

## CHAPTER 2026-44

### Committee Substitute for House Bill No. 441

An act relating to conservation lands; amending s. 253.0341, F.S.; requiring the Division of State Lands to publish certain information on its website before the Acquisition and Restoration Council or the Board of Trustees of the Internal Improvement Trust Fund meets to review the proposed sale of conservation lands; conforming a cross-reference; amending s. 253.42, F.S.; requiring that certain parcels proposed for exchange be appraised in accordance with certain criteria; deleting provisions requiring the division to submit certain requests to the council for review; deleting provisions requiring the division to provide certain recommendations to the board of trustees; requiring the division to publish certain information on its website before the council or the board of trustees meets to review a proposed land exchange; requiring the division to submit certain requests to the council for review and requiring the council to provide recommendations to the division in certain circumstances; requiring the division to provide certain recommendations to the board of trustees in certain circumstances; making a technical change; amending s. 373.089, F.S.; requiring the governing board of a water management district to publish certain information on its website before meeting to review the proposed sale or exchange of certain lands; amending s. 215.196, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Present subsections (7) through (19) of section 253.0341, Florida Statutes, are redesignated as subsections (8) through (20), respectively, subsection (11) of that section is amended, and a new subsection (7) is added to that section, to read:

253.0341 Surplus of state-owned lands.—

(7) At least 30 days before any meeting of the Acquisition and Restoration Council or the board of trustees to review the proposed sale of conservation lands, the Division of State Lands must publish the following information on its website:

(a) The parcels of state-owned land for sale; and

(b) A statement from the division explaining why the lands are no longer needed for conservation purposes.

(11) Requests to surplus lands may be made by any public or private entity or person and shall be determined by the board of trustees. All requests to surplus conservation lands shall be submitted to the lead managing agency for review and recommendation to the Acquisition and Restoration Council, and all requests to surplus nonconservation lands shall

be submitted to the Division of State Lands for review and recommendation to the board of trustees. The lead managing agencies shall review such requests and make recommendations to the council within 90 days after receipt of the requests. Any requests to surplus conservation lands that are not acted upon within the 90-day period shall be immediately scheduled for hearing at the next regularly scheduled meeting of the council. Requests to surplus lands shall be considered by the board of trustees within 60 days after receipt of the requests from the council or division. Requests to surplus lands pursuant to this subsection are not required to be offered to state agencies as provided in subsection (8) ~~(7)~~.

Section 2. Present paragraphs (b), (c), and (d) of subsection (4) of section 253.42, Florida Statutes, are redesignated as paragraphs (d), (e), and (f), respectively, paragraph (a) of that subsection is amended, and new paragraphs (b) and (c) are added to that subsection, to read:

253.42 Board of trustees may exchange lands.—This section applies to all lands owned by, vested in, or titled in the name of the board of trustees whether the lands were acquired by the state as a purchase, or through gift, donation, or any other conveyance for which no consideration was paid.

(4)(a) A person who owns land contiguous to state-owned land titled to the board of trustees may submit a request to the Division of State Lands to exchange all or a portion of the privately owned land for all or a portion of the state-owned land, whereby the state retains a permanent conservation easement over all or a portion of the exchanged state-owned land and a permanent conservation easement over all or a portion of the exchanged privately owned land. State-owned land exchanged pursuant to this subsection ~~must~~ shall be contiguous to the privately owned land upon which the state retains a permanent conservation easement. Each parcel proposed for exchange pursuant to this subsection must have at least one appraisal that follows the appraisal criteria, techniques, and methods adopted by the board of trustees pursuant to s. 253.025(8)(e) ~~If the division elects to proceed with a request, the division must submit the request to the Acquisition and Restoration Council for review and the council must provide recommendations to the division. If the division elects to forward a request to the board of trustees, the division must provide its recommendations and the recommendations of the council to the board. This subsection does not apply to state-owned sovereign submerged land.~~

(b) At least 30 days before any meeting of the Acquisition and Restoration Council or the board of trustees to review the proposed land exchange of conservation lands, the Division of State Lands shall publish the following information on its website:

1. The parcels of state-owned lands proposed for exchange;
2. The privately owned parcels of land proposed for exchange;

3. The portions of the lands identified in subparagraphs 1. and 2. which will be preserved in a permanent conservation easement;

4. A statement from the division explaining how the exchange will result in a conservation benefit to the state; and

5. Any recommendations from the division and the council related to the request.

(c) If the Division of State Lands elects to proceed with a request, the division must submit the request to the council for review, and the council must provide recommendations to the division. If the division elects to forward a request to the board of trustees, the division must provide its recommendations and the recommendations of the council to the board.

Section 3. Paragraph (a) of subsection (6) of section 373.089, Florida Statutes, is 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:

(6) Any lands the title to which is vested in the governing board of a water management district may be surplused pursuant to the procedures set forth in this section and s. 373.056 and the following:

(a) For those lands designated as acquired for conservation purposes, the governing board shall make a determination that the lands are no longer needed for conservation purposes and may dispose of them by a two-thirds vote. At least 30 days before the governing board meets to review the proposed sale or exchange of such lands, the governing board shall publish the following information on its website, as applicable:

1. The parcels of district-owned lands for sale or proposed for exchange;

2. The parcels of privately owned lands proposed for exchange;

3. The portions of the lands identified in subparagraphs 1. and 2. which will be preserved in a permanent conservation easement; and

4. A statement from the district explaining why the lands are no longer needed for conservation purposes.

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 4. Subsection (1) of section 215.196, Florida Statutes, is amended to read:

215.196 Architects Incidental Trust Fund; creation; assessment.—

(1) There is created the Architects Incidental Trust Fund for the purpose of:

(a) Collecting all funds received through the sale of surplus state-owned office buildings, as defined in s. 255.248, and the nonconservation lands associated with such buildings;

(b) Diverting funds referenced in s. 253.0341(15)(b) ~~s. 253.0341(14)(b)~~; and

(c) Providing sufficient funds for the operation of the facilities development activities of the Department of Management Services.

Section 5. This act shall take effect July 1, 2026.

Approved by the Governor April 22, 2026.

Filed in Office Secretary of State April 22, 2026.