

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

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

**BILL #:** [HB 4085](#)

**TITLE:** Okeechobee Utility Authority, Okeechobee County

**SPONSOR(S):** Tuck

**COMPANION BILL:** None

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Intergovernmental Affairs](#)

13 Y, 0 N



[Natural Resources & Disasters](#)



[State Affairs](#)

## SUMMARY

### Effect of the Bill:

The bill directs the Board of Trustees of the Internal Improvement Trust Fund to convey approximately 406.9 acres of state lands to the Okeechobee Utility Authority. The lands are the site of a wastewater treatment plant operated by the authority.

### 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 406.9 acres of [state lands](#), known as the [Cemetery Road Wastewater Treatment Plant](#), to the [Okeechobee Utility Authority](#) (Authority). (Section [1](#))

The bill requires that the Board convey the property to the Authority within 30 days of the bill taking effect. (Section [2](#))

The bill provides an effective date of July 1, 2026, or upon becoming a law, whichever occurs later. (Section [3](#))

### FISCAL OR ECONOMIC IMPACT:

#### LOCAL GOVERNMENT:

The Economic Impact Statement for the bill states that there are no costs associated with the transfer of the property.

## 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;

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- 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; and
- 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>

### Okeechobee Utility Authority

The Okeechobee Utility Authority (Authority) provides water and wastewater services to the residents of Okeechobee County and a portion of Glades County.<sup>7</sup> The Authority was created by an interlocal agreement between the City of Okeechobee and Okeechobee County and began full operation in September 1995. As of May 2025, the Authority had a total of 10,206 metered water accounts and 4,837 sewer accounts. Current average daily production for potable drinking water is 2.78 million gallons, with a maximum daily production of 5 million gallons per day. The Authority is governed by a five-member Board of Directors with two members appointed by Okeechobee County, two members appointed by the City of Okeechobee, and a fifth member appointed by the other four members to represent the portions of Glades County serviced by the Authority. The Authority's budget for the 2025-26 fiscal year is \$39,442,812.<sup>8</sup>

### Cemetery Road Wastewater Treatment Plant

In 1983, the City of Okeechobee (City) signed a 50-year lease with the Board for the Cemetery Road Wastewater Treatment Plant (Plant) to provide a site for a sewage disposal plant and a wastewater spray irrigation facility.<sup>9</sup> In 1995, the City assigned the lease to the Authority.<sup>10</sup> On September 3, 2025, the Authority published a Notice of Intent to apply for a modification permit for a Class I injection well system for the Plant for the disposal of secondary-treated and high-level disinfected municipal wastewater.<sup>11</sup> According to the Economic Impact Form

<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.

<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> Okeechobee Utility Authority, [About Us](#) (last visited Jan. 20, 2026).

<sup>8</sup> Okeechobee Utility Authority, [Fiscal Year 2026 Budget Summary](#) (last visited Jan. 20, 2026).

<sup>9</sup> Lease Agreement between the Board of Trustees of the Internal Improvement Trust Fund and the City of Okeechobee (Dec. 23, 1983), available at Fla. Dept. of Environmental Protection, [Board of Trustees Land Document System](#), Document #3304 (last visited Jan. 20, 2026).

<sup>10</sup> *Id.*

<sup>11</sup> Okeechobee Utility Authority, [Notice of Intent - Cemetery Road Wastewater Treatment Plant IW-1 Injection Well System Permit](#) (last visited Jan. 20, 2026).

submitted for the bill, the Authority states it seeks the transfer of the property to avoid any future risk regarding the renewal of the lease agreement with the Board.<sup>12</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>13</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>14</sup> at least 30 days prior to the introduction of the local bill in the House or Senate.<sup>15</sup> The bill was noticed in the [Lake Okeechobee News on September 3, 2025](#).

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.<sup>16</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 Form](#)

## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Intergovernmental Affairs Subcommittee</a>	13 Y, 0 N	1/28/2026	Darden	Hilliard
<a href="#">Natural Resources &amp; Disasters Subcommittee</a>				
<a href="#">State Affairs Committee</a>				

<sup>12</sup> House of Representatives, [Economic Impact Statement Form](#), Bill #4085 (last visited Jan. 20, 2026).

<sup>13</sup> [Art. III, s. 10, Fla. Const.](#)

<sup>14</sup> [S. 50.0311\(2\), F.S.](#)

<sup>15</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>16</sup> Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Jan. 20, 2026).