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CS/HB 703

2018 Legislature

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2 An act relating to water management district surplus
3 lands; amending s. 373.089, F.S.; requiring a water
4 management district to publish a notice of intention
5 to sell surplus lands on its website; revising the
6 circumstances when a water management district must
7 publish the first notice of intention to sell surplus
8 lands; revising the process for selling certain lower
9 valued surplus lands; defining the term "adjacent
10 property owners"; providing an effective date.
11

12 Be It Enacted by the Legislature of the State of Florida:
13

14 Section 1. Subsections (3) and (8) of section 373.089,
15 Florida Statutes, are amended to read:

16 373.089 Sale or exchange of lands, or interests or rights
17 in lands.—The governing board of the district may sell lands, or
18 interests or rights in lands, to which the district has acquired
19 title or to which it may hereafter acquire title in the
20 following manner:

21 (3) Before selling any surplus land, or interests or
22 rights in land, the district shall publish a notice of intention
23 to sell on its website and in a newspaper published in the
24 county in which the land, or interests or rights in the land, is
25 situated once each week for 3 successive weeks, three insertions

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26 | being sufficient. The first publication of the required notice
27 | must occur at least 30 days, but not more than 360 days, before
28 | any sale is approved by the district and must include a
29 | description of lands, or interests or rights in lands, to be
30 | offered for sale.

31 | (8) (a) If a parcel of land is no longer essential or
32 | necessary for conservation purposes and is valued at \$25,000 or
33 | less as determined by a certified appraisal obtained within 360
34 | days before the effective date of a contract for the sale, as
35 | specified in subsection (1), the governing board may determine
36 | that the parcel of land is surplus and may offer to sell it to
37 | the adjacent property owners. If the governing board elects to
38 | offer for sale the parcel to adjacent property owners pursuant
39 | to this subsection, the governing board must publish the notice
40 | of intention to sell ~~must be published~~ as required under
41 | subsection (3), one time only ~~and~~ the governing board must
42 | ~~shall~~ send the notice of intention to sell the parcel to
43 | adjacent property owners by certified mail and publish the
44 | notice on its website. For the purpose of this subsection, the
45 | term "adjacent property owners" means those owners whose
46 | property abuts the parcel.

47 | (b) Fourteen days after publication of such notice, the
48 | district may sell the parcel to an adjacent property owner or,
49 | if there are two or more owners of adjacent property, accept
50 | sealed bids and sell the parcel to the highest bidder or reject

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51 all offers.

52 (c) If the parcel is not sold to an adjacent property
53 owner pursuant to paragraph (b), the district may sell the
54 parcel at any time to the general public for the highest price
55 obtainable ~~Thirty days after publication of such notice, the~~
56 ~~district shall accept sealed bids and may sell the parcel to the~~
57 ~~highest bidder or reject all offers.~~

58

59 If the Board of Trustees of the Internal Improvement Trust Fund
60 declines to accept title to the lands offered under this
61 section, the land may be disposed of by the district under the
62 provisions of this section.

63 Section 2. This act shall take effect July 1, 2018.