benefit of the people of Florida by the Board of Trustees of the Internal Improvement Trust Fund (Board).<sup>3</sup> The Board consists of the Governor, Attorney General, Chief Financial Officer, and Commissioner of Agriculture.<sup>4</sup> The Board may sell, transfer, and administer state lands in the manner consistent with state law.<sup>5</sup>

The Division of State Lands within the Department of Environmental Protection generally performs all staff duties and functions related to the acquisition, administration, and disposition of state lands, although certain staff duties may be performed by water management districts, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission.<sup>6</sup>

### City of Auburndale

The City of Auburndale was incorporated in 1911.<sup>7</sup> The city, located in Polk County, has a population of 20,186.<sup>8</sup> The area was first settled in the 1880s as an artist colony, including many innovators of modern dance.<sup>9</sup> The city is renowned for its impressive lakes fed by subterranean rivers. The city currently operates Lake Ariana Park, subject to a long-term lease with the state.<sup>10</sup> The city is currently in the process of renovating the park to include a new civic center, as well as a boat dock, picnic pavilions, beach volleyball courts, and a new playground.<sup>11</sup>

### **Local Bill Forms**

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.<sup>12</sup> A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website<sup>13</sup> at least 30 days prior to the introduction of the local bill in the House or Senate.<sup>14</sup> The bill was noticed in [The Winter Haven Sun on January 29, 2025](#).

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.<sup>15</sup> Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- [Local Bill Certification Form](#)
- [Economic Impact Statement](#)

<sup>2</sup> S. [253.03\(1\), F.S.](#)

<sup>3</sup> S. [253.001, F.S.](#)

<sup>4</sup> S. [253.02\(1\), F.S.](#)

<sup>5</sup> *Id.*

<sup>6</sup> S. [253.002\(1\), F.S.](#)

<sup>7</sup> Florida League of Cities, [Florida Cities by Incorporation Year](#) (last visited Apr. 17, 2025).

<sup>8</sup> University of Florida Bureau of Economic and Business Research, [Florida Estimates of Population 2024](#), p. 16 (last visited Apr. 17, 2025).

<sup>9</sup> Polk County Historical Association, Polk County Historical Quarterly, [Auburndale – Queen City of the Ridge](#), Dec. 1976 (last visited Apr. 17, 2025).

<sup>10</sup> Economic Impact Statement for HB 4065 (2025).

<sup>11</sup> Carla Bayron, Fox 13 Tampa Bay, [Lake Ariana Park renovation plans revealed in Auburndale](#), Apr. 10, 2024 (last visited Apr. 17, 2025).

<sup>12</sup> [Art. III, s. 10, Fla. Const.](#)

<sup>13</sup> S. [50.0311\(2\), F.S.](#)

<sup>14</sup> S. [11.02, F.S.](#) If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.

<sup>15</sup> Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Apr. 17, 2025).