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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/24/2016	.	
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Appropriations Subcommittee on General Government (Simpson)
recommended the following:

Senate Amendment (with title amendment)

Between lines 2983 and 2984

insert:

Section 24. Subsections (1), (3), and (7) of section
373.089, Florida Statutes, are amended, and subsection (8) is
added to that section, to read:

373.089 Sale or exchange of lands, or interests or rights
in lands.—The governing board of the district may sell lands, or
interests or rights in lands, to which the district has acquired



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11 title or to which it may hereafter acquire title in the
12 following manner:

13 (1) Any lands, or interests or rights in lands, determined
14 by the governing board to be surplus may be sold by the
15 district, at any time, for the highest price obtainable;
16 however, in no case shall the selling price be less than the
17 appraised value of the lands, or interests or rights in lands,
18 as determined by a certified appraisal obtained within 360 ~~120~~
19 days before the effective date of a contract for sale.

20 (3) Before selling any surplus land, or interests or rights
21 in land, it shall be the duty of the district to cause a notice
22 of intention to sell to be published in a newspaper published in
23 the county in which the land, or interests or rights in the
24 land, is situated once each week for 3 successive weeks, ~~three~~
25 ~~insertions being sufficient.~~ The first publication of the
26 required notice must occur at least ~~which shall be not less than~~
27 30 days, but not ~~nor~~ more than 360 ~~45~~ days, before ~~prior to~~ any
28 sale and must include, ~~which notice shall set forth~~ a
29 description of lands, or interests or rights in lands, to be
30 offered for sale.

31 (7) Notwithstanding other provisions of this section, the
32 governing board shall first offer title to lands acquired in
33 whole or in part with Florida Forever funds which are determined
34 to be no longer needed for conservation purposes to the Board of
35 Trustees of the Internal Improvement Trust Fund unless the
36 disposition of those lands is for the following purposes:

37 (a) Linear facilities, including electric transmission and
38 distribution facilities, telecommunication transmission and
39 distribution facilities, pipeline transmission and distribution



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40 facilities, public transportation corridors, and related
41 appurtenances.

42 (b) The disposition of the fee interest in the land where a
43 conservation easement is retained by the district to fulfill the
44 conservation objectives for which the land was acquired.

45 (c) An exchange of the land for other lands that meet or
46 exceed the conservation objectives for which the original land
47 was acquired in accordance with subsection (4).

48 (d) To be used by a governmental entity for a public
49 purpose.

50 (e) The portion of an overall purchase deemed surplus at
51 the time of the acquisition.

52 (8) If a parcel of land is no longer essential or necessary
53 for conservation purposes and is valued at \$25,000 or less as
54 determined by a certified appraisal obtained within 360 days
55 before the effective date of a contract for the sale, the
56 governing board may determine that the parcel of land is
57 surplus. The notice of intention to sell must be published as
58 required under subsection (3), one time only. The governing
59 board shall send the notice of intention to sell the parcel to
60 adjacent property owners by certified mail and publish the
61 notice on its website.

62 (a) Fourteen days after publication of such notice, the
63 district may sell the parcel to an adjacent property owner or,
64 if there are two or more owners of adjacent property, accept
65 sealed bids and sell the parcel to the highest bidder or reject
66 all offers.

67 (b) Thirty days after publication of such notice, the
68 district shall accept sealed bids and may sell the parcel to the



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69 highest bidder or reject all offers.

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71 If In the event the Board of Trustees of the Internal
72 Improvement Trust Fund declines to accept title to the lands
73 offered under this section, the land may be disposed of by the
74 district under the provisions of this section.

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

76 And the title is amended as follows:

77 Delete line 224

78 and insert:

79 Babcock Crescent B Ranch; amending s. 373.089, F.S.;

80 extending the timeframe within which a certified

81 appraisal may be obtained for parcels of land to be

82 sold as surplus; providing an additional exception to

83 the requirement that the governing board first offer

84 title to certain lands; revising the procedures a

85 water management district must follow for publishing a

86 notice of intention to sell surplus lands; providing

87 an exception from such notice requirements if a parcel

88 of land is valued below a certain threshold;

89 authorizing such parcels to be sold directly to the

90 highest bidder; amending ss. 73.015,