

1 A bill to be entitled
2 An act relating to military-friendly initiatives;
3 amending s. 163.3175, F.S.; specifying additional
4 military installations that may exchange certain
5 information with local governments regarding
6 compatibility of land development; amending s.
7 197.572, F.S.; providing that an easement for certain
8 military lands continues after a tax sale or deed
9 execution; amending s. 1003.05, F.S.; requiring a
10 student whose parent is transferred or pending
11 transfer to a military installation within a school
12 district to be considered a resident of the district
13 and provided preferential treatment in the controlled
14 open enrollment process under certain circumstances;
15 amending s. 1009.21, F.S.; revising requirements for
16 active duty servicemembers and their families to be
17 classified as residents for tuition purposes;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Paragraphs (i) through (n) of subsection (2) of
23 section 163.3175, Florida Statutes, are redesignated as
24 paragraphs (j) through (o), respectively, and new paragraphs (i)
25 and (p) are added to that subsection to read:

26 | 163.3175 Legislative findings on compatibility of
 27 | development with military installations; exchange of information
 28 | between local governments and military installations.-

29 | (2) Certain major military installations, due to their
 30 | mission and activities, have a greater potential for
 31 | experiencing compatibility and coordination issues than others.
 32 | Consequently, this section and the provisions in s.

33 | 163.3177(6)(a), relating to compatibility of land development
 34 | with military installations, apply to specific affected local
 35 | governments in proximity to and in association with specific
 36 | military installations, as follows:

37 | (i) Naval Support Activity Orlando, including Bugg Spring
 38 | and Naval Ordinance Test Unit, associated with Orange County and
 39 | Orlando.

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

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

44 | 197.572 Certain easements ~~for conservation purposes,~~
 45 | ~~public service purposes, support of certain improvements, or~~
 46 | ~~drainage or ingress and egress~~ survive tax sales and deeds.-

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

51 | easement:

52 | (a) For conservation purposes as provided in s. 704.06 or
53 | for telephone, telegraph, pipeline, power transmission, or other
54 | public service purpose.~~†~~

55 | (b) ~~and shall continue to be subject to any easement~~ That
56 | supports improvements that may be constructed above the lands.~~†~~

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

59 | (d) For base buffering encroachment lands acquired through
60 | a fee simple or less-than-fee simple acquisition under s.
61 | 288.980 (2) (b) .

62 | (2) An ~~The~~ easement described in subsection (1) and the
63 | rights of the owner of the easement ~~it~~ shall survive and be
64 | enforceable after the execution, delivery, and recording of a
65 | tax deed, a master's deed, or a clerk's certificate of title
66 | pursuant to foreclosure of a tax deed, tax certificate, or tax
67 | lien, to the same extent as though the land had been conveyed by
68 | voluntary deed. The easement must be evidenced by written
69 | instrument recorded in the office of the clerk of the circuit
70 | court in the county where such land is located before the
71 | recording of such tax deed or master's deed, or, if not
72 | recorded, an easement for a public service purpose must be
73 | evidenced by wires, poles, or other visible occupation, an
74 | easement for drainage must be evidenced by a waterway, water
75 | bed, or other visible occupation, and an easement for the

76 | purpose of ingress and egress must be evidenced by a road or
77 | other visible occupation to be entitled to the benefit of this
78 | section; however, this shall apply only to tax deeds issued
79 | after the effective date of this act.

80 | Section 3. Subsection (4) is added to section 1003.05,
81 | Florida Statutes, to read:

82 | 1003.05 Assistance to transitioning students from military
83 | families.—

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

92 | Section 4. Paragraphs (a) and (b) of subsection (10) of
93 | section 1009.21, Florida Statutes, are amended to read:

94 | 1009.21 Determination of resident status for tuition
95 | purposes.—Students shall be classified as residents or
96 | nonresidents for the purpose of assessing tuition in
97 | postsecondary educational programs offered by charter technical
98 | career centers or career centers operated by school districts,
99 | in Florida College System institutions, and in state
100 | universities.

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

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

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

116 Section 5. This act shall take effect July 1, 2019.