

CHAPTER 2019-144

Committee Substitute for Committee Substitute for Senate Bill No. 620

An act relating to military-friendly initiatives; amending s. 163.3175, F.S.; specifying additional military installations that may exchange certain information with local governments regarding compatibility of land development; amending s. 197.572, F.S.; providing that an easement for certain military lands continues after a tax sale or deed execution; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a Blue Angels license plate; providing for the distribution and use of fees collected from the sale of such plate; amending s. 1003.05, F.S.; requiring a student whose parent is transferred or pending transfer to a military installation within a school district to be considered a resident of the district and provided preferential treatment in the controlled open enrollment process under certain circumstances; amending s. 1009.21, F.S.; revising requirements for active duty service-members and their families to be classified as residents for tuition purposes; providing an effective date.

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

Section 1. Present paragraphs (i) through (n) of subsection (2) of section 163.3175, Florida Statutes, are redesignated as paragraphs (j) through (o), respectively, and a new paragraph (i) and paragraph (p) are added to that subsection, to read:

163.3175 Legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations.—

(2) Certain major military installations, due to their mission and activities, have a greater potential for experiencing compatibility and coordination issues than others. Consequently, this section and the provisions in s. 163.3177(6)(a), relating to compatibility of land development with military installations, apply to specific affected local governments in proximity to and in association with specific military installations, as follows:

(i) Naval Support Activity Orlando, including Bugg Spring and Naval Ordnance Test Unit, associated with Orange County and Orlando.

(p) United States Southern Command, associated with Miami-Dade County and Doral.

Section 2. Section 197.572, Florida Statutes, is amended to read:

197.572 ~~Certain easements for conservation purposes, public service purposes, support of certain improvements, or drainage or ingress and egress survive tax sales and deeds.—~~

(1) When any lands are sold for the nonpayment of taxes, or any tax certificate is issued thereon by a governmental unit or agency or pursuant to any tax lien foreclosure proceeding, the title to the lands shall continue to be subject to any easement;

(a) For conservation purposes as provided in s. 704.06 or for telephone, telegraph, pipeline, power transmission, or other public service purpose;

~~(b) and shall continue to be subject to any easement~~ That supports improvements that may be constructed above the lands;

~~(c) and any easement~~ For the purposes of drainage or of ingress and egress to and from other land.

~~(d) For base buffering encroachment lands acquired through a fee simple or less-than-fee simple acquisition under s. 288.980(2)(b).~~

(2) ~~An~~ The easement described in subsection (1) and the rights of the owner of the easement it shall survive and be enforceable after the execution, delivery, and recording of a tax deed, a master's deed, or a clerk's certificate of title pursuant to foreclosure of a tax deed, tax certificate, or tax lien, to the same extent as though the land had been conveyed by voluntary deed. The easement must be evidenced by written instrument recorded in the office of the clerk of the circuit court in the county where such land is located before the recording of such tax deed or master's deed, or, if not recorded, an easement for a public service purpose must be evidenced by wires, poles, or other visible occupation, an easement for drainage must be evidenced by a waterway, water bed, or other visible occupation, and an easement for the purpose of ingress and egress must be evidenced by a road or other visible occupation to be entitled to the benefit of this section; however, this shall apply only to tax deeds issued after the effective date of this act.

Section 3. Subsection (84) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(84) BLUE ANGELS LICENSE PLATES.—

(a) The department shall develop a Blue Angels license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Home of the Blue Angels" must appear at the bottom of the plate; however, the development of the plate is contingent upon the enactment of legislation creating an annual use fee under s. 320.08056 for the Blue Angels license plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Naval Aviation Museum Foundation, a nonprofit Florida corporation under s. 501(c)(3) of the Internal Revenue Code, to fund the maintenance, programs, marketing, and projects of the foundation, including the National Naval Aviation Museum and the National Flight Academy in Pensacola. Up to 10 percent of the funds received by the Naval Aviation Museum Foundation may be used for marketing of the plate and costs directly associated with the administration of the foundation. The Naval Aviation Museum Foundation shall distribute 50 percent of the funds to eligible programs and projects associated with the National Flight Academy and the remainder of the funds to eligible programs and projects associated with the National Naval Aviation Museum.

Section 4. Subsection (4) is added to section 1003.05, Florida Statutes, to read:

1003.05 Assistance to transitioning students from military families.—

(4) A student whose parent is transferred or is pending transfer to a military installation within a school district while on active military duty pursuant to an official military order shall be considered a resident of the school district for purposes of enrollment when the order is submitted to the school district and shall be provided preferential treatment in the controlled open enrollment process of the school district pursuant to s. 1002.31.

Section 5. Paragraphs (a) and (b) of subsection (10) of section 1009.21, Florida Statutes, are amended to read:

1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.

(10) The following persons shall be classified as residents for tuition purposes:

(a) ~~Active duty members of the Armed Services of the United States residing or stationed in this state, their spouses, and their dependent children residing or stationed in this state at the time of acceptance to a Florida College System institution or state university, and active drilling members of the Florida National Guard.~~

(b) Active duty members of the Armed Services of the United States and their spouses and dependents attending a Florida College System institution or state university within 50 miles of the military establishment where they are stationed at the time of acceptance to the Florida College System institution or state university, if such military establishment is within a county contiguous to Florida.

Section 6. This act shall take effect July 1, 2019.

Approved by the Governor June 26, 2019.

Filed in Office Secretary of State June 26, 2019.