

BILL ORIGINAL YEAR

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act regarding written valuations of state-
 4 owned lands; amending s. 253.034(6)(g), F.S.; reorganizing
 5 the exemption; making clarifying changes; removing the
 6 scheduled repeal of the exemption; providing an effective
 7 date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Paragraph (g) of subsection (6) of section
 12 253.034, Florida Statutes, is amended to read:

13 253.034 State-owned lands; uses.--

14 (6) The Board of Trustees of the Internal Improvement
 15 Trust Fund shall determine which lands, the title to which is
 16 vested in the board, may be surplus. For conservation lands,
 17 the board shall make a determination that the lands are no
 18 longer needed for conservation purposes and may dispose of them
 19 by an affirmative vote of at least three members. In the case of
 20 a land exchange involving the disposition of conservation lands,
 21 the board must determine by an affirmative vote of at least
 22 three members that the exchange will result in a net positive
 23 conservation benefit. For all other lands, the board shall make
 24 a determination that the lands are no longer needed and may
 25 dispose of them by an affirmative vote of at least three
 26 members.

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27 (g)1. The sale price of lands determined to be surplus
 28 pursuant to this subsection and s. 253.82 shall be determined by
 29 the division and shall take into consideration an appraisal of
 30 the property, or, when the estimated value of the land is less
 31 than \$100,000, a comparable sales analysis or a broker's opinion
 32 of value. If the appraisal referenced in this paragraph yields a
 33 value equal to or greater than \$1 million, the division, in its
 34 sole discretion, may require a second appraisal. The individual
 35 or entity requesting to purchase the surplus parcel shall pay
 36 all appraisal costs.

37 2.1-a. A written valuation of land determined to be
 38 surplus pursuant to this subsection and s. 253.82, and related
 39 documents used to form the valuation or which pertain to the
 40 valuation, are confidential and exempt from s. 119.07(1) and s.
 41 24(a), Art. I of the State Constitution.

42 b. The exemption expires ~~until~~ 2 weeks before the contract
 43 or agreement regarding the purchase, exchange, or disposal of
 44 the surplus land is first considered for approval by the board.

45 c. Prior to expiration of the exemption ~~Notwithstanding~~
 46 ~~the exemption provided under this subparagraph,~~ the division may
 47 disclose confidential and exempt appraisals, valuations, or
 48 valuation information regarding surplus land:

49 I. During negotiations for the sale or exchange of the
 50 land.τ

51 II. During the marketing effort or bidding process
 52 associated with the sale, disposal, or exchange of the land to
 53 facilitate closure of such effort or process.τ

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54 III. When the passage of time has made the conclusions of
 55 value invalid, ~~or~~

56 IV. When negotiations or marketing efforts concerning the
 57 land are concluded.

58 ~~b. This subparagraph is subject to the Open Government~~
 59 ~~Sunset Review Act in accordance with s. 119.15, and shall stand~~
 60 ~~repealed on October 2, 2009, unless reviewed and saved from~~
 61 ~~repeal through reenactment by the Legislature.~~

62 3.2. A unit of government that acquires title to lands
 63 hereunder for less than appraised value may not sell or transfer
 64 title to all or any portion of the lands to any private owner
 65 for a period of 10 years. Any unit of government seeking to
 66 transfer or sell lands pursuant to this paragraph shall first
 67 allow the board of trustees to reacquire such lands for the
 68 price at which the board sold such lands.

69 Section 2. This act shall take effect October 1, 2009.