

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Grant, J. offered the following:

**Amendment (with title amendment)**

Between lines 320 and 321, insert:

Section 3. Subsection (4) of section 337.25, Florida Statutes, is amended to read:

337.25 Acquisition, lease, and disposal of real and personal property.-

(4) The department may convey, in the name of the state, any land, building, or other property, real or personal, which was acquired under subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility. When such a determination has been made, property may be disposed of through negotiations, sealed competitive bids, auctions, or any other

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17 means the department deems to be in its best interest, with due  
18 advertisement for property valued by the department at greater  
19 than \$10,000. A sale may not occur at a price less than the  
20 department's current estimate of value, except as provided in  
21 paragraphs (a)-(d). Notwithstanding any provision of this  
22 section to the contrary, the department shall afford a right of  
23 first refusal to the previous property owner for the  
24 department's current estimate of value of the property, except  
25 in a conveyance transacted under paragraph (a), paragraph (c),  
26 or paragraph (e). Subsequently, the department may afford a  
27 right of first refusal to the local government or other  
28 political subdivision in the jurisdiction in which the parcel is  
29 situated, except in a conveyance transacted under paragraph (a),  
30 paragraph (c), or paragraph (e).

31 (a) If the property has been donated to the state for  
32 transportation purposes and a transportation facility has not  
33 been constructed for at least 5 years, plans have not been  
34 prepared for the construction of such facility, and the property  
35 is not located in a transportation corridor, the governmental  
36 entity may authorize reconveyance of the donated property for no  
37 consideration to the original donor or the donor's heirs,  
38 successors, assigns, or representatives.

39 (b) If the property is to be used for a public purpose,  
40 the property may be conveyed without consideration to a  
41 governmental entity.

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42 (c) If the property was originally acquired specifically  
43 to provide replacement housing for persons displaced by  
44 transportation projects, the department may negotiate for the  
45 sale of such property as replacement housing. As compensation,  
46 the state shall receive at least its investment in such property  
47 or the department's current estimate of value, whichever is  
48 lower. It is expressly intended that this benefit be extended  
49 only to persons actually displaced by the project. Dispositions  
50 to any other person must be for at least the department's  
51 current estimate of value.

52 (d) If the department determines that the property  
53 requires significant costs to be incurred or that continued  
54 ownership of the property exposes the department to significant  
55 liability risks, the department may use the projected  
56 maintenance costs over the next 10 years to offset the  
57 property's value in establishing a value for disposal of the  
58 property, even if that value is zero.

59 (e) If, at the discretion of the department, a sale to a  
60 person other than an abutting property owner would be  
61 inequitable, the property may be sold to the abutting owner for  
62 the department's current estimate of value.

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66 **T I T L E A M E N D M E N T**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1383 (2019)

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67 |       Between lines 16 and 17, insert:  
68 |       amending s. 337.25, F.S.; requiring the Department of  
69 |       Transportation to afford a right of first refusal to  
70 |       the previous property owner before disposing of  
71 |       property in certain circumstances;