

**FOR CONSIDERATION By** the Committee on Environment and Natural Resources

592-00499-23

20237004pb

1                                   A bill to be entitled  
2           An act relating to a review under the Open Government  
3           Sunset Review Act; amending s. 373.089, F.S., which  
4           provides an exemption from public records requirements  
5           for written valuations of surplus lands, documents  
6           used to form or pertaining to such a valuation, and  
7           written offers to purchase surplus land held by a  
8           water management district; removing the scheduled  
9           repeal of the exemption; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (1) of section 373.089, Florida  
14           Statutes, is amended to read:

15           373.089 Sale or exchange of lands, or interests or rights  
16           in lands.—The governing board of the district may sell lands, or  
17           interests or rights in lands, to which the district has acquired  
18           title or to which it may hereafter acquire title in the  
19           following manner:

20           (1) (a) Any lands, or interests or rights in lands,  
21           determined by the governing board to be surplus may be sold by  
22           the district, at any time, for the highest price obtainable;  
23           however, the selling price may not be less than the appraised  
24           value of the lands, or interests or rights in lands, as  
25           determined by a certified appraisal obtained within 360 days  
26           before the effective date of a contract for sale.

27           (b) A written valuation of land determined to be surplus  
28           pursuant to this section; related documents used to form, or  
29           which pertain to, the valuation; and written offers to purchase

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30 such surplus land are confidential and exempt from s. 119.07(1)  
31 and s. 24(a), Art. I of the State Constitution. This exemption  
32 expires 2 weeks before the contract or agreement regarding the  
33 purchase, exchange, or disposal of the surplus land is first  
34 considered for approval by the district.

35 (c) Before expiration of the exemption established in  
36 paragraph (b), and in order to facilitate successful or  
37 expedited closure of the sale of surplus land, the district may  
38 disclose confidential and exempt valuations and valuation  
39 information which are related to surplus land, or written offers  
40 to purchase such surplus land, to potential purchasers:

41 1. During negotiations for the sale or exchange of the  
42 land;

43 2. During the marketing effort or bidding process  
44 associated with the sale, disposal, or exchange of the land;

45 3. When the passage of time has made the conclusions of  
46 value invalid; or

47 4. When negotiations or marketing efforts concerning the  
48 land are concluded.

49 ~~(d) Paragraphs (b) and (c) are subject to the Open~~  
50 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
51 ~~shall stand repealed on October 2, 2023, unless reviewed and~~  
52 ~~saved from repeal through reenactment by the Legislature.~~

53  
54 If the Board of Trustees of the Internal Improvement Trust Fund  
55 declines to accept title to the lands offered under this  
56 section, the land may be disposed of by the district under the  
57 provisions of this section.

58 Section 2. This act shall take effect October 1, 2023.