

115TH CONGRESS
1ST SESSION

S. 1073

To authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2017

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Escambia County
5 Land Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) COUNTY.—The term “County” means
2 Escambia County, Florida.

3 (2) NON-FEDERAL LAND.—The term “non-Fed-
4 eral land” means the former Santa Rosa Island Na-
5 tional Monument land in the State that was con-
6 veyed by the United States to the County under the
7 Act of July 30, 1946 (60 Stat. 712, chapter 699),
8 and by deed dated January 15, 1947.

9 (3) STATE.—The term “State” means the State
10 of Florida.

11 **SEC. 3. RECONVEYANCE OF NON-FEDERAL LAND TO**
12 **ESCAMBIA COUNTY, FLORIDA.**

13 (a) IN GENERAL.—Notwithstanding the restrictions
14 on conveyance in the Act of July 30, 1946 (60 Stat. 712,
15 chapter 699), and the deed to the non-Federal land from
16 the United States to the County dated January 15, 1947,
17 and subject to subsections (c) through (g), the County
18 may convey all right, title, and interest of the County in
19 and to the non-Federal land or any portion of the non-
20 Federal land, to any person or entity, without any restric-
21 tion on conveyance or reconveyance imposed by the United
22 States in that Act or deed.

23 (b) EFFECT ON LEASEHOLD INTERESTS.—No person
24 or entity holding a leasehold interest in the non-Federal
25 land as of the date of enactment of this Act shall be re-

1 quired to involuntarily accept a fee interest to the non-
 2 Federal land in place of the leasehold interest in the non-
 3 Federal land.

4 (c) CONVEYANCE OF LAND WITHIN SANTA ROSA
 5 COUNTY, FLORIDA.—

6 (1) IN GENERAL.—As a condition of the au-
 7 thority granted to the County to convey the non-
 8 Federal land under subsection (a), all right, title,
 9 and interest of the County in and to any portion of
 10 the non-Federal land that is within the jurisdictional
 11 boundaries of Santa Rosa County, Florida, shall be
 12 conveyed by the County to Santa Rosa County, Flor-
 13 ida, by the date that is 2 years after the date of en-
 14 actment of this Act.

15 (2) REQUIREMENTS.—A conveyance under
 16 paragraph (1) shall—

17 (A) be absolute;

18 (B) terminate—

19 (i) any subjugation of Santa Rosa
 20 County, Florida, to the County; or

21 (ii) any regulation of Santa Rosa
 22 County, Florida, by the County; and

23 (C) be without consideration, except that
 24 the County may require Santa Rosa County,
 25 Florida, to pay the actual costs associated with

1 the conveyance of the non-Federal land to
2 Santa Rosa County, Florida.

3 (3) ASSUMPTION OF OWNERSHIP; IMPOSITION
4 OF RESTRICTIONS.—On conveyance of the non-Fed-
5 eral land to Santa Rosa County, Florida, under
6 paragraph (1), Santa Rosa County, Florida—

7 (A) shall assume ownership of the non-
8 Federal land free of the restrictions on the non-
9 Federal land described in subsection (g); and

10 (B) may establish any lawful restrictions
11 on, or criteria for the reconveyance of, the non-
12 Federal land to any leaseholder of the non-Fed-
13 eral land.

14 (4) RECONVEYANCE.—Santa Rosa County,
15 Florida, or any other person to whom Santa Rosa
16 County, Florida, reconveys the non-Federal land
17 may reconvey the non-Federal land or any portion of
18 the non-Federal land conveyed to Santa Rosa Coun-
19 ty, Florida, under paragraph (1).

20 (d) INCORPORATION OR ANNEXATION.—An owner or
21 leaseholder of the non-Federal land conveyed under this
22 section may pursue incorporation, annexation, or any
23 other governmental status for the non-Federal land, if the
24 owner or leaseholder complies with the legal conditions re-

1 quired for incorporation, annexation, or the other govern-
 2 mental status.

3 (e) JURISDICTION.—The non-Federal land shall be
 4 subject to the jurisdiction of the county or unit of local
 5 government in which the non-Federal land is located.

6 (f) PROCEEDS.—Any proceeds from the conveyance
 7 of the non-Federal land by the County or Santa Rosa
 8 County, Florida (other than amounts paid for the direct
 9 and incidental costs associated with the conveyance),
 10 under this section shall—

11 (1) be considered to be windfall profits; and

12 (2) revert to the United States.

13 (g) PRESERVATION.—As a condition of the grant of
 14 the authority to convey the non-Federal land under sub-
 15 section (a), the County shall preserve in perpetuity the
 16 areas of the non-Federal land that, as of the date of enact-
 17 ment of this Act, are dedicated for conservation, preserva-
 18 tion, public recreation access, and public parking, in ac-
 19 cordance with any resolutions of the Board of Commis-
 20 sioners of the County.

21 (h) DETERMINATION OF COMPLIANCE.—The County
 22 and Santa Rosa County, Florida—

23 (1) except as provided in subsection (c)(1), shall
 24 not be subject to a deadline or requirement to make

1 any conveyance or reconveyance of the non-Federal
2 land authorized under this section; and

3 (2) may establish terms for the conveyance or
4 reconveyance of the non-Federal land authorized
5 under this section, subject to this Act and applicable
6 State law.

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