

## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** CS/CS/HB 1165 Town of Sneads, Jackson County

**SPONSOR(S):** State Affairs Committee, Local Administration, Federal Affairs & Special Districts  
Subcommittee, Abbott

**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Administration, Federal Affairs & Special Districts Subcommittee	14 Y, 0 N, As CS	Roy	Darden
2) State Affairs Committee	20 Y, 0 N, As CS	Burgess	Williamson

### SUMMARY ANALYSIS

The State of Florida owns lands for many purposes including preservation, conservation, recreation, water management, historic preservation, and administration of government. Most of these lands are held by the Board of Trustees of the Internal Improvement Trust Fund (Board), consisting of the Governor and Cabinet. The Board may acquire, sell, transfer, and administer state lands in the manner consistent with state law.

The Town of Sneads is a municipality of approximately 4.5 square miles in Jackson County. The town has a population of 1,687.

The bill directs the Board to convey in fee simple to the Town of Sneads property in Jackson County consisting of approximately 13.44 acres. The bill requires the Board to convey the property within 90 days of the bill taking effect.

The bill requires the Town of Sneads to manage and protect the conveyed property and use it continuously for recreational means and purposes. In the event of a sale or disposition of the property, the bill gives the Board the option to regain ownership of the property.

The Economic Impact Statement states that the bill is not expected to have a fiscal impact.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### State Lands

The State of Florida owns lands for many purposes including preservation, conservation, recreation, water management, historic preservation, and administration of government. These lands include all:

- Swamp and overflowed lands held by the state or that may inure to the state.
- Lands owned by the state by right of its sovereignty.<sup>1</sup>
- Internal improvement lands proper.
- Tidal lands.
- Lands covered by shallow waters of the ocean or gulf, or bays or lagoons thereof, and lands owned by the state covered by fresh water.
- Parks, reservations, or lands or bottoms set aside in the name of the state, excluding lands held for transportation facilities and transportation corridors and canal rights-of-way.
- Lands that have accrued or may accrue to the state.<sup>2</sup>

State lands are held in trust for the use and benefit of the people of Florida by the Board of Trustees of the Internal Improvement Trust Fund (Board).<sup>3</sup> The Board consists of the Governor, Attorney General, Chief Financial Officer, and Commissioner of Agriculture.<sup>4</sup> This body may acquire, sell, transfer, and administer state lands in the manner consistent with state law.<sup>5</sup>

The Department of Environmental Protection through the Division of State Lands generally performs all staff duties and functions related to the acquisition, administration, and disposition of state lands, although certain staff duties may be performed by water management districts, the Department of Agriculture and Consumer Services, or the Fish and Wildlife Conservation Commission.<sup>6</sup>

##### Town of Sneads

The Town of Sneads is a municipality of approximately 4.5 square miles in Jackson County.<sup>7</sup> The town has a population of 1,687.<sup>8</sup> Located on the southeastern shore of Lake Seminole, Sneads is well-known for its “rich outdoor recreation” opportunities, including freshwater fishing, boating, and hunting.<sup>9</sup>

#### Effect of Proposed Changes

The bill directs the Board to convey in fee simple to the Town of Sneads property in Jackson County consisting of approximately 13.44 acres. The bill requires the Board to convey the property within 90 days of the bill taking effect.

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<sup>1</sup> These are “sovereignty submerged lands,” which include but are not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated. R. 18-21.003(67), F.A.C.

<sup>2</sup> S. 253.03(1), F.S.

<sup>3</sup> S. 253.001, F.S.

<sup>4</sup> S. 253.02(1), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> S. 253.002(1), F.S.

<sup>7</sup> Town of Sneads, *Community Information*, <https://sneadsfl.com/> (last visited Jan. 24, 2024).

<sup>8</sup> Office of Economic and Demographic Research, *Florida Population Estimates by County and Municipality April 1, 2023*, [http://edr.state.fl.us/Content/population-demographics/data/2023\\_Pop\\_Estimates.pdf](http://edr.state.fl.us/Content/population-demographics/data/2023_Pop_Estimates.pdf) (last visited Jan. 27, 2024).

<sup>9</sup> Town of Sneads, *Community Information*, <https://sneadsfl.com/> (last visited Jan. 24, 2024).

The bill requires the Town of Sneads to manage and protect the conveyed property and use it continuously for recreational means and purposes. In the event of a sale or disposition of the property, the bill gives the Board the option to regain ownership of the property.

The Economic Impact Statement states that the bill is not expected to have a fiscal impact.

**B. SECTION DIRECTORY:**

Section 1: Requires the Board to convey property in fee simple to the Town of Sneads, and provides a description of the property.

Section 2: Provides a requirement that the Town of Sneads continuously use the land for recreational means and purposes, and provides that any sale or disposition of the property may result in ownership reverting to the Board.

Section 3: Requires the Board to convey the property to the Town of Sneads within 90 days of the effective date of the bill.

Section 4: Provides an effective date of upon becoming a law.

**II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS**

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? October 12, 2023.

WHERE? *Jackson County Times*, a weekly newspaper published in Jackson County.

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes  No

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill neither provides authority for nor requires rulemaking by executive branch agencies.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On January 31, 2024, the Local Administration, Federal Affairs & Special Districts Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment removed the requirement to perform a cultural resource assessment survey, required the property to be used continuously for recreational means and purposes, and provided the Board the option to regain ownership of the property in the event of sale or disposition.

On February 7, 2024, the State Affairs Committee adopted an amendment and reported the bill favorably as a committee substitute. The amendment revised the property description and required the Board to convey the property within 90 days of the bill taking effect.

This analysis is drafted to the committee substitute as passed by the State Affairs Committee.