

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Greenstein and Ogles offered the following:

13 **Amendment (with title amendment)**

14 On page 1, line 11,

16 insert:

17 Section 1. The Board of Trustees of the Internal  
18 Improvement Trust Fund shall institute a program of  
19 privatization of certain state facilities.

20 (1) The Board of Trustees of the Internal Improvement  
21 Trust Fund shall privatize certain state facilities where the  
22 majority private business tenants on the facility are private  
23 businesses, the majority private business tenants petition the  
24 board of trustees, and the facility meets one or more of the  
25 following criteria:

26 (a) The state facility is more than 25 years old and  
27 is in need of substantial capital improvements;

28 (b) The Office of Program Policy Analysis and  
29 Government Accountability has issued a report questioning the  
30 long-term viability of the state facility or states that the  
31 sale of the state facility is appropriate;

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1           (c) The state agency has provided in its budget for  
2 substantial capital improvements to the state facility and the  
3 budget request has gone unfunded for 2 consecutive years; or

4           (d) The state facility requires asbestos removal from  
5 the buildings on the facility and such removal has not been  
6 undertaken within 2 years of discovery.

7           (2) For purposes of this section, the term:

8           (a) "Substantial capital improvement" means that the  
9 capital improvements' cost would exceed 25 percent of the  
10 appraised value of the property, including the cost of removal  
11 and replacement of outdated buildings on the public property.

12           (b) "State facility" means public property and  
13 buildings consisting of 25 acres or less of state-owned land  
14 that is improved with office space and is leased by the state  
15 to private tenants that occupy the majority of the square  
16 footage of the leased space.

17           (c) "Majority private business tenants" means the  
18 nongovernmental lessees of the state facilities which lease  
19 the majority of the square footage of state facilities which  
20 is for lease.

21           (3) The Board of Trustees of the Internal Improvement  
22 Trust Fund shall have 6 months from the date of the receipt of  
23 the petition to procure three appraisals of the facility for  
24 purposes of negotiating with the petitioning tenants to sell  
25 the state facility for the average price of the appraisals.

26           (4) The agreement for purchase shall be executed by  
27 the Board of Trustees of the Internal Improvement Trust Fund  
28 within 9 months after the date of the receipt of tenant  
29 petition and shall be for the average price of the three  
30 appraisals.

31           (5) Notwithstanding any other law to the contrary, the

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1 majority private business tenants shall have a right of first  
2 refusal to purchase the state facility, provided the majority  
3 private business tenants have petitioned the state in their  
4 petition. Such right of first refusal must be exercised within  
5 90 days after notice of the sale to the tenants.

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8 ===== T I T L E    A M E N D M E N T =====

9 And the title is amended as follows:

10           On page 1, line 8,  
11 remove from the title: providing an effective date.

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13 and insert:

14           designating the procedure for the sale of  
15           public property to the tenants doing the  
16           majority of business in the public property;  
17           authorizing the Division of Facility Management  
18           to procure real estate appraisals on the public  
19           property; requiring the Board of Trustees of  
20           the Internal Improvement Trust Fund to  
21           institute a procedure to negotiate the sale and  
22           privatization of certain public property and  
23           buildings; providing an effective date.

24

25           WHEREAS, the State of Florida currently owns  
26 significant public properties and buildings located on those  
27 public properties, known as state facilities, and

28           WHEREAS, the Legislature wishes to promote businesses  
29 within Florida while upgrading certain state facilities  
30 through privatization, and

31           WHEREAS, certain state facilities need substantial

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1 capital improvements to continue to provide the services  
2 necessary for the Florida businesses, and

3 WHEREAS, it is the Legislature's public policy to  
4 promote private industry in areas such as property  
5 construction, renovation, and management, and

6 WHEREAS, certain state facilities are operating without  
7 substantial capital improvements to fully optimize the use of  
8 the state facilities, NOW, THEREFORE,

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