

By Representative Greenstein

1                                   A bill to be entitled  
2           An act relating to public property and  
3           buildings; designating the procedure for the  
4           sale of public property to the tenants  
5           conducting the majority of business in a state  
6           facility; authorizing the Division of  
7           Facilities Management to procure real estate  
8           appraisals on a state facility and requiring  
9           the division to institute a procedure to  
10          negotiate the sale or privatization of a state  
11          facility; requiring a state facility to meet  
12          certain criteria; providing an effective date.

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14           WHEREAS, the State of Florida currently owns  
15          significant public properties and buildings, known as state  
16          facilities, and

17           WHEREAS, the Florida Legislature wishes to promote  
18          businesses of Florida while upgrading certain state facilities  
19          through privatization, and

20           WHEREAS, certain state facilities need considerable  
21          capital improvements to continue to provide the services  
22          necessary for Florida businesses, and

23           WHEREAS, it is the Legislature's public policy to  
24          promote private industry in areas such as property  
25          construction, renovation, and management, and

26           WHEREAS, certain state facilities are operating without  
27          significant capital improvements to fully optimize the use of  
28          the state facilities, NOW, THEREFORE,

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30          Be It Enacted by the Legislature of the State of Florida:

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1           Section 1. Division of Facilities Management of the  
2 Department of the Management Services to institute a program  
3 of privatization of certain state facilities.--

4           (1) The Division of Facilities Management shall  
5 privatize certain state facilities where the majority of  
6 tenants on the facility are private businesses, the majority  
7 of the private business tenants petition the division, and the  
8 facility meets one or more of the following criteria:

9           (a) The facility is more than 25 years old and is in  
10 need of substantial capital improvements;

11           (b) The Office of Program Policy Analysis and  
12 Government Accountability has issued a report questioning the  
13 long-term viability of the facility or states that the sale of  
14 the facility is appropriate;

15           (c) The state agency has provided in its budget for  
16 substantial capital improvements and the budget request has  
17 gone unfunded for 2 consecutive years;

18           (d) The state facility requires asbestos removal from  
19 the buildings on the facility and such removal has not been  
20 undertaken within 2 years of discovery; or

21           (e) The department has made budget requests for  
22 substantial improvements that have remained unfunded for 2  
23 years.

24           (2) For purposes of this section, the term  
25 "substantial capital improvement" means that the cost of the  
26 capital improvement would exceed 25 percent of the appraised  
27 value of the property. This includes the cost of removal and  
28 replacement of outdated facilities.

29           (3) The Division of Facilities Management shall have 6  
30 months from the date of the receipt of the petition to procure  
31 up to three appraisals of the facility for purposes of

1 negotiating with the petitioning tenants to sell the facility  
2 for the average price of the appraisals.

3 (4) The agreement for purchase shall be executed by  
4 the appropriate department within 90 days after the return of  
5 the appraisals.

6 (5) Notwithstanding any other provision of this  
7 section, the petitioning tenants shall have a right of first  
8 refusal to purchase the state facility, provided the majority  
9 of the tenants have petitioned the division.

10 (6) The department selling the facility and receiving  
11 the moneys from such sale shall pay the expenses of the sale  
12 to the Division of Facilities Management and the proceeds from  
13 the sale shall be utilized for capital improvements of other  
14 state facilities.

15 Section 2. This act shall take effect upon becoming a  
16 law.

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19 HOUSE SUMMARY

20  
21 Directs the Division of Facilities Management of the  
22 Department of Management Services to privatize certain  
23 state facilities where the majority of tenants on the  
24 facility are private businesses and the majority of such  
25 private business tenants petition the division and meet  
26 other described criteria. Provides procedures. See bill  
27 for details.  
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