

BILL

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to state-owned real property; making
 3 legislative findings; amending s. 193.023, F.S.; requiring
 4 assessments of state-owned real property; amending s.
 5 193.085, F.S.; requiring annual notification from local
 6 governments; amending s. 213.053, F.S.; providing the
 7 Department of Environmental Protection confidential
 8 information; amending s. 216.0152, F.S.; providing
 9 requirements for inventory information; amending s.
 10 253.03, F.S.; requiring the Department of Environmental
 11 Protection to maintain a comprehensive database of state-
 12 owned land; amending s. 253.034, F.S.; removing a
 13 requirement state land database; providing an effective
 14 date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. The Legislature finds that the management of
 19 state-owned real property requires a comprehensive integrated
 20 inventory system to support decision making processes, including
 21 dispositions. This comprehensive database will serve as the
 22 authoritative inventory repository for state-owned facilities
 23 and publicly-owned lands data that is collected through various
 24 agency operations in disparate systems. The comprehensive
 25 database will provide agencies owning property, the public, and
 26 state policy makers with ready access to an integrated view of
 27 collected information and, wherever operationally feasible and
 28 cost effective, replace any duplicative state property

BILL ORIGINAL YEAR

29 databases. The initial objective is to establish an integrated
 30 inventory of the state-owned real property data from the
 31 Department of Environmental Protection, the Department of
 32 Management Services, and the Department of Revenue and to
 33 collect operating costs and occupancy data from state agencies,
 34 while considering future developments to include leased lands
 35 and facilities data used by the Department of Financial Services
 36 and the Department of Management Services. The new database
 37 will optimize the use of existing data collection processes and
 38 minimize imposing new collection and reporting requirements
 39 where adequate existing data sources are available; this will
 40 include incorporating interfaces for tax roll data collected
 41 under statutory authorities by the Department of Revenue from
 42 the county property appraisers and other sources. The
 43 Legislature therefore intends to promote the development,
 44 maintenance, and use of the database through a coordinated
 45 interagency effort that leverages existing resources and
 46 processes to minimize costs and impacts on agencies owning
 47 property and county property appraisers.

48 Section 2. Subsection (2) of section 193.023, Florida
 49 Statutes, is amended to read:

50 193.023 Duties of the property appraiser in making
 51 assessments.—

52 (2) In making his or her assessment of the value of real
 53 property, the property appraiser is required to physically
 54 inspect the property at least once every 5 years. Where
 55 geographically suitable, and at the discretion of the property
 56 appraiser, the property appraiser may use image technology in

BILL

ORIGINAL

YEAR

57 lieu of physical inspection to ensure that the tax roll meets
 58 all the requirements of law. The Department of Revenue shall
 59 establish minimum standards for the use of image technology
 60 consistent with standards developed by professionally recognized
 61 sources for mass appraisal of real property. However, the
 62 property appraiser shall physically inspect any parcel of
 63 taxable or state-owned real property upon the request of the
 64 taxpayer or owner.

65 Section 3. Paragraph (a) of subsection (3) of section
 66 193.085, Florida Statutes, is amended to read:

67 193.085 Listing all property.—

68 (3) (a) ~~The department will coordinate with all other~~
 69 ~~departments of state government to ensure that the several~~
 70 ~~property appraisers are properly notified annually of state~~
 71 ~~ownership of real property. The department shall promulgate~~
 72 ~~regulations to ensure that~~ All forms of local government,
 73 special taxing districts, multicounty districts, and
 74 municipalities must provide annually written notification to
 75 ~~properly notify annually the several~~ property appraisers of any
 76 and all real property owned by any of them so that ownership of
 77 all such property will be properly listed.

78 Section 4. Paragraph (z) of subsection (8) of section
 79 213.053, Florida Statutes, is amended to read:

80 213.053 Confidentiality and information sharing.—

81 (8) Notwithstanding any other provision of this section,
 82 the department may provide:

83 (z) Information relative to s. 253.03(8) and s. 253.0325
 84 to the Department of Environmental Protection in the conduct of

BILL

ORIGINAL

YEAR

85 its official business.

86
 87 Disclosure of information under this subsection shall be
 88 pursuant to a written agreement between the executive director
 89 and the agency. Such agencies, governmental or nongovernmental,
 90 shall be bound by the same requirements of confidentiality as
 91 the Department of Revenue. Breach of confidentiality is a
 92 misdemeanor of the first degree, punishable as provided by s.
 93 775.082 or s. 775.083.

94 Section 5. Subsections (1) and (2) of section 216.0152,
 95 Florida Statutes, are amended to read:

96 216.0152 Inventory of state-owned facilities or state-
 97 occupied facilities.—

98 (1) The Department of Management Services shall develop
 99 and maintain an automated inventory of all facilities owned,
 100 leased, rented, or otherwise occupied or maintained by any
 101 agency of the state or by the judicial branch, ~~except those with~~
 102 ~~less than 3,000 square feet.~~ The inventory data shall be
 103 provided by the owning or operating agency and shall include the
 104 location, occupying agency, ownership, size, condition
 105 assessment, valuations, operating costs, maintenance record,
 106 age, parking and employee facilities, building use, full-time
 107 equivalent occupancy, known restrictions or historic
 108 designations including conservation land status, leases or
 109 subleases and associated revenues and other information as
 110 required by the department. The department shall use such data
 111 for determining maintenance needs, conducting strategic
 112 analyses, including, but not limited to, candidates for surplus,

	BILL	ORIGINAL	YEAR
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113 and life-cycle cost evaluations of the facility. Beginning July
 114 1, 2011 and each July 1 thereafter, inventory information shall
 115 be provided to the department by the owning or operating agency
 116 in a format prescribed by the department. The inventory need not
 117 include a condition assessment or maintenance record of
 118 facilities not owned by a state agency or by the judicial
 119 branch. The term "facility," as used in this section, means
 120 buildings, structures, and building systems, but does not
 121 include transportation facilities of the state transportation
 122 system. The Department of Transportation shall develop and
 123 maintain an inventory of transportation facilities of the state
 124 transportation system. The Board of Governors of the State
 125 University System and the Department of Education, respectively,
 126 shall develop and maintain an inventory, in the manner
 127 prescribed by the Department of Management Services, of all
 128 state university and community college facilities and shall make
 129 the data available in a format acceptable to the Department of
 130 Management Services.

131 (2) For purposes of assessing needed repairs and
 132 renovations of facilities, the Department of Management Services
 133 shall update its inventory with condition information for
 134 facilities of 3,000 square feet or more and cause to be updated
 135 the other inventories required by subsection (1) at least once
 136 every 5 years, but the inventories shall record acquisitions of
 137 new facilities and significant changes in existing facilities as
 138 they occur. The Department of Management Services shall provide
 139 each agency and the judicial branch with the most recent
 140 inventory applicable to that agency or to the judicial branch.

BILL

ORIGINAL

YEAR

141 Each agency and the judicial branch shall, in the manner
 142 prescribed by the Department of Management Services, report
 143 significant changes in the inventory as they occur. Items
 144 relating to the condition and life-cycle cost of a facility
 145 shall be updated at least every 5 years.

146 Section 6. Subsection (8) of section 253.03, Florida
 147 Statutes, is amended to read:

148 253.03 Board of trustees to administer state lands; lands
 149 enumerated.—

150 (8) (a) The Board of Trustees of the Internal Improvement
 151 Trust Fund shall prepare, using tax roll data provided by the
 152 Department of Revenue as supplied by the counties, an annual
 153 inventory of all publicly owned lands within the state. Such
 154 inventory shall include all lands owned by any unit of state
 155 government or local government; by the Federal Government, to
 156 the greatest extent possible; and by any other public entity.
 157 ~~The board shall submit a summary report of the inventory and a~~
 158 ~~list of major discrepancies between the inventory and the tax~~
 159 ~~roll data to the President of the Senate and the Speaker of the~~
 160 ~~House of Representatives on or before March 1 of each year.~~

161 (b) The Department of Environmental Protection shall
 162 maintain a comprehensive database of all state-owned real
 163 property. The database shall be available to the public in an
 164 electronic format and be complete and operational by March 31,
 165 2011. The database shall be used by agencies when analyzing
 166 candidates for real property acquisition, use consolidation, or
 167 disposition. The Department of Management Services shall direct
 168 agency entries of facility data and analysis as identified in

BILL

ORIGINAL

YEAR

169 s. 216.0152(1) for the statewide database.

170 (c) In addition to any other parcel data available, the
 171 inventory shall include a legal description or proper reference
 172 thereto, the number of acres or square feet within the
 173 boundaries, and the assessed value of all publicly owned
 174 uplands. To the greatest extent practicable, the legal
 175 description or proper reference thereto and the number of acres
 176 or square feet shall be determined for all publicly owned
 177 submerged lands. For the purposes of this subsection, the term
 178 "submerged lands" means publicly owned lands below the ordinary
 179 high-water mark of fresh waters and below the mean high-water
 180 line of salt waters extending seaward to the outer jurisdiction
 181 of the state. ~~By October 31 of each year, the Department of~~
 182 ~~Revenue shall furnish, in machine-readable form, annual, current~~
 183 ~~tax roll data for public lands to the board to be used in~~
 184 ~~compiling the inventory.~~

185 (d)1.(e) Beginning September 30, 2011 and each September
 186 30 thereafter, the Department of Revenue shall furnish to the
 187 board, in electronic form, current tax roll data for public
 188 lands to be used in compiling the inventory.

189 2. By November 30 ~~By December 31~~ of each year, the board
 190 shall prepare and provide to each state agency and local
 191 government and any other public entity which holds title to real
 192 property, including any water management district, drainage
 193 district, navigation district, or special taxing district, a
 194 list of the real property owned by such entity, required to be
 195 listed on county assessment rolls, using tax roll data provided
 196 by the Department of Revenue.

BILL

ORIGINAL

YEAR

197 3. By January 31 ~~March 31~~ of the following year, each such
 198 entity shall review its list and inform the appropriate property
 199 appraiser of any corrections to the list. The appropriate county
 200 property appraiser ~~Department of Revenue~~ shall provide for
 201 entering such corrections on the appropriate county tax roll.

202 (e) The board shall use tax roll data which shall be
 203 provided by the Department of Revenue to assist in the
 204 identification and confirmation of publicly-held lands. Lands
 205 held by the state or a water management district and lands
 206 purchased by the state, a state agency, or a water management
 207 district deemed not essential or unnecessary for conservation
 208 purposes shall be subject to review for surplus sale. No new
 209 data requirements will be imposed on the property appraisers
 210 solely for the comprehensive database.

211 (f) ~~(d)~~ Whenever real property is listed on the real
 212 property assessment rolls of the respective counties in the name
 213 of the State of Florida or any of its agencies, the listing
 214 shall not be changed in the absence of a recorded deed executed
 215 by the State of Florida or the state agency in whose name the
 216 property is listed. If, in preparing the assessment rolls, the
 217 ~~several~~ property appraisers within the state become aware of the
 218 existence of a recorded deed not executed by the state and
 219 purporting to convey real property listed on the assessment
 220 rolls as state-owned, the property appraiser shall immediately
 221 forward a copy of the recorded deed to the state agency in whose
 222 name the property is listed.

223 (g) Wherever operationally feasible and cost effective,
 224 when the comprehensive database is available, agencies shall

BILL

ORIGINAL

YEAR

225 retire any duplicative state property databases.
 226 Section 7. Subsection (8) of section 253.034, Florida
 227 Statutes, is amended to read:
 228 253.034 State-owned lands; uses.—
 229 (8) (a) ~~Notwithstanding other provisions of this section,~~
 230 ~~the Division of State Lands is directed to prepare a state~~
 231 ~~inventory of all federal lands and all lands titled in the name~~
 232 ~~of the state, a state agency, a water management district, or a~~
 233 ~~local government on a county-by-county basis. To facilitate the~~
 234 ~~development of the state inventory, each county shall direct the~~
 235 ~~appropriate county office with authority over the information to~~
 236 ~~provide the division with a county inventory of all lands~~
 237 ~~identified as federal lands and lands titled in the name of the~~
 238 ~~state, a state agency, a water management district, or a local~~
 239 ~~government.~~ The Legislature recognizes the value of the state's
 240 conservation lands as water recharge areas and air filters and,
 241 in an effort to better understand the scientific underpinnings
 242 of carbon sequestration, carbon capture, and greenhouse gas
 243 mitigation, to inform policymakers and decisionmakers, and to
 244 provide the infrastructure for landowners, the Division of State
 245 Lands shall contract with an organization experienced and
 246 specialized in carbon sinks and emission budgets to conduct an
 247 inventory of all lands that were acquired pursuant to
 248 Preservation 2000 and Florida Forever and that were titled in
 249 the name of the Board of Trustees of the Internal Improvement
 250 Trust Fund. The inventory shall determine the value of carbon
 251 capture and carbon sequestration. Such inventory shall consider
 252 potential carbon offset values of changes in land management

BILL

ORIGINAL

YEAR

253 | practices, including, but not limited to, replanting of trees,
 254 | routine prescribed burns, and land use conversion. Such an
 255 | inventory shall be completed and presented to the board of
 256 | trustees by July 1, 2009.

257 | ~~(b) The state inventory must distinguish between lands
 258 | purchased by the state or a water management district as part of
 259 | a core parcel or within original project boundaries, as those
 260 | terms are used to meet the surplus requirements of subsection
 261 | (6), and lands purchased by the state, a state agency, or a
 262 | water management district which are not essential or necessary
 263 | for conservation purposes.~~

264 | ~~(c) In any county having a population of 75,000 or fewer,
 265 | or a county having a population of 100,000 or fewer which is
 266 | contiguous to a county having a population of 75,000 or fewer,
 267 | in which more than 50 percent of the lands within the county
 268 | boundary are federal lands and lands titled in the name of the
 269 | state, a state agency, a water management district, or a local
 270 | government, those lands titled in the name of the state or a
 271 | state agency which are not essential or necessary to meet
 272 | conservation purposes may, upon request of a public or private
 273 | entity, be made available for purchase through the state's
 274 | surplusing process. Rights-of-way for existing, proposed, or
 275 | anticipated transportation facilities are exempt from the
 276 | requirements of this paragraph. Priority consideration shall be
 277 | given to buyers, public or private, willing to return the
 278 | property to productive use so long as the property can be
 279 | reentered onto the county ad valorem tax roll. Property acquired
 280 | with matching funds from a local government shall not be made~~

BILL

ORIGINAL

YEAR

281 ~~available for purchase without the consent of the local~~
282 ~~government.~~

283 (b)~~(d)~~ If state-owned lands are subject to annexation
284 procedures, the Division of State Lands must notify the county
285 legislative delegation of the county in which the land is
286 located.

287 Section 8. This act shall take effect July 1, 2010.