

1 A bill to be entitled
 2 An act relating to disposal of Department of
 3 Transportation property; amending s. 337.25, F.S.;
 4 providing that the use of property as affordable
 5 housing qualifies as use for a public purpose in the
 6 context of the authorization of the Department of
 7 Transportation to convey property without
 8 consideration to a governmental entity; providing an
 9 effective date.

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

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 13 Section 1. Paragraph (b) of subsection (4) of section
 14 337.25, Florida Statutes, is amended to read:

15 337.25 Acquisition, lease, and disposal of real and
 16 personal property.—

17 (4) The department may convey, in the name of the state,
 18 any land, building, or other property, real or personal, which
 19 was acquired under subsection (1) and which the department has
 20 determined is not needed for the construction, operation, and
 21 maintenance of a transportation facility. When such a
 22 determination has been made, property may be disposed of through
 23 negotiations, sealed competitive bids, auctions, or any other
 24 means the department deems to be in its best interest, with due
 25 advertisement for property valued by the department at greater

26 | than \$10,000. A sale may not occur at a price less than the
27 | department's current estimate of value, except as provided in
28 | paragraphs (a)-(d). The department may afford a right of first
29 | refusal to the local government or other political subdivision
30 | in the jurisdiction in which the parcel is situated, except in a
31 | conveyance transacted under paragraph (a), paragraph (c), or
32 | paragraph (e). Notwithstanding any provision of this section to
33 | the contrary, before any conveyance under this subsection may be
34 | made, except a conveyance under paragraph (a) or paragraph (c),
35 | the department shall first afford a right of first refusal to
36 | the previous property owner for the department's current
37 | estimate of value of the property. The right of first refusal
38 | must be made in writing and sent to the previous owner via
39 | certified mail or hand delivery, effective upon receipt. The
40 | right of first refusal must provide the previous owner with a
41 | minimum of 30 days to exercise the right in writing and must be
42 | sent to the originator of the offer by certified mail or hand
43 | delivery, effective upon dispatch. If the previous owner
44 | exercises his or her right of first refusal, the previous owner
45 | has a minimum of 90 days to close on the property. The right of
46 | first refusal set forth in this subsection may not be required
47 | for the disposal of property acquired more than 10 years before
48 | the date of disposition by the department.

49 | (b) If the property is to be used for a public purpose,
50 | including, but not limited to, affordable housing as provided in

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51 | ss. 125.379 and 166.0451, the property may be conveyed without
52 | consideration to a governmental entity.

53 | Section 2. This act shall take effect July 1, 2023.