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576-02399-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to the sale or exchange of lands;
amending s. 373.089, F.S.; extending the timeframe
within which a certified appraisal may be obtained for
parcels of land to be sold as surplus; revising the
procedures a water management district must follow for
publishing a notice of intention to sell surplus
lands; providing an exception from such notice
requirements if a parcel of land is valued below a
certain threshold; authorizing such parcels to be sold
directly to the highest bidder; authorizing districts
to include restrictions on future use of such parcels;
providing an effective date.

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

Section 1. 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
title or to which it may hereafter acquire title in the
following manner:

(1) Any lands, or interests or rights in lands, determined
by the governing board to be surplus may be sold by the
district, at any time, for the highest price obtainable;



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28 however, in no case shall the selling price be less than the
29 appraised value of the lands, or interests or rights in lands,
30 as determined by a certified appraisal obtained within 360 ~~120~~
31 days before the effective date of a contract for sale.

32 (3) Before selling any surplus land, or interests or rights
33 in land, it shall be the duty of the district to cause a notice
34 of intention to sell to be published in a newspaper published in
35 the county in which the land, or interests or rights in the
36 land, is situated once each week for 3 successive weeks, ~~(three~~
37 ~~insertions being sufficient.)~~, The first publication of the
38 required notice must occur at least ~~which shall be not less than~~
39 30 days, but not ~~not~~ more than 360 ~~45~~ days, before ~~prior to~~ any
40 sale and must include, ~~which notice shall set forth~~ a
41 description of lands, or interests or rights in lands, to be
42 offered for sale.

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

49 (a) Linear facilities, including electric transmission and
50 distribution facilities, telecommunication transmission and
51 distribution facilities, pipeline transmission and distribution
52 facilities, public transportation corridors, and related
53 appurtenances.

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



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

60 (d) To be used by a governmental entity for a public
61 purpose.

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

64
65 ~~If in the event~~ the Board of Trustees of the Internal
66 Improvement Trust Fund declines to accept title to the lands
67 offered under this section, the land may be disposed of by the
68 district under the provisions of this section.

69 (8) If a parcel of land is no longer essential or necessary
70 for conservation purposes and is valued at \$25,000 or less as
71 determined by a certified appraisal obtained within 360 days
72 before any sale, the governing board may determine that the
73 parcel of land is surplus. The notice of intention to sell shall
74 be published as required under subsection (3), one time only.
75 The governing board shall send the notice of intention to sell
76 the parcel to adjacent property owners by certified mail and
77 publish the notice on its website.

78 (a) Fourteen days after publication of such notice, the
79 district may sell the parcel to an adjacent property owner, or
80 if there are two or more owners of adjacent property, accept
81 sealed bids and sell the parcel to the highest bidder or reject
82 all offers.

83 (b) Thirty days after publication of such notice, the
84 district shall accept sealed bids and may sell the parcel to the
85 highest bidder or reject all offers.



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86 (c) The district may include a restriction on the future
87 use of the surplus parcel as a term and condition of the sale.

88 Section 2. This act shall take effect July 1, 2016.