

CHAPTER 2018-155

Committee Substitute for House Bill No. 703

An act relating to water management district surplus lands; amending s. 373.089, F.S.; requiring a water management district to publish a notice of intention to sell surplus lands on its website; revising the circumstances when a water management district must publish the first notice of intention to sell surplus lands; revising the process for selling certain lower valued surplus lands; defining the term “adjacent property owners”; providing an effective date.

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

Section 1. Subsections (3) and (8) of section 373.089, Florida Statutes, are amended to read:

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

(3) Before selling any surplus land, or interests or rights in land, the district shall publish a notice of intention to sell on its website and in a newspaper published in the county in which the land, or interests or rights in the land, is situated once each week for 3 successive weeks, three insertions being sufficient. The first publication of the required notice must occur at least 30 days, but not more than 360 days, before any sale is approved by the district and must include a description of lands, or interests or rights in lands, to be offered for sale.

(8)(a) If a parcel of land is no longer essential or necessary for conservation purposes and is valued at \$25,000 or less as determined by a certified appraisal obtained within 360 days before the effective date of a contract for the sale, as specified in subsection (1), the governing board may determine that the parcel of land is surplus and may offer to sell it to the adjacent property owners. If the governing board elects to offer for sale the parcel to adjacent property owners pursuant to this subsection, the governing board must publish the notice of intention to sell ~~must be published~~ as required under subsection (3), one time only and: the governing board must ~~shall~~ send the notice of intention to sell the parcel to adjacent property owners by certified mail and publish the notice on its website. For the purpose of this subsection, the term “adjacent property owners” means those owners whose property abuts the parcel.

(b) Fourteen days after publication of such notice, the district may sell the parcel to an adjacent property owner or, if there are two or more owners of adjacent property, accept sealed bids and sell the parcel to the highest bidder or reject all offers.

(c) If the parcel is not sold to an adjacent property owner pursuant to paragraph (b), the district may sell the parcel at any time to the general public for the highest price obtainable ~~Thirty days after publication of such notice, the district shall accept sealed bids and may sell the parcel to the highest bidder or reject all offers.~~

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

Section 2. This act shall take effect July 1, 2018.

Approved by the Governor April 6, 2018.

Filed in Office Secretary of State April 6, 2018.