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2 An act relating to state-owned real property; amending  
3 s. 253.034, F.S.; requiring the state to offer to  
4 lease state-owned buildings or lands to state agencies  
5 and universities before offering them for sale, lease,  
6 or sublease to others; amending s. 255.249, F.S.;  
7 requiring that the department determine if certain  
8 leases are in the best interests of the state;  
9 amending s. 255.25, F.S.; requiring that a state  
10 agency seeking to lease a privately owned building or  
11 land receive a determination from the Department of  
12 Management Services that the lease serves the best  
13 interests of the state; requiring the department to  
14 review the lease and determine if suitable space is  
15 available in a state-owned building in the same  
16 geographic region; requiring the department to notify  
17 the state agency proposing the lease, the Governor,  
18 and the Legislature of certain finding; amending s.  
19 627.351, F.S.; subjecting Citizens Property Insurance  
20 Corporation to ch. 255, F.S., relating to public  
21 property and publicly owned buildings; requiring the  
22 Department of Management Services to create and  
23 maintain a database of state-owned real property;  
24 providing requirements for the database; requiring a  
25 report to the Governor and Legislature; requiring the  
26 Department of Management Services, in coordination  
27 with the Board of Trustees of the Internal Improvement  
28 Trust Fund, to begin the process of disposing of  
29 certain buildings; providing an effective date.

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

Section 1. Subsection (15) is added to section 253.034, Florida Statutes, to read:

253.034 State-owned lands; uses.—

(15) Before a building or parcel of land is offered for lease, sublease, or sale to a local or federal unit of government or a private party, it shall first be offered for lease to state agencies and state universities, with priority consideration given to state universities.

Section 2. Paragraph (k) of subsection (4) of section 255.249, Florida Statutes, is amended to read:

255.249 Department of Management Services; responsibility; department rules.—

(4) The department shall adopt rules pursuant to chapter 120 providing:

(k) For a lease of less than 5,000 square feet, a method for certification by the agency head or the agency head's designated representative that all criteria for leasing have been fully complied with and for the filing of a copy of such lease and all supporting documents with the department for its review and approval as to technical sufficiency and whether it is in the best interests of the state.

Section 3. Subsection (2) of section 255.25, Florida Statutes, is amended to read:

255.25 Approval required prior to construction or lease of buildings.—

(2) (a) Except as provided in s. 255.2501, a state agency

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59 may not lease a building or any part thereof unless prior  
60 approval of the lease conditions and of the need therefor is  
61 first obtained from the department. Any approved lease may  
62 include an option to purchase or an option to renew the lease,  
63 or both, upon such terms and conditions as are established by  
64 the department subject to final approval by the head of the  
65 Department of Management Services and s. 255.2502.

66 ~~(b) The approval of the department, except for technical~~  
67 ~~sufficiency, need not be obtained~~ For the lease of less than  
68 5,000 square feet of space, a state agency must notify the  
69 department at least 30 days before the execution of the lease.  
70 The department shall review the lease and determine whether  
71 suitable space is available in a state-owned building located in  
72 the same geographic region. If the department determines that  
73 space is not available, the department shall determine whether  
74 the state agency lease is in the best interests of the state. If  
75 the department determines that the execution of the lease is not  
76 in the best interests of the state, the department shall notify  
77 the agency proposing the lease, the Governor, and the presiding  
78 officers of each house of the Legislature of such finding in  
79 writing. ~~within a privately owned building, provided the agency~~  
80 ~~head or the agency head's designated representative has~~  
81 ~~certified compliance with applicable leasing criteria as may be~~  
82 ~~provided pursuant to s. 255.249(4)(k) and has determined such~~  
83 ~~lease to be in the best interest of the state. A lease that is~~  
84 for a term extending beyond the end of a fiscal year is subject  
85 to the provisions of ss. 216.311, 255.2502, and 255.2503.

86 (c) The department shall adopt as a rule uniform leasing  
87 procedures for use by each state agency other than the

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88 Department of Transportation. Each state agency shall ensure  
89 that the leasing practices of that agency are in substantial  
90 compliance with the uniform leasing rules adopted under this  
91 section and ss. 255.249, 255.2502, and 255.2503.

92 (d) Notwithstanding paragraph (a) and except as provided in  
93 ss. 255.249 and 255.2501, a state agency may not lease a  
94 building or any part thereof unless prior approval of the lease  
95 terms and conditions and of the need therefor is first obtained  
96 from the department. The department may not approve any term or  
97 condition in a lease agreement which has been amended,  
98 supplemented, or waived unless a comprehensive analysis,  
99 including financial implications, demonstrates that such  
100 amendment, supplement, or waiver is in the state's long-term  
101 best interest. Any approved lease may include an option to  
102 purchase or an option to renew the lease, or both, upon such  
103 terms and conditions as are established by the department  
104 subject to final approval by the head of the Department of  
105 Management Services and the provisions of s. 255.2502.

106 Section 4. Present paragraphs (f) through (ee) of  
107 subsection (6) of section 627.351, Florida Statutes, are  
108 redesignated as paragraphs (g) through (ff), respectively, and a  
109 new paragraph (f) is added to that subsection, to read:

110 627.351 Insurance risk apportionment plans.—

111 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

112 (f) The corporation is subject to the provisions of chapter  
113 255.

114 Section 5. Database of state-owned property.—

115 (1) The Department of Management Services is directed to  
116 create, administer, and maintain a comprehensive database of all

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117 state-owned real property. To that end, the Department of  
118 Management Services shall prepare a plan to compile the database  
119 and address the following issues in the plan:

120 (a) A method for requiring that specific information be  
121 provided for each property in the database in order to determine  
122 appropriate valuation.

123 (b) A method for maintaining and updating the database.

124 (c) A method for identifying and assessing the database  
125 properties for potential disposition.

126 (d) A method for requiring that the Department of  
127 Management Services be notified of identified properties for  
128 purposes of conducting a strategic valuation and disposition  
129 analysis.

130 (2) The Department of Management Services shall submit the  
131 plan to the President of the Senate, the Speaker of the House of  
132 Representatives, and the Executive Office of the Governor by  
133 January 4, 2010.

134 Section 6. In an effort to improve cost efficiencies and  
135 maximize revenues to the state, by disposing of surplus  
136 property, the Department of Management Services, in coordination  
137 with the Board of Trustees of the Internal Improvement Trust  
138 Fund, shall begin immediately the disposition process of the  
139 Fuller Warren Building, the Bloxham Building, the Bloxham Annex  
140 Properties "A, B, and C," the Firestone Building, and the  
141 Winchester Building.

142 Section 7. This act shall take effect July 1, 2009.