

1                   A bill to be entitled  
2           An act relating to legal notices; amending s. 50.011,  
3           F.S.; deleting provisions relating to publication of  
4           legal notices in newspapers; repealing s. 50.021,  
5           F.S., relating to advertisements when no newspaper is  
6           published in a county; repealing s. 50.0211, F.S.,  
7           relating to Internet website publication of legal  
8           notices by newspapers; repealing s. 50.031, F.S.,  
9           relating to newspapers in which legal notices and  
10          process may be published; creating s. 50.0311, F.S.;  
11          providing a definition; requiring counties to publish  
12          legal notices on their websites; requiring counties to  
13          provide specified notice to residents concerning  
14          alternative methods of receiving legal notices;  
15          requiring counties to provide specified alternative  
16          means of receiving legal notices; authorizing counties  
17          to publish such notices on governmental access  
18          channels; amending s. 50.041, F.S.; deleting  
19          provisions relating to publication of legal notices in  
20          newspapers; amending s. 50.051, F.S.; deleting  
21          references to publication of legal notices in  
22          newspapers; specifying a form for affidavits of  
23          publication; repealing s. 50.061, F.S., relating to  
24          amounts chargeable for publication of legal notices;  
25          amending s. 50.0711, F.S.; revising provisions

26 relating to the use of court docket funds; amending s.  
 27 83.806, F.S.; providing that advertisement of a sale  
 28 or disposition of property may be published on certain  
 29 websites for a specified time period; deleting  
 30 provisions relating to an alternative form of  
 31 advertisement; amending ss. 11.02, 45.031, 69.081,  
 32 121.0511, 121.055, 125.66, 162.12, 166.041, 189.015,  
 33 190.005, 194.037, 197.402, 200.065, 316.066, 338.223,  
 34 373.0397, 373.146, 403.722, 501.059, 712.06, 849.38,  
 35 865.09, and 932.704, F.S.; conforming provisions to  
 36 changes made by the act; providing an effective date.

37

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

39

40 Section 1. Section 50.011, Florida Statutes, is amended to  
 41 read:

42 50.011 Publication of ~~Where and in what language~~ legal  
 43 notices; method to be published.—Whenever by statute an official  
 44 or legal advertisement or a publication, or notice ~~in a~~  
 45 ~~newspaper~~ has been or is directed or permitted in the nature of  
 46 or in lieu of process, or for constructive service, or in  
 47 initiating, assuming, reviewing, exercising or enforcing  
 48 jurisdiction or power, or for any purpose, including all legal  
 49 notices and advertisements of sheriffs and tax collectors, the  
 50 contemporaneous and continuous intent and meaning of such

51 | legislation all and singular, existing or repealed, is and has  
 52 | been and is hereby declared to be and to have been, and the rule  
 53 | of interpretation is and has been, a publication as provided in  
 54 | s. 50.0311 in a newspaper printed and published periodically  
 55 | once a week or oftener, containing at least 25 percent of its  
 56 | words in the English language, entered or qualified to be  
 57 | admitted and entered as periodicals matter at a post office in  
 58 | the county where published, for sale to the public generally,  
 59 | available to the public generally for the publication of  
 60 | official or other notices and customarily containing information  
 61 | of a public character or of interest or of value to the  
 62 | residents or owners of property in the county where published,  
 63 | or of interest or of value to the general public.

64 | Section 2. Section 50.021, Florida Statutes, is repealed.

65 | Section 3. Section 50.0211, Florida Statutes, is repealed.

66 | Section 4. Section 50.031, Florida Statutes, is repealed.

67 | Section 5. Section 50.0311, Florida Statutes, is created  
 68 | to read:

69 | 50.0311 Publication of advertisements and public notices  
 70 | on a publicly accessible website and governmental access  
 71 | channels.—

72 | (1) For purposes of notices and advertisements required  
 73 | under s. 50.11, the term "publicly accessible website" means a  
 74 | state or local government's agency official website or a private  
 75 | website that is accessible via the Internet. Notices published

76 | on websites must be in a searchable form.

77 | (2) A government agency may use its website to publish  
78 | legally required advertisements and public notices.

79 | (3) A government agency shall provide notice to its  
80 | residents at least once per year in a newspaper of general  
81 | circulation, the newsletter or periodical, or another  
82 | publication that is mailed or delivered to all residents or  
83 | property owners throughout the government's jurisdiction,  
84 | indicating that residents may receive legally required  
85 | advertisements and public notices from the agency by first-class  
86 | mail or e-mail upon registering their name and address or e-mail  
87 | address with the agency. The government agency shall maintain a  
88 | registry of names, addresses, and e-mail addresses of residents  
89 | who request in writing that they receive legally required  
90 | advertisements and public notices from the agency by first-class  
91 | mail or e-mail.

92 | (4) A link to advertisements and public notices published  
93 | on a publicly accessible website shall be conspicuously placed  
94 | on the website's homepage or accessible through a direct link  
95 | from the homepage. Each advertisement shall indicate the date on  
96 | which the advertisement was first published on the publicly  
97 | accessible website. Notices published on websites must be in a  
98 | searchable form.

99 | (5) A county government that has a governmental access  
100 | channel authorized under s. 610.109 may also include on its

101 governmental access channel a summary of all advertisements and  
102 public notices that are published on its website.

103 Section 6. Section 50.041, Florida Statutes, is amended to  
104 read:

105 50.041 Proof of publication; uniform affidavits required.—

106 (1) All affidavits ~~of publishers of newspapers (or their~~  
107 ~~official representatives)~~ made for the purpose of establishing  
108 proof of publication of public notices or legal advertisements  
109 shall be uniform throughout the state.

110 (2) Each such affidavit shall be printed upon white paper  
111 and shall be 8 1/2 inches in width and of convenient length, not  
112 less than 5 1/2 inches. A white margin of not less than 2 1/2  
113 inches shall be left at the right side of each affidavit form  
114 and upon or in this space shall be substantially pasted a  
115 clipping which shall be a true copy of the public notice or  
116 legal advertisement for which proof is executed. Alternatively,  
117 the affidavit may be provided in electronic rather than paper  
118 form, provided the notarization of the affidavit complies with  
119 the requirements of s. 117.021.

120 (3) ~~In all counties having a population in excess of~~  
121 ~~450,000 according to the latest official decennial census, in~~  
122 ~~addition to the charges which are now or may hereafter be~~  
123 ~~established by law for the publication of every official notice~~  
124 ~~or legal advertisement,~~ There may be a charge not to exceed \$2  
125 levied for the preparation and execution of each such proof of

126 publication or ~~publisher's~~ affidavit.

127 Section 7. Section 50.051, Florida Statutes, is amended to  
 128 read:

129 50.051 Proof of publication; form of uniform affidavit.—  
 130 The printed form upon which all such affidavits establishing  
 131 proof of publication are to be executed shall be substantially  
 132 as follows:

133 NAME OF COUNTY NEWSPAPER  
 134 Published ~~(Weekly or Daily)~~  
 135 ~~(Town or City) (County)~~ FLORIDA

136 STATE OF FLORIDA

137 COUNTY OF .....:

138 Before the undersigned authority personally appeared .....,  
 139 who on oath says that he or she is .... of ~~the ....., a ....~~  
 140 ~~newspaper published at .... in ....~~ County, Florida; that the  
 141 attached copy of advertisement, being a .... in the matter of  
 142 .... in the .... Court, was published on a website publishing  
 143 such notices for that county on ~~in said newspaper in the issues~~  
 144 ~~of .....~~

145 ~~Affiant further says that the said .... is a newspaper~~  
 146 ~~published at ....., in said .... County, Florida, and that the~~  
 147 ~~said newspaper has heretofore been continuously published in~~  
 148 ~~said .... County, Florida, each .... and has been entered as~~  
 149 ~~periodicals matter at the post office in ....., in said ....~~  
 150 ~~County, Florida, for a period of 1 year next preceding the first~~

151 ~~publication of the attached copy of advertisement; and affiant~~  
 152 ~~further says that he or she has neither paid nor promised any~~  
 153 ~~person, firm or corporation any discount, rebate, commission or~~  
 154 ~~refund for the purpose of securing this advertisement for~~  
 155 ~~publication in the said newspaper.~~

156 Sworn to and subscribed before me this .... day of ....,  
 157 ... (year) ..., by ....., who is personally known to me or who has  
 158 produced (type of identification) as identification.

159 ... (Signature of Notary Public) ...

160 ... (Print, Type, or Stamp Commissioned Name of Notary Public) ...

161 ... (Notary Public) ...

162 Section 8. Section 50.061, Florida Statutes, is repealed.

163 Section 9. Section 50.0711, Florida Statutes, is amended  
 164 to read:

165 50.0711 Court docket fund; service charges; publications.—

166 (1) The clerk of the court in each county may establish a  
 167 court docket fund for the purpose of paying the cost of  
 168 publication of the fact of the filing of any civil case in the  
 169 circuit court of the county by the style and of the calendar  
 170 relating to such cases. This court docket fund shall be funded  
 171 by \$1 mandatory court cost for all civil actions, suits, or  
 172 proceedings filed in the circuit court of the county. The clerk  
 173 shall maintain such funds separate and apart, and the proceeds  
 174 from this court cost shall not be diverted to any other fund or  
 175 for any purpose other than that established in this section. The

176 clerk of the court shall dispense the fund to the ~~designated~~  
177 ~~record newspaper in the county on a quarterly basis.~~

178 ~~(2) A newspaper qualified under the terms of s. 50.011~~  
179 ~~shall be designated as the record newspaper for such publication~~  
180 ~~by an order of the majority of the judges in the judicial~~  
181 ~~circuit in which such county is located, and such order shall be~~  
182 ~~filed and recorded with the clerk of the circuit court for such~~  
183 ~~county. The designated record newspaper may be changed at the~~  
184 ~~end of any fiscal year of the county by a majority vote of the~~  
185 ~~judges of the judicial circuit of the county ordering such~~  
186 ~~change 30 days prior to the end of the fiscal year, notice of~~  
187 ~~which order shall be given to the previously designated record~~  
188 ~~newspaper.~~

189 ~~(2)(3)~~ The website publisher ~~publishers of any designated~~  
190 ~~record newspapers~~ receiving payment from this court docket fund  
191 shall publish, without additional charge, the fact of the filing  
192 of any civil case, suit, or action filed in such county in the  
193 circuit. Such publication shall be in accordance with a schedule  
194 agreed upon between the website publisher ~~record newspaper~~ and  
195 the clerk of the court in such county.

196 ~~(3)(4)~~ The website publisher ~~publishers of any designated~~  
197 ~~record newspapers~~ receiving revenues from the court docket fund  
198 established in subsection (1) shall, without charge, accept  
199 legal advertisements for the purpose of service of process by  
200 publication under s. 49.011(4), (10), and (11) when such



201 publication is required of persons authorized to proceed as  
202 indigent persons under s. 57.081.

203 Section 10. Subsection (4) of section 83.806, Florida  
204 Statutes, is amended to read:

205 83.806 Enforcement of lien.—An owner's lien as provided in  
206 s. 83.805 may be satisfied as follows:

207 (4) After the expiration of the time given in the notice,  
208 an advertisement of the sale or other disposition shall be  
209 published once a week for 2 consecutive weeks in a newspaper of  
210 general circulation in the area where the self-service storage  
211 facility or self-contained storage unit is located or published  
212 continuously for 14 consecutive days on a public website that  
213 customarily conducts personal property auctions.

214 (a) A lien sale may be conducted on a public website that  
215 customarily conducts personal property auctions. The facility or  
216 unit owner is not required to hold a license to post property  
217 for online sale. Inasmuch as any sale may involve property of  
218 more than one tenant, a single advertisement may be used to  
219 dispose of property at any one sale.

220 (b) The advertisement shall include:

221 1. A brief and general description of what is believed to  
222 constitute the personal property contained in the storage unit,  
223 as provided in paragraph (2) (b).

224 2. The address of the self-service storage facility or the  
225 address where the self-contained storage unit is located and the

226 name of the tenant.

227 3. The time, place, and manner of the sale or other  
228 disposition. The sale or other disposition shall take place at  
229 least 15 days after the first publication.

230 ~~(c) If there is no newspaper of general circulation in the~~  
231 ~~area where the self-service storage facility or self-contained~~  
232 ~~storage unit is located, the advertisement shall be posted at~~  
233 ~~least 10 days before the date of the sale or other disposition~~  
234 ~~in at least three conspicuous places in the neighborhood where~~  
235 ~~the self-service storage facility or self-contained storage unit~~  
236 ~~is located.~~

237 Section 11. Section 11.02, Florida Statutes, is amended to  
238 read:

239 11.02 Notice of special or local legislation or certain  
240 relief acts.—The notice required to obtain special or local  
241 legislation or any relief act specified in s. 11.065 shall be by  
242 publishing the identical notice ~~in each county involved in some~~  
243 ~~newspaper as provided~~ defined in chapter 50 ~~published in or~~  
244 ~~circulated throughout~~ the county or counties where the matter or  
245 thing to be affected by such legislation shall be situated ~~one~~  
246 ~~time~~ at least 30 days before introduction of the proposed law  
247 into the Legislature ~~or, there being no newspaper circulated~~  
248 ~~throughout or published in the county, by posting for at least~~  
249 ~~30 days at not less than three public places in the county or~~  
250 ~~each of the counties, one of which places shall be at the~~

251 ~~courthouse in the county or counties where the matter or thing~~  
252 ~~to be affected by such legislation shall be situated.~~ Notice of  
253 special or local legislation shall state the substance of the  
254 contemplated law, as required by s. 10, Art. III of the State  
255 Constitution. Notice of any relief act specified in s. 11.065  
256 shall state the name of the claimant, the nature of the injury  
257 or loss for which the claim is made, and the amount of the claim  
258 against the affected municipality's revenue-sharing trust fund.

259 Section 12. Subsection (2) of section 45.031, Florida  
260 Statutes, is amended to read:

261 45.031 Judicial sales procedure.—In any sale of real or  
262 personal property under an order or judgment, the procedures  
263 provided in this section and ss. 45.0315-45.035 may be followed  
264 as an alternative to any other sale procedure if so ordered by  
265 the court.

266 (2) PUBLICATION OF SALE.—Notice of sale shall be published  
267 ~~once a week~~ for at least 2 consecutive weeks before the sale ~~in~~  
268 ~~a newspaper of general circulation,~~ as provided ~~defined~~ in  
269 chapter 50, ~~published~~ in the county where the sale is to be  
270 held. ~~The second publication shall be at least 5 days before the~~  
271 ~~sale.~~ The notice shall contain:

272 (a) A description of the property to be sold.

273 (b) The time and place of sale.

274 (c) A statement that the sale will be made pursuant to the  
275 order or final judgment.

- 276 (d) The caption of the action.  
 277 (e) The name of the clerk making the sale.  
 278 (f) A statement that any person claiming an interest in  
 279 the surplus from the sale, if any, other than the property owner  
 280 as of the date of the lis pendens must file a claim within 60  
 281 days after the sale.

282  
 283 The court, in its discretion, may enlarge the time of the sale.  
 284 Notice of the changed time of sale shall be published as  
 285 provided herein.

286 Section 13. Subsection (9) of section 69.081, Florida  
 287 Statutes, is amended to read:

288 69.081 Sunshine in litigation; concealment of public  
 289 hazards prohibited.—

290 (9) A governmental entity, except a municipality or  
 291 county, that settles a claim in tort which requires the  
 292 expenditure of public funds in excess of \$5,000, shall provide  
 293 notice, in accordance with ~~the provisions of~~ chapter 50, of such  
 294 settlement, in the county in which the claim arose, within 60  
 295 days of entering into such settlement; provided that no notice  
 296 shall be required if the settlement has been approved by a court  
 297 of competent jurisdiction.

298 Section 14. Subsection (2) of section 121.0511, Florida  
 299 Statutes, is amended to read:

300 121.0511 Revocation of election and alternative plan.—The

301 governing body of any municipality or independent special  
 302 district that has elected to participate in the Florida  
 303 Retirement System may revoke its election in accordance with the  
 304 following procedure:

305 (2) At least 7 days, but not more than 15 days, before the  
 306 hearing, notice of intent to revoke, specifying the time and  
 307 place of the hearing, must be published ~~in a newspaper of~~  
 308 ~~general circulation~~ in the area affected, as provided by ss.  
 309 50.011-50.031. Proof of publication of the notice must be  
 310 submitted to the Department of Management Services.

311 Section 15. Paragraphs (b) and (h) of subsection (1) of  
 312 section 121.055, Florida Statutes, are amended to read:

313 121.055 Senior Management Service Class.—There is hereby  
 314 established a separate class of membership within the Florida  
 315 Retirement System to be known as the "Senior Management Service  
 316 Class," which shall become effective February 1, 1987.

317 (1)

318 (b)1. Except as provided in subparagraph 2., effective  
 319 January 1, 1990, participation in the Senior Management Service  
 320 Class is compulsory for the president of each community college,  
 321 the manager of each participating municipality or county, and  
 322 all appointed district school superintendents. Effective January  
 323 1, 1994, additional positions may be designated for inclusion in  
 324 the Senior Management Service Class if:

325 a. Positions to be included in the class are designated by

326 the local agency employer. Notice of intent to designate  
327 positions for inclusion in the class must be published ~~once a~~  
328 ~~week for~~ at least 2 consecutive weeks ~~in a newspaper of general~~  
329 ~~circulation published~~ in the county or counties affected, as  
330 provided in chapter 50.

331 b. Up to 10 nonelective full-time positions may be  
332 designated for each local agency employer reporting to the  
333 department; for local agencies with 100 or more regularly  
334 established positions, additional nonelective full-time  
335 positions may be designated, not to exceed 1 percent of the  
336 regularly established positions within the agency.

337 c. Each position added to the class must be a managerial  
338 or policymaking position filled by an employee who is not  
339 subject to continuing contract and serves at the pleasure of the  
340 local agency employer without civil service protection, and who:

341 (I) Heads an organizational unit; or

342 (II) Has responsibility to effect or recommend personnel,  
343 budget, expenditure, or policy decisions in his or her areas of  
344 responsibility.

345 2. In lieu of participation in the Senior Management  
346 Service Class, members of the Senior Management Service Class,  
347 pursuant to subparagraph 1., may withdraw from the Florida  
348 Retirement System altogether. The decision to withdraw from the  
349 system is irrevocable as long as the employee holds the  
350 position. Any service creditable under the Senior Management

351 Service Class shall be retained after the member withdraws from  
352 the system; however, additional service credit in the Senior  
353 Management Service Class may not be earned after such  
354 withdrawal. Such members are not eligible to participate in the  
355 Senior Management Service Optional Annuity Program.

356 3. Effective January 1, 2006, through June 30, 2006, an  
357 employee who has withdrawn from the Florida Retirement System  
358 under subparagraph 2. has one opportunity to elect to  
359 participate in the pension plan or the investment plan.

360 a. If the employee elects to participate in the investment  
361 plan, membership shall be prospective, and the applicable  
362 provisions of s. 121.4501(4) govern the election.

363 b. If the employee elects to participate in the pension  
364 plan, the employee shall, upon payment to the system trust fund  
365 of the amount calculated under sub-sub-subparagraph (I), receive  
366 service credit for prior service based upon the time during  
367 which the employee had withdrawn from the system.

368 (I) The cost for such credit shall be an amount  
369 representing the actuarial accrued liability for the affected  
370 period of service. The cost shall be calculated using the  
371 discount rate and other relevant actuarial assumptions that were  
372 used to value the pension plan liabilities in the most recent  
373 actuarial valuation. The calculation must include any service  
374 already maintained under the pension plan in addition to the  
375 period of withdrawal. The actuarial accrued liability

376 | attributable to any service already maintained under the pension  
377 | plan shall be applied as a credit to the total cost resulting  
378 | from the calculation. The division must ensure that the transfer  
379 | sum is prepared using a formula and methodology certified by an  
380 | actuary.

381 |       (II) The employee must transfer a sum representing the net  
382 | cost owed for the actuarial accrued liability in sub-sub-  
383 | subparagraph (I) immediately following the time of such  
384 | movement, determined assuming that attained service equals the  
385 | sum of service in the pension plan and the period of withdrawal.

386 |       (h)1. Except as provided in subparagraph 3., effective  
387 | January 1, 1994, participation in the Senior Management Service  
388 | Class shall be compulsory for the State Courts Administrator and  
389 | the Deputy State Courts Administrators, the Clerk of the Supreme  
390 | Court, the Marshal of the Supreme Court, the Executive Director  
391 | of the Justice Administrative Commission, the capital collateral  
392 | regional counsel, the clerks of the district courts of appeals,  
393 | the marshals of the district courts of appeals, and the trial  
394 | court administrator and the Chief Deputy Court Administrator in  
395 | each judicial circuit. Effective January 1, 1994, additional  
396 | positions in the offices of the state attorney and public  
397 | defender in each judicial circuit may be designated for  
398 | inclusion in the Senior Management Service Class of the Florida  
399 | Retirement System, provided that:

400 |       a. Positions to be included in the class shall be



401 designated by the state attorney or public defender, as  
402 appropriate. Notice of intent to designate positions for  
403 inclusion in the class shall be published ~~once a week~~ for at  
404 least 2 consecutive weeks ~~in a newspaper of general circulation~~  
405 ~~published~~ in the county or counties affected, as provided in  
406 chapter 50.

407 b. One nonelective full-time position may be designated  
408 for each state attorney and public defender reporting to the  
409 Department of Management Services; for agencies with 200 or more  
410 regularly established positions under the state attorney or  
411 public defender, additional nonelective full-time positions may  
412 be designated, not to exceed 0.5 percent of the regularly  
413 established positions within the agency.

414 c. Each position added to the class must be a managerial  
415 or policymaking position filled by an employee who serves at the  
416 pleasure of the state attorney or public defender without civil  
417 service protection, and who:

418 (I) Heads an organizational unit; or

419 (II) Has responsibility to effect or recommend personnel,  
420 budget, expenditure, or policy decisions in his or her areas of  
421 responsibility.

422 2. Participation in this class shall be compulsory, except  
423 as provided in subparagraph 3., for any judicial employee who  
424 holds a position designated for coverage in the Senior  
425 Management Service Class, and such participation shall continue

426 | until the employee terminates employment in a covered position.  
427 | Effective January 1, 2001, participation in this class is  
428 | compulsory for assistant state attorneys, assistant statewide  
429 | prosecutors, assistant public defenders, and assistant capital  
430 | collateral regional counsel. Effective January 1, 2002,  
431 | participation in this class is compulsory for assistant  
432 | attorneys general.

433 |       3. In lieu of participation in the Senior Management  
434 | Service Class, such members, excluding assistant state  
435 | attorneys, assistant public defenders, assistant statewide  
436 | prosecutors, assistant attorneys general, and assistant capital  
437 | collateral regional counsel, may participate in the Senior  
438 | Management Service Optional Annuity Program as established in  
439 | subsection (6).

440 |       Section 16. Paragraph (a) of subsection (2) and paragraph  
441 | (b) of subsection (4) of section 125.66, Florida Statutes, are  
442 | amended to read:

443 |       125.66 Ordinances; enactment procedure; emergency  
444 | ordinances; rezoning or change of land use ordinances or  
445 | resolutions.—

446 |       (2) (a) The regular enactment procedure shall be as  
447 | follows: The board of county commissioners at any regular or  
448 | special meeting may enact or amend any ordinance, except as  
449 | provided in subsection (4), if notice of intent to consider such  
450 | ordinance is given at least 10 days prior to said meeting by

451 publication ~~in a newspaper of general circulation~~ in the county.  
452 A copy of such notice shall be kept available for public  
453 inspection during the regular business hours of the office of  
454 the clerk of the board of county commissioners. The notice of  
455 proposed enactment shall state the date, time, and place of the  
456 meeting; the title or titles of proposed ordinances; and the  
457 place or places within the county where such proposed ordinances  
458 may be inspected by the public. The notice shall also advise  
459 that interested parties may appear at the meeting and be heard  
460 with respect to the proposed ordinance.

461 (4) Ordinances or resolutions, initiated by other than the  
462 county, that change the actual zoning map designation of a  
463 parcel or parcels of land shall be enacted pursuant to  
464 subsection (2). Ordinances or resolutions that change the actual  
465 list of permitted, conditional, or prohibited uses within a  
466 zoning category, or ordinances or resolutions initiated by the  
467 county that change the actual zoning map designation of a parcel  
468 or parcels of land shall be enacted pursuant to the following  
469 procedure:

470 (b) In cases in which the proposed ordinance or resolution  
471 changes the actual list of permitted, conditional, or prohibited  
472 uses within a zoning category, or changes the actual zoning map  
473 designation of a parcel or parcels of land involving 10  
474 contiguous acres or more, the board of county commissioners  
475 shall provide for public notice and hearings as follows:

476 1. The board of county commissioners shall hold two  
477 advertised public hearings on the proposed ordinance or  
478 resolution. At least one hearing shall be held after 5 p.m. on a  
479 weekday, unless the board of county commissioners, by a majority  
480 plus one vote, elects to conduct that hearing at another time of  
481 day. The first public hearing shall be held at least 7 days  
482 after the day that the first advertisement is published. The  
483 second hearing shall be held at least 10 days after the first  
484 hearing and shall be advertised at least 5 days before ~~prior to~~  
485 the public hearing.

486 2. ~~The required advertisements shall be no less than 2~~  
487 ~~columns wide by 10 inches long in a standard size or a tabloid~~  
488 ~~size newspaper, and the headline in the advertisement shall be~~  
489 ~~in a type no smaller than 18 point. The advertisement shall not~~  
490 ~~be placed in that portion of the newspaper where legal notices~~  
491 ~~and classified advertisements appear. The advertisement shall be~~  
492 ~~placed in a newspaper of general paid circulation in the county~~  
493 ~~and of general interest and readership in the community pursuant~~  
494 ~~to chapter 50, not one of limited subject matter. It is the~~  
495 ~~legislative intent that, whenever possible, the advertisement~~  
496 ~~shall appear in a newspaper that is published at least 5 days a~~  
497 ~~week unless the only newspaper in the community is published~~  
498 ~~less than 5 days a week. The advertisement shall be in~~  
499 ~~substantially the following form:~~

500 ~~NOTICE OF (TYPE OF) CHANGE~~

501           ~~The ... (name of local governmental unit) ... proposes to~~  
 502 ~~adopt the following by ordinance or resolution: ... (title of~~  
 503 ~~ordinance or resolution)....~~

504           ~~A public hearing on the ordinance or resolution will be~~  
 505 ~~held on ... (date and time) ... at ... (meeting place)....~~

506 Except for amendments which change the actual list of permitted,  
 507 conditional, or prohibited uses within a zoning category, the  
 508 advertisement shall contain a geographic location map which  
 509 clearly indicates the area within the local government covered  
 510 by the proposed ordinance or resolution. The map shall include  
 511 major street names as a means of identification of the general  
 512 area. ~~In addition to being published in the newspaper,~~ The map  
 513 must be part of the online notice required pursuant to s.  
 514 50.0311 ~~s. 50.0211~~.

515           3. In lieu of publishing the advertisements set out in  
 516 this paragraph, the board of county commissioners may mail a  
 517 notice to each person owning real property within the area  
 518 covered by the ordinance or resolution. Such notice shall  
 519 clearly explain the proposed ordinance or resolution and shall  
 520 notify the person of the time, place, and location of both  
 521 public hearings on the proposed ordinance or resolution.

522           Section 17. Paragraph (a) of subsection (2) of section  
 523 162.12, Florida Statutes, is amended to read:

524           162.12 Notices.—

525           (2) In addition to providing notice as set forth in

526 subsection (1), at the option of the code enforcement board or  
 527 the local government, notice may be served by publication or  
 528 posting, as follows:

529 (a)1. Such notice shall be published ~~once during each week~~  
 530 for 4 consecutive weeks ~~(four publications being sufficient) in~~  
 531 ~~a newspaper of general circulation in the county where the code~~  
 532 ~~enforcement board is located. The newspaper shall meet such~~  
 533 ~~requirements as provided in are prescribed under chapter 50 for~~  
 534 legal and official advertisements.

535 2. Proof of publication shall be made as provided in ss.  
 536 50.041 and 50.051.

537 Section 18. Paragraph (c) of subsection (3) of section  
 538 166.041, Florida Statutes, is amended to read:

539 166.041 Procedures for adoption of ordinances and  
 540 resolutions.—

541 (3)

542 (c) Ordinances initiated by other than the municipality  
 543 that change the actual zoning map designation of a parcel or  
 544 parcels of land shall be enacted pursuant to paragraph (a).  
 545 Ordinances that change the actual list of permitted,  
 546 conditional, or prohibited uses within a zoning category, or  
 547 ordinances initiated by the municipality that change the actual  
 548 zoning map designation of a parcel or parcels of land shall be  
 549 enacted pursuant to the following procedure:

550 1. In cases in which the proposed ordinance changes the

551 actual zoning map designation for a parcel or parcels of land  
552 involving less than 10 contiguous acres, the governing body  
553 shall direct the clerk of the governing body to notify by mail  
554 each real property owner whose land the municipality will  
555 redesignate by enactment of the ordinance and whose address is  
556 known by reference to the latest ad valorem tax records. The  
557 notice shall state the substance of the proposed ordinance as it  
558 affects that property owner and shall set a time and place for  
559 one or more public hearings on such ordinance. Such notice shall  
560 be given at least 30 days before ~~prior to~~ the date set for the  
561 public hearing, and a copy of the notice shall be kept available  
562 for public inspection during the regular business hours of the  
563 office of the clerk of the governing body. The governing body  
564 shall hold a public hearing on the proposed ordinance and may,  
565 upon the conclusion of the hearing, immediately adopt the  
566 ordinance.

567 2. In cases in which the proposed ordinance changes the  
568 actual list of permitted, conditional, or prohibited uses within  
569 a zoning category, or changes the actual zoning map designation  
570 of a parcel or parcels of land involving 10 contiguous acres or  
571 more, the governing body shall provide for public notice and  
572 hearings as follows:

573 a. The local governing body shall hold two advertised  
574 public hearings on the proposed ordinance. At least one hearing  
575 shall be held after 5 p.m. on a weekday, unless the local

576 governing body, by a majority plus one vote, elects to conduct  
 577 that hearing at another time of day. The first public hearing  
 578 shall be held at least 7 days after the day that the first  
 579 advertisement is published. The second hearing shall be held at  
 580 least 10 days after the first hearing and shall be advertised at  
 581 least 5 days before ~~prior to~~ the public hearing.

582 b. ~~The required advertisements shall be no less than 2~~  
 583 ~~columns wide by 10 inches long in a standard size or a tabloid~~  
 584 ~~size newspaper, and the headline in the advertisement shall be~~  
 585 ~~in a type no smaller than 18 point. The advertisement shall not~~  
 586 ~~be placed in that portion of the newspaper where legal notices~~  
 587 ~~and classified advertisements appear. The advertisement shall be~~  
 588 ~~placed in a newspaper of general paid circulation in the~~  
 589 ~~municipality and of general interest and readership in the~~  
 590 ~~municipality, not one of limited subject matter, pursuant to~~  
 591 ~~chapter 50. It is the legislative intent that, whenever~~  
 592 ~~possible, the advertisement appear in a newspaper that is~~  
 593 ~~published at least 5 days a week unless the only newspaper in~~  
 594 ~~the municipality is published less than 5 days a week. The~~  
 595 ~~advertisement shall be in substantially the following form:~~

596 ~~NOTICE OF (TYPE OF) CHANGE~~

597 ~~The ... (name of local governmental unit) ... proposes to~~  
 598 ~~adopt the following ordinance: ... (title of the ordinance) ...~~

599 ~~A public hearing on the ordinance will be held on ... (date~~  
 600 ~~and time) ... at ... (meeting place) ...~~



601 Except for amendments which change the actual list of permitted,  
 602 conditional, or prohibited uses within a zoning category, the  
 603 advertisement shall contain a geographic location map which  
 604 clearly indicates the area covered by the proposed ordinance.  
 605 The map shall include major street names as a means of  
 606 identification of the general area. ~~In addition to being~~  
 607 ~~published in the newspaper,~~ The map must be part of the online  
 608 notice required pursuant to s. 50.0311 ~~s. 50.0211~~.

609 c. In lieu of publishing the advertisement set out in this  
 610 paragraph, the municipality may mail a notice to each person  
 611 owning real property within the area covered by the ordinance.  
 612 Such notice shall clearly explain the proposed ordinance and  
 613 shall notify the person of the time, place, and location of any  
 614 public hearing on the proposed ordinance.

615 Section 19. Subsection (1) of section 189.015, Florida  
 616 Statutes, is amended to read:

617 189.015 Meetings; notice; required reports.—

618 (1) The governing body of each special district shall file  
 619 quarterly, semiannually, or annually a schedule of its regular  
 620 meetings with the local governing authority or authorities. The  
 621 schedule shall include the date, time, and location of each  
 622 scheduled meeting. The schedule shall be published quarterly,  
 623 semiannually, or annually ~~in a newspaper of general paid~~  
 624 ~~circulation~~ in the manner required in this subsection. The  
 625 governing body of an independent special district shall

626 advertise the day, time, place, and purpose of any meeting other  
627 than a regular meeting or any recessed and reconvened meeting of  
628 the governing body, at least 7 days before such meeting, ~~in a~~  
629 ~~newspaper of general paid circulation~~ in the county or counties  
630 in which the special district is located, unless a bona fide  
631 emergency situation exists, in which case a meeting to deal with  
632 the emergency may be held as necessary, with reasonable notice,  
633 so long as it is subsequently ratified by the governing body. No  
634 approval of the annual budget shall be granted at an emergency  
635 meeting. The notice shall be posted as provided in advertisement  
636 ~~shall be placed in that portion of the newspaper where legal~~  
637 ~~notices and classified advertisements appear. The advertisement~~  
638 ~~shall appear in a newspaper that is published at least 5 days a~~  
639 ~~week, unless the only newspaper in the county is published fewer~~  
640 ~~than 5 days a week. The newspaper selected must be one of~~  
641 ~~general interest and readership in the community and not one of~~  
642 ~~limited subject matter, pursuant to chapter 50. Any other~~  
643 provision of law to the contrary notwithstanding, and except in  
644 the case of emergency meetings, water management districts may  
645 provide reasonable notice of public meetings held to evaluate  
646 responses to solicitations issued by the water management  
647 district, by publication as provided in chapter 50 ~~in a~~  
648 ~~newspaper of general paid circulation~~ in the county where the  
649 principal office of the water management district is located, or  
650 in the county or counties where the public work will be

651 performed, no less than 7 days before such meeting.

652 Section 20. Paragraph (d) of subsection (1) of section  
653 190.005, Florida Statutes, is amended to read:

654 190.005 Establishment of district.—

655 (1) The exclusive and uniform method for the establishment  
656 of a community development district with a size of 2,500 acres  
657 or more shall be pursuant to a rule, adopted under chapter 120  
658 by the Florida Land and Water Adjudicatory Commission, granting  
659 a petition for the establishment of a community development  
660 district.

661 (d) A local public hearing on the petition shall be  
662 conducted by a hearing officer in conformance with the  
663 applicable requirements and procedures of the Administrative  
664 Procedure Act. The hearing shall include oral and written  
665 comments on the petition pertinent to the factors specified in  
666 paragraph (e). The hearing shall be held at an accessible  
667 location in the county in which the community development  
668 district is to be located. The petitioner shall cause a notice  
669 of the hearing to be published ~~in a newspaper at least once a~~  
670 ~~week~~ for the 4 successive weeks immediately before ~~prior to~~ the  
671 hearing. Such notice shall give the time and place for the  
672 hearing, a description of the area to be included in the  
673 district, which description shall include a map showing clearly  
674 the area to be covered by the district, and any other relevant  
675 information which the establishing governing bodies may require.

676 ~~The advertisement shall not be placed in that portion of the~~  
 677 ~~newspaper where legal notices and classified advertisements~~  
 678 ~~appear.~~ The advertisement shall be published in a newspaper of  
 679 general paid circulation in the county and of general interest  
 680 and readership in the community, not one of limited subject  
 681 matter, pursuant to chapter 50. ~~Whenever possible, the~~  
 682 ~~advertisement shall appear in a newspaper that is published at~~  
 683 ~~least 5 days a week, unless the only newspaper in the community~~  
 684 ~~is published fewer than 5 days a week.~~ In addition to being  
 685 ~~published in the newspaper,~~ The map referenced above must be  
 686 part of the online advertisement required pursuant to s. 50.0311  
 687 ~~s. 50.0211.~~ All affected units of general-purpose local  
 688 government and the general public shall be given an opportunity  
 689 to appear at the hearing and present oral or written comments on  
 690 the petition.

691 Section 21. Subsection (1) of section 194.037, Florida  
 692 Statutes, is amended to read:

693 194.037 Disclosure of tax impact.—

694 (1) After hearing all petitions, complaints, appeals, and  
 695 disputes, the clerk shall make public notice of the findings and  
 696 results of the board as provided in ~~in at least a quarter-page~~  
 697 ~~size advertisement of a standard size or tabloid size newspaper,~~  
 698 ~~and the headline shall be in a type no smaller than 18 point.~~  
 699 ~~The advertisement shall not be placed in that portion of the~~  
 700 ~~newspaper where legal notices and classified advertisements~~

701 ~~appear. The advertisement shall be published in a newspaper of~~  
702 ~~general paid circulation in the county. The newspaper selected~~  
703 ~~shall be one of general interest and readership in the~~  
704 ~~community, and not one of limited subject matter, pursuant to~~  
705 chapter 50. The headline shall read: TAX IMPACT OF VALUE  
706 ADJUSTMENT BOARD. The public notice shall list the members of  
707 the value adjustment board and the taxing authorities to which  
708 they are elected. The form shall show, in columnar form, for  
709 each of the property classes listed under subsection (2), the  
710 following information, with appropriate column totals:

711 (a) In the first column, the number of parcels for which  
712 the board granted exemptions that had been denied or that had  
713 not been acted upon by the property appraiser.

714 (b) In the second column, the number of parcels for which  
715 petitions were filed concerning a property tax exemption.

716 (c) In the third column, the number of parcels for which  
717 the board considered the petition and reduced the assessment  
718 from that made by the property appraiser on the initial  
719 assessment roll.

720 (d) In the fourth column, the number of parcels for which  
721 petitions were filed but not considered by the board because  
722 such petitions were withdrawn or settled before ~~prior to~~ the  
723 board's consideration.

724 (e) In the fifth column, the number of parcels for which  
725 petitions were filed requesting a change in assessed value,

726 including requested changes in assessment classification.

727 (f) In the sixth column, the net change in taxable value  
 728 from the assessor's initial roll which results from board  
 729 decisions.

730 (g) In the seventh column, the net shift in taxes to  
 731 parcels not granted relief by the board. The shift shall be  
 732 computed as the amount shown in column 6 multiplied by the  
 733 applicable millage rates adopted by the taxing authorities in  
 734 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of  
 735 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State  
 736 Constitution, but without adjustment as authorized pursuant to  
 737 s. 200.065(6). If for any taxing authority the hearing has not  
 738 been completed at the time the notice required herein is  
 739 prepared, the millage rate used shall be that adopted in the  
 740 hearing held pursuant to s. 200.065(2)(c).

741 Section 22. Subsection (1) of section 197.402, Florida  
 742 Statutes, is amended to read:

743 197.402 Advertisement of real or personal property with  
 744 delinquent taxes.—

745 (1) If advertisements are required, the board of county  
 746 commissioners shall make such notice ~~select the newspaper~~ as  
 747 provided in chapter 50. The tax collector shall pay all  
 748 ~~newspaper~~ charges, and the proportionate cost of the  
 749 advertisements shall be added to the delinquent taxes collected.

750 Section 23. Paragraph (h) of subsection (3) of section

751 200.065, Florida Statutes, is amended to read:

752 200.065 Method of fixing millage.—

753 (3) The advertisement shall be published ~~no less than one-~~  
754 ~~quarter page in size of a standard size or a tabloid size~~  
755 ~~newspaper, and the headline in the advertisement shall be in a~~  
756 ~~type no smaller than 18 point. The advertisement shall not be~~  
757 ~~placed in that portion of the newspaper where legal notices and~~  
758 ~~classified advertisements appear. The advertisement shall be~~  
759 ~~published in a newspaper of general paid circulation in the~~  
760 ~~county or in a geographically limited insert of such newspaper.~~  
761 ~~The geographic boundaries in which such insert is circulated~~  
762 ~~shall include the geographic boundaries of the taxing authority.~~  
763 ~~It is the legislative intent that, whenever possible, the~~  
764 ~~advertisement appear in a newspaper that is published at least 5~~  
765 ~~days a week unless the only newspaper in the county is published~~  
766 ~~less than 5 days a week, or that the advertisement appear in a~~  
767 ~~geographically limited insert of such newspaper which insert is~~  
768 ~~published throughout the taxing authority's jurisdiction at~~  
769 ~~least twice each week. It is further the legislative intent that~~  
770 ~~the newspaper selected be one of general interest and readership~~  
771 ~~in the community and not one of limited subject matter, pursuant~~  
772 to chapter 50.

773 (h) In no event shall any taxing authority add to or  
774 delete from the language of the advertisements as specified  
775 herein unless expressly authorized by law, except that, if an

776 increase in ad valorem tax rates will affect only a portion of  
 777 the jurisdiction of a taxing authority, advertisements may  
 778 include a map or geographical description of the area to be  
 779 affected and the proposed use of the tax revenues under  
 780 consideration. ~~In addition, if published in the newspaper, the~~  
 781 ~~map must be part of the online advertisement required by s.~~  
 782 ~~50.0211.~~ The advertisements required herein shall not be  
 783 accompanied, preceded, or followed by other advertising or  
 784 notices which conflict with or modify the substantive content  
 785 prescribed herein.

786 Section 24. Paragraph (b) of subsection (2) of section  
 787 316.066, Florida Statutes, is amended to read:

788 316.066 Written reports of crashes.—

789 (2)

790 (b) Crash reports held by an agency under paragraph (a)  
 791 may be made immediately available to the parties involved in the  
 792 crash, their legal representatives, their licensed insurance  
 793 agents, their insurers or insurers to which they have applied  
 794 for coverage, persons under contract with such insurers to  
 795 provide claims or underwriting information, prosecutorial  
 796 authorities, law enforcement agencies, the Department of  
 797 Transportation, county traffic operations, victim services  
 798 programs, radio and television stations licensed by the Federal  
 799 Communications Commission, newspapers ~~qualified to publish legal~~  
 800 ~~notices under ss. 50.011 and 50.031,~~ and, in accordance with



801 paragraph (f), free newspapers of general circulation, published  
802 once a week or more often, of which at least 7,500 copies are  
803 distributed by mail or by carrier as verified by a postal  
804 statement or by a notarized printer's statement of press run,  
805 which are intended to be generally distributed and circulated,  
806 and which contain news of general interest with at least 10  
807 pages per publication, available and of interest to the public  
808 generally for the dissemination of news. For the purposes of  
809 this section, the following products or publications are not  
810 newspapers as referred to in this section: those intended  
811 primarily for members of a particular profession or occupational  
812 group; those with the primary purpose of distributing  
813 advertising; and those with the primary purpose of publishing  
814 names and other personal identifying information concerning  
815 parties to motor vehicle crashes.

816 Section 25. Paragraph (c) of subsection (1) of section  
817 338.223, Florida Statutes, is amended to read:

818 338.223 Proposed turnpike projects.—

819 (1)

820 (c) Before ~~Prior to~~ requesting legislative approval of a  
821 proposed turnpike project, the environmental feasibility of the  
822 proposed project shall be reviewed by the Department of  
823 Environmental Protection. The department shall submit its  
824 Project Development and Environmental Report to the Department  
825 of Environmental Protection, along with a draft copy of a public

826 notice. Within 14 days of receipt of the draft public notice,  
827 the Department of Environmental Protection shall return the  
828 draft public notice to the Department of Transportation with an  
829 approval of the language or modifications to the language. Upon  
830 receipt of the approved or modified draft, or if no comments are  
831 provided within 14 days, the Department of Transportation shall  
832 publish the notice ~~in a newspaper~~ to provide a 30-day public  
833 comment period. ~~The headline of the required notice shall be in~~  
834 ~~a type no smaller than 18 point.~~ The notice shall be placed ~~in~~  
835 ~~that portion of the newspaper where legal notices appear.~~ The  
836 ~~notice shall be published in a newspaper of general circulation~~  
837 in the county or counties of general interest and readership in  
838 the community as provided in s. 50.0311 ~~s. 50.031~~, ~~not one of~~  
839 ~~limited subject matter.~~ ~~Whenever possible, the notice shall~~  
840 ~~appear in a newspaper that is published at least 5 days a week.~~  
841 The notice shall include, but is not limited to, the following  
842 information:

- 843 1. The purpose of the notice is to provide for a 30-day  
844 period for written public comments on the environmental impacts  
845 of a proposed turnpike project.
- 846 2. The name and description of the project, along with a  
847 geographic location map clearly indicating the area where the  
848 proposed project will be located.
- 849 3. The address where such comments must be sent and the  
850 date such comments are due.

851  
 852 After a review of the department's report and any public  
 853 comments, the Department of Environmental Protection shall  
 854 submit a statement of environmental feasibility to the  
 855 department within 30 days after the date on which public  
 856 comments are due. The notice and the statement of environmental  
 857 feasibility shall not give rise to any rights to a hearing or  
 858 other rights or remedies provided pursuant to chapter 120 or  
 859 chapter 403, and shall not bind the Department of Environmental  
 860 Protection in any subsequent environmental permit review.

861 Section 26. Section 373.0397, Florida Statutes, is amended  
 862 to read:

863 373.0397 Floridan and Biscayne aquifers; designation of  
 864 prime groundwater recharge areas.—Upon preparation of an  
 865 inventory of prime groundwater recharge areas for the Floridan  
 866 or Biscayne aquifers, but before ~~prior to~~ adoption by the  
 867 governing board, the water management district shall publish a  
 868 legal notice of public hearing on the designated areas for the  
 869 Floridan and Biscayne aquifers, with a map delineating the  
 870 boundaries of the areas, as provided ~~in newspapers defined in~~  
 871 chapter 50 in each county ~~as having general circulation~~ within  
 872 the area to be affected. The notice shall be at least one-fourth  
 873 page and shall read as follows:

874 NOTICE OF PRIME RECHARGE  
 875 AREA DESIGNATION

876           The ...(name of taxing authority)... proposes to designate  
 877 specific land areas as areas of prime recharge to the ...(name  
 878 of aquifer)... Aquifer.

879           All concerned citizens are invited to attend a public  
 880 hearing on the proposed designation to be held on ...(date and  
 881 time)... at ...(meeting place)....

882           A map of the affected areas follows.  
 883 The governing board of the water management district shall adopt  
 884 a designation of prime groundwater recharge areas to the  
 885 Floridan and Biscayne aquifers by rule within 120 days after the  
 886 public hearing, subject to the provisions of chapter 120.

887           Section 27. Section 373.146, Florida Statutes, is amended  
 888 to read:

889           373.146 Publication of notices, process, and papers.—

890           (1) Whenever in this chapter the publication of any  
 891 notice, process, or paper is required or provided for, unless  
 892 otherwise provided by law, the publication thereof ~~in some~~  
 893 ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 in  
 894 each county ~~having general circulation~~ within the area to be  
 895 affected shall be taken and considered as being sufficient.

896           (2) Notwithstanding any other provision of law to the  
 897 contrary, and except in the case of emergency meetings, water  
 898 management districts may provide reasonable notice of public  
 899 meetings held to evaluate responses to solicitations issued by  
 900 the water management district, by publication as provided in

901 ~~chapter 50 in a newspaper of general paid circulation~~ in the  
902 county where the principal office of the water management  
903 district is located, or in the county or counties where the  
904 public work will be performed, no less than 7 days before such  
905 meeting.

906 Section 28. Subsection (12) of section 403.722, Florida  
907 Statutes, is amended to read:

908 403.722 Permits; hazardous waste disposal, storage, and  
909 treatment facilities.—

910 (12) On the same day of filing with the department of an  
911 application for a permit for the construction modification, or  
912 operation of a hazardous waste facility, the applicant shall  
913 notify each city and county within 1 mile of the facility of the  
914 filing of the application and shall publish notice of the filing  
915 of the application. The applicant shall publish a second notice  
916 of the filing within 14 days after the date of filing. Each  
917 notice shall be published ~~in a newspaper of general circulation~~  
918 in the county in which the facility is located or is proposed to  
919 be located as provided in . ~~Notwithstanding the provisions of~~  
920 ~~chapter 50, for purposes of this section, a "newspaper of~~  
921 ~~general circulation" shall be the newspaper within the county in~~  
922 ~~which the installation or facility is proposed which has the~~  
923 ~~largest daily circulation in that county and has its principal~~  
924 ~~office in that county. If the newspaper with the largest daily~~  
925 ~~circulation has its principal office outside the county, the~~

926 | ~~notice shall appear in both the newspaper with the largest daily~~  
 927 | ~~circulation in that county, and a newspaper authorized to~~  
 928 | ~~publish legal notices in that county.~~ The notice shall contain:

929 |       (a) The name of the applicant and a brief description of  
 930 | the project and its location.

931 |       (b) The location of the application file and when it is  
 932 | available for public inspection.

933 |

934 | The notice shall be prepared by the applicant and shall comply  
 935 | with the following format:

936 |   Notice of Application

937 | The Department of Environmental Protection announces receipt of  
 938 | an application for a permit from ...(name of applicant)... to  
 939 | ...(brief description of project).... This proposed project will  
 940 | be located at ...(location)... in ...(county)... ...(city)....

941 | This application is being processed and is available for public  
 942 | inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,  
 943 | Monday through Friday, except legal holidays, at ...(name and  
 944 | address of office)....

945 |       Section 29. Paragraph (c) of subsection (7) of section  
 946 | 501.059, Florida Statutes, is amended to read:

947 |       501.059 Telephone solicitation.—

948 |       (7)

949 |       (c) ~~The provisions of~~ This subsection does ~~de~~ not apply to  
 950 | a transaction:

951           1. Made in accordance with prior negotiations in the  
 952 course of a visit by the consumer to a merchant operating a  
 953 retail business establishment which has a fixed permanent  
 954 location and where consumer goods are displayed or offered for  
 955 sale on a continuing basis;

956           2. In which the consumer may obtain a full refund for the  
 957 return of undamaged and unused goods or a cancellation of  
 958 services notice to the seller within 7 days after receipt by the  
 959 consumer, and the seller will process the refund within 30 days  
 960 after receipt of the returned merchandise by the consumer;

961           3. In which the consumer purchases goods or services  
 962 pursuant to an examination of a television, radio, or print  
 963 advertisement or a sample, brochure, or catalog of the merchant  
 964 that contains:

965           a. The name, address, and telephone number of the  
 966 merchant;

967           b. A description of the goods or services being sold; and

968           c. Any limitations or restrictions that apply to the  
 969 offer; or

970           4. In which the merchant is a bona fide charitable  
 971 organization or a newspaper ~~as defined in chapter 50.~~

972           Section 30. Paragraph (b) of subsection (3) of section  
 973 712.06, Florida Statutes, is amended to read:

974           712.06 Contents of notice; recording and indexing.—

975           (3) The person providing the notice referred to in s.

976 712.05, other than a notice for preservation of a community  
 977 covenant or restriction, shall:

978 (b) Publish ~~once a week~~, for 2 consecutive weeks, the  
 979 notice referred to in s. 712.05, with the official record book  
 980 and page number in which such notice was recorded, ~~in a~~  
 981 ~~newspaper~~ as provided ~~defined~~ in chapter 50 in the county in  
 982 which the property is located.

983 Section 31. Subsection (5) of section 849.38, Florida  
 984 Statutes, is amended to read:

985 849.38 Proceedings for forfeiture; notice of seizure and  
 986 order to show cause.—

987 (5) If the value of the property seized is shown by the  
 988 sheriff's return to have an appraised value of \$1,000 or less,  
 989 the above citation shall be served by posting at three public  
 990 places in the county, one of which shall be the front door of  
 991 the courthouse; if the value of the property is shown by the  
 992 sheriff's return to have an approximate value of more than  
 993 \$1,000, the citation shall be published ~~at least once each week~~  
 994 for 2 consecutive weeks as provided in chapter 50. ~~in some~~  
 995 ~~newspaper of general publication published in the county, if~~  
 996 ~~there be such a newspaper published in the county and if not,~~  
 997 ~~then~~ Said notice of such publication shall be made by  
 998 certificate of the clerk if publication is made by posting, and  
 999 by affidavit as provided in chapter 50, if made by publication  
 1000 as provided in chapter 50 ~~in a newspaper~~, which affidavit or



1001 certificate shall be filed and become a part of the record in  
 1002 the cause. Failure of the record to show proof of such  
 1003 publication shall not affect any judgment made in the cause  
 1004 unless it shall affirmatively appear that no such publication  
 1005 was made.

1006 Section 32. Paragraph (a) of subsection (3) of section  
 1007 865.09, Florida Statutes, is amended to read:

1008 865.09 Fictitious name registration.—

1009 (3) REGISTRATION.—

1010 (a) A person may not engage in business under a fictitious  
 1011 name unless the person first registers the name with the  
 1012 division by filing a registration listing:

- 1013 1. The name to be registered.
- 1014 2. The mailing address of the business.
- 1015 3. The name and address of each registrant.
- 1016 4. If the registrant is a business entity that was  
 1017 required to file incorporation or similar documents with its  
 1018 state of organization when it was organized, such entity must be  
 1019 registered with the division and in active status with the  
 1020 division; provide its Florida document registration number; and  
 1021 provide its federal employer identification number if the entity  
 1022 has such a number.

1023 5. Certification by at least one registrant that the  
 1024 intention to register such fictitious name has been advertised  
 1025 as provided ~~at least once in a newspaper as defined in chapter~~

1026 | 50 in the county in which the principal place of business of the  
 1027 | registrant is or will be located.

1028 |         6. Any other information the division may reasonably deem  
 1029 | necessary to adequately inform other governmental agencies and  
 1030 | the public as to the registrant so conducting business.

1031 |         Section 33. Paragraph (a) of subsection (6) of section  
 1032 | 932.704, Florida Statutes, is amended to read:

1033 |         932.704 Forfeiture proceedings.—

1034 |         (6) (a) If the property is required by law to be titled or  
 1035 | registered, or if the owner of the property is known in fact to  
 1036 | the seizing agency, or if the seized property is subject to a  
 1037 | perfected security interest in accordance with the Uniform  
 1038 | Commercial Code, chapter 679, the attorney for the seizing  
 1039 | agency shall serve the forfeiture complaint as an original  
 1040 | service of process under the Florida Rules of Civil Procedure  
 1041 | and other applicable law to each person having an ownership or  
 1042 | security interest in the property. The seizing agency shall also  
 1043 | publish, in accordance with chapter 50, notice of the forfeiture  
 1044 | complaint ~~once each week~~ for 2 consecutive weeks ~~in a newspaper~~  
 1045 | ~~of general circulation, as defined in s. 165.031,~~ in the county  
 1046 | where the seizure occurred.

1047 |         Section 34. This act shall take effect July 1, 2020.