

1  
2 An act relating to the Florida Statutes;  
3 amending ss. 40.011, 45.031, 50.051, 75.11,  
4 83.56, 98.095, 99.021, 101.051, 101.111,  
5 101.47, 101.49, 102.167, 105.031, 106.087,  
6 125.411, 157.31, 196.111, 200.065, 236.32,  
7 255.05, 298.301, 298.77, 372.312, 538.08,  
8 538.24, 568.13, 591.29, 695.031, 709.08,  
9 713.20, 713.22, 713.23, 718.116, 727.111,  
10 765.303, 812.014, 849.38, 921.241, 921.242, and  
11 932.66, Florida Statutes, to revise references  
12 to dates reading "19..." in forms in the  
13 Florida Statutes in anticipation of the  
14 approaching millennium.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Subsection (2) of section 40.011, Florida  
19 Statutes, is amended to read:

20 40.011 Jury lists.--

21 (2) The affidavit executed pursuant to subsection (1)  
22 must be in substantially the following form:

23  
24 State of Florida

25  
26 I, ....., do solemnly swear (or affirm) that I am ....  
27 years of age; that I am a citizen of the United States and a  
28 legal resident of Florida and .... County; that I personally  
29 make application for jury duty; that I am eligible to serve as  
30 a juror under the Constitution and laws of Florida; and that I  
31 reside at ...(Address)...

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...(Signature)...

Sworn to and subscribed before me this .... day of ....,  
...(year)...~~19....~~, at .... County, Florida.

.....  
(Signature and title of officer  
administering oath)

Section 2. Subsections (3), (4), and (7) of section  
45.031, Florida Statutes, are amended to read:

45.031 Judicial sales procedure.--In any sale of real  
or personal property under an order or judgment, the following  
procedure may be followed as an alternative to any other sale  
procedure if so ordered by the court:

(3) CERTIFICATION OF SALE.--After a sale of the  
property the clerk shall promptly file a certificate of sale  
and serve a copy of it on each party not in default in  
substantially the following form:

(Caption of Action)

CERTIFICATE OF SALE

The undersigned clerk of the court certifies that  
notice of public sale of the property described in the order  
or final judgment was published in ...., a newspaper  
circulated in .... County, Florida, in the manner shown by the  
proof of publication attached, and on ...., ...(year)...  
~~19....~~, the property was offered for public sale to the  
highest and best bidder for cash. The highest and best bid

1 received for the property was submitted by . . . . , to whom the  
2 property was sold. The proceeds of the sale are retained for  
3 distribution in accordance with the order or final judgment.

4 WITNESS my hand and the seal of this court on . . . . ,  
5 ... (year) ... 19.....

6 . . . (Clerk) . . .

7 By . . . (Deputy Clerk) . . .

8  
9 (4) CERTIFICATE OF TITLE.--If no objections to the  
10 sale are filed within 10 days after filing the certificate of  
11 sale, the clerk shall file a certificate of title and serve a  
12 copy of it on each party not in default in substantially the  
13 following form:

14  
15 (Caption of Action)

16  
17 CERTIFICATE OF TITLE

18  
19 The undersigned clerk of the court certifies that he or  
20 she executed and filed a certificate of sale in this action on  
21 ...., ... (year) ... 19...., for the property described herein  
22 and that no objections to the sale have been filed within the  
23 time allowed for filing objections.

24 The following property in .... County, Florida:  
25 (description)  
26 was sold to .....

27  
28 WITNESS my hand and the seal of the court on . . . . ,  
29 ... (year) ... 19.....

30 . . . (Clerk) . . .

31 By . . . (Deputy Clerk) . . .

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(7) DISBURSEMENTS OF PROCEEDS.--On filing a certificate of title the clerk shall disburse the proceeds of the sale in accordance with the order or final judgment, and shall file a report of such disbursements and serve a copy of it on each party not in default, and on the Department of Revenue if it was named as a defendant in the action, in substantially the following form:

(Caption of Action)

CERTIFICATE OF DISBURSEMENTS

The undersigned clerk of the court certifies that he or she disbursed the proceeds received from the sale of the property as provided in the order or final judgment to the persons and in the amounts as follows:

Name	Amount
Total	

WITNESS my hand and the seal of the court on . . . . ,  
... (year) ...~~19.....~~

...(Clerk)...

By ...(Deputy Clerk)...

If no objections to the report are served within 10 days after it is filed, the disbursements by the clerk shall stand approved as reported. If timely objections to the report are served, they shall be heard by the court. Service of

1 objections to the report does not affect or cloud the title of  
2 the purchaser of the property in any manner.

3 Section 3. Section 50.051, Florida Statutes, is  
4 amended to read:

5 50.051 Proof of publication; form of uniform  
6 affidavit.--The printed form upon which all such affidavits  
7 establishing proof of publication are to be executed shall be  
8 substantially as follows:

9

10 NAME OF NEWSPAPER

11

12 Published (Weekly or Daily)

13

14 (Town or City) (County) FLORIDA

15

16 STATE OF FLORIDA

17

18 COUNTY OF ....:

19

20 Before the undersigned authority personally appeared  
21 ....., who on oath says that he or she is .... of the ....., a  
22 .... newspaper published at .... in .... County, Florida; that  
23 the attached copy of advertisement, being a .... in the matter  
24 of .... in the .... Court, was published in said newspaper in  
25 the issues of .....

26

27 Affiant further says that the said .... is a newspaper  
28 published at ....., in said .... County, Florida, and that the  
29 said newspaper has heretofore been continuously published in  
30 said .... County, Florida, each .... and has been entered as  
31 second-class mail matter at the post office in ....., in said  
32 .... County, Florida, for a period of 1 year next preceding  
33 the first publication of the attached copy of advertisement;

1 and affiant further says that he or she has neither paid nor  
2 promised any person, firm or corporation any discount, rebate,  
3 commission or refund for the purpose of securing this  
4 advertisement for publication in the said newspaper.

5  
6 Sworn to and subscribed before me this .... day of .....,  
7 ...(year)...~~19....~~, by ....., who is personally known to me or  
8 who has produced (type of identification) as identification.

9  
10  
11 ...(Signature of Notary Public)...

12  
13 ...(Print, Type, or Stamp Commissioned Name of Notary  
14 Public)...

15  
16 ...(Notary Public)...

17 Section 4. Subsection (1) of section 75.11, Florida  
18 Statutes, is amended to read:

19 75.11 Stamping instruments validated.--

20 (1) Bonds or certificates, when validated under this  
21 chapter, shall have stamped or written thereon, by the proper  
22 officers of such county, municipality or district issuing  
23 them, a statement in substantially the following form:

24  
25 "This bond is one of a series of bonds which were validated by  
26 judgment of the Circuit Court for .... County, rendered on  
27 .....,...~~19....~~."

28 Section 5. Subsection (3) of section 83.56, Florida  
29 Statutes, is amended to read:

30 83.56 Termination of rental agreement.--

31

1           (3) If the tenant fails to pay rent when due and the  
2 default continues for 3 days, excluding Saturday, Sunday, and  
3 legal holidays, after delivery of written demand by the  
4 landlord for payment of the rent or possession of the  
5 premises, the landlord may terminate the rental agreement.  
6 Legal holidays for the purpose of this section shall be  
7 court-observed holidays only. The 3-day notice shall contain  
8 a statement in substantially the following form:

9  
10           You are hereby notified that you are indebted to me in  
11 the sum of .... dollars for the rent and use of the premises  
12 ...(address of leased premises, including county)..., Florida,  
13 now occupied by you and that I demand payment of the rent or  
14 possession of the premises within 3 days (excluding Saturday,  
15 Sunday, and legal holidays) from the date of delivery of this  
16 notice, to wit: on or before the .... day of .....,  
17 ...(year)...~~19.....~~.

18  
19           ...(landlord's name, address and phone number)...

20           Section 6. Subsection (3) of section 98.095, Florida  
21 Statutes, is amended to read:

22           98.095 County registers open to inspection; copies.--

23           (3) Any person who acquires a list of registered  
24 voters from the office of the supervisor shall take and  
25 subscribe to an oath which shall be in substantially the  
26 following form:

27  
28           I hereby swear or affirm that I am a person authorized  
29 by s. 98.095, Florida Statutes, to acquire information on  
30 registered voters of .... County, Florida; that the  
31 information acquired will be used only for the purposes







1 names)... in voting at the ...(name of election)... held on  
 2 ...(date of election)... for the following reason.....  
 3 .....  
 4 .....  
 5 .....(Signature of voter)...

6  
 7 Sworn and subscribed to before me this .... day of ....,  
 8 ...(year)...~~19....~~.

9 .....(Signature of Official Administering Oath)...

10 Section 9. Subsections (1) and (2) of section 101.111,  
 11 Florida Statutes, are amended to read:

12 101.111 Person desiring to vote may be challenged;  
 13 challenger to execute oath; oath of challenged elector;  
 14 determination of challenge.--

15 (1) When the right to vote of any person who desires  
 16 to vote is questioned by any elector or watcher, the challenge  
 17 shall be reduced to writing with an oath as provided in this  
 18 section, giving reasons for the challenge, which shall be  
 19 delivered to the clerk or inspector. Any elector or authorized  
 20 poll watcher challenging an elector at an election shall  
 21 execute the oath set forth below:

22  
 23 OATH OF PERSON ENTERING CHALLENGE

24  
 25 State of Florida  
 26 County of ....

27  
 28 I do solemnly swear that my name is ....; that I am a member  
 29 of the .... party; that I am .... years old; that I was born  
 30 in the state of.... or the country of ....; that my residence  
 31 is on .... street, in the municipality of ....; and that I

1 have reason to believe that .... is attempting to vote  
 2 illegally and the reasons for my belief are set forth herein  
 3 to wit: .....  
 4 .....  
 5 .....  
 6 ....(Signature of person challenging voter)...

7  
 8 Sworn and subscribed to before me this .... day of .....,  
 9 ...(year)...~~19....~~.  
 10 .....(Clerk of election)...

11  
 12 (2) Before a challenged elector is permitted to vote  
 13 by any officer or person in charge of admission to the polling  
 14 place, the challenged elector's right to vote shall be  
 15 determined in accordance with the provisions of subsection  
 16 (3). The clerk or inspector shall immediately deliver to the  
 17 challenged elector a copy of the oath of the person entering  
 18 the challenge and shall request the challenged elector to  
 19 execute the following affidavit:

OATH OF CHALLENGED VOTER

20  
 21  
 22  
 23 State of Florida  
 24 County of ....

25  
 26 I do solemnly swear that my name is ....; that I am a member  
 27 of the .... party; that I am .... years old; that I was born  
 28 in the state of .... or the country of ....; that my residence  
 29 is on .... street, in the municipality of ....., in this the  
 30 .... precinct of .... county; that I personally made  
 31 application for registration and signed my name and that I am

1 a qualified voter, and I am not registered to vote in any  
2 other precinct other than the one in which I am presently  
3 seeking to vote.

4 ...(Signature of voter)...

5  
6 Sworn and subscribed to before me this .... day of .....,  
7 ...(year)...~~19.....~~.

8 ...(Clerk of election or Inspector)...

9  
10 Any inspector or clerk of election may administer the oath.

11 Section 10. Subsection (8) of section 101.47, Florida  
12 Statutes, is amended to read:

13 101.47 Requirements before elector enters voting  
14 machine booth.--

15 (8) The identification slip shall be in substantially  
16 the following form:

17  
18 No. ....

19 SIGNATURE IDENTIFICATION SLIP.... ELECTION

20 Held in .... County, Florida, on the .... day of .....,  
21 A. D. ...(year)...~~19.....~~.

22 I affix my signature hereto in the place and at the  
23 time of voting for the purpose of identifying myself as a duly  
24 registered and qualified voter in this election.

25 ...(Signature of voter)...

26 I hereby certify that the foregoing signature was  
27 signed in my presence during voting hours at this voting  
28 precinct and by me compared with that on the registration  
29 books and approved for voting in precinct No. ....

30 ...(Initials of clerk or inspector)...

31

1 I hereby certify that I admitted the person who signed  
 2 this identification slip to the voting machine; that said  
 3 voter was personally known to me, or told me that he or she  
 4 signed it; and that the number of the voting machine is .....

5 ... (Initials of official operating machine)...

6 Section 11. Subsection (1) of section 101.49, Florida  
 7 Statutes, is amended to read:

8 101.49 Procedure of election officers where signatures  
 9 differ.--

10 (1) Whenever any clerk or inspector, upon a just  
 11 comparison of the signature, shall doubt that the handwriting  
 12 affixed to a signature identification slip of any elector who  
 13 presents himself or herself at the polls to vote is the same  
 14 as the signature of the elector affixed in the registration  
 15 book, the clerk or inspector shall deliver to the person an  
 16 affidavit which shall be in substantially the following form:

17

18 STATE OF FLORIDA,

19 COUNTY OF .....

20 I do solemnly swear (or affirm) that my name is ....;  
 21 that I am .... years old; that I was born in the State of  
 22 ....; that I am registered to vote, and at the time I  
 23 registered I resided on .... Street, in the municipality of  
 24 ....., County of ....., State of Florida; that I am a qualified  
 25 voter of the county and state aforesaid and have not voted in  
 26 this election.

27 ... (Signature of voter)...

28 Sworn to and subscribed before me this .... day of

29 ....., A. D. .... (year) ...~~19.....~~

30 ... (Clerk or inspector of election)...

31 Precinct No. ....

1 County of .....

2 Section 12. Section 102.167, Florida Statutes, is  
3 amended to read:

4 102.167 Form of protest of election returns.--

5 (1) The form of the "Protest of Election Returns to  
6 Canvassing Board" shall be as follows:

7

8 PROTEST OF ELECTION RETURNS TO  
9 CANVASSING BOARD

10

11 ....., Florida

12 ....., ... (year) ... ~~19....~~

13 As provided in Section 102.166(1), Florida Statutes, I,  
14 .... of .... County, Florida, believe the election returns  
15 from Precinct No. .... in the .... election ... (year) ...  
16 ~~19....~~ are erroneous.

17 I hereby protest the canvass of such returns by the  
18 .... Canvassing Board, and request that said returns be  
19 investigated, examined, checked, and corrected by said  
20 Canvassing Board. The basis for this protest is .....  
21 .....  
22 .....  
23 .....  
24 .....  
25 .....

26

27 Under penalties of perjury, I swear (or affirm) that I have  
28 read the foregoing and that the facts alleged are true, to the  
29 best of my knowledge and belief.

30

31 ... (Signature of person protesting election returns) ...

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(2) The form of the "Protest of Election Returns to Circuit Judge" shall be as follows:

PROTEST OF ELECTION RETURNS TO  
CIRCUIT JUDGE

....., Florida

....., ... (year) ... ~~19....~~

As provided in Section 102.166(2), Florida Statutes, I, ..... of ..... Florida, being a qualified elector in Precinct No. .... of ..... County, Florida, believe the election returns from Precinct No. .... in the .... election of ... (year) ... ~~19....~~ are fraudulent.

I hereby protest against the canvass of such returns by the .... Canvassing Board, and request that said returns be investigated, examined, checked, and corrected. The basis for this protest is .....

Under penalties of perjury, I swear (or affirm) that I have read the foregoing and that the facts alleged are true, to the best of my knowledge and belief.

...(Signature of person protesting election returns)...

Section 13. Subsection (4) of section 105.031, Florida Statutes, is amended to read:





1 Sworn to and subscribed before me this .... day of .....,  
2 ...(year)...~~19....~~, at .... County, Florida.

3 ... (Signature and title of officer administering oath)...

4 Section 14. Paragraph (a) of subsection (1) of section  
5 106.087, Florida Statutes, is amended to read:

6 106.087 Independent expenditures; contribution limits;  
7 restrictions on political parties, political committees, and  
8 committees of continuous existence.--

9 (1)(a) As a condition of receiving a rebate of filing  
10 fees and party assessment funds pursuant to s. 99.061(2), s.  
11 99.092(1), s. 99.103, or s. 103.121(1)(b), the chair or  
12 treasurer of a state or county executive committee shall take  
13 and subscribe to an oath or affirmation in writing. During the  
14 qualifying period for state candidates and prior to  
15 distribution of such funds, a printed copy of the oath or  
16 affirmation shall be filed with the Secretary of State and  
17 shall be substantially in the following form:

18

19 State of Florida

20 County of....

21 Before me, an officer authorized to administer oaths,  
22 personally appeared ...(name)..., to me well known, who, being  
23 sworn, says that he or she is the ...(title)... of the  
24 ...(name of party)... ...(state or specified county)...  
25 executive committee; that the executive committee has not  
26 made, either directly or indirectly, an independent  
27 expenditure in support of or opposition to a candidate or  
28 elected public official in the prior 6 months; that the  
29 executive committee will not make, either directly or  
30 indirectly, an independent expenditure in support of or  
31 opposition to a candidate or elected public official, through



1 County Commissioners acting by the Chair or Vice Chair of said  
2 board, the day and year aforesaid.

3 (OFFICIAL SEAL)

4 ATTEST: ...Clerk (or Deputy Clerk of Circuit Court)...  
5 .... County, Florida

6  
7 By its Board of County Commissioners

8 By ...Chair (or Vice Chair)...

9 Section 16. Section 157.31, Florida Statutes, is  
10 amended to read:

11 157.31 Notice of reassessment for drainage.--In all  
12 such cases, the board of county commissioners, upon the matter  
13 being brought to its attention, shall cause to be published in  
14 some newspaper published in the county, at least once each  
15 week for 2 consecutive weeks, a notice substantially in the  
16 following form:

17

18 Notice of Reassessment for Drainage

19

20 Whereas, it has been discovered that the proceedings to  
21 establish a public ditch, drain or canal, commencing at ....  
22 and running in a general .... course through the following  
23 lands, viz. .... were defective, and the assessment in  
24 pursuance thereof made was invalid, or irregular and not made  
25 in compliance with law, now, therefore, notice is hereby given  
26 to all persons interested, that the County Commissioners of  
27 .... County, will be in session at .... o'clock in the  
28 forenoon, at the courthouse, on the .... day of ....,  
29 ... (year) ...~~19....~~, for the purpose of providing for a  
30 reassessment of the property specially benefited by the said  
31 public ditch, drain or canal, and all persons interested are

1 hereby notified to attend on the said day, and present  
2 objections, if any, to the said reassessment, and are further  
3 notified that the board will give a hearing to all parties  
4 interested, and act on the said matter at the said meeting.

5 Section 17. Subsection (1) of section 196.111, Florida  
6 Statutes, is amended to read:

7 196.111 Property appraisers may notify persons  
8 entitled to homestead exemption; publication of notice;  
9 costs.--

10 (1) As soon as practicable after February 5 of each  
11 current year, the property appraisers of the several counties  
12 may mail to each person to whom homestead exemption was  
13 granted for the year immediately preceding and whose  
14 application for exemption for the current year has not been  
15 filed as of February 1 thereof, a form for application for  
16 homestead exemption, together with a notice reading  
17 substantially as follows:

18  
19 NOTICE TO TAXPAYERS ENTITLED  
20 TO HOMESTEAD EXEMPTION

21  
22 Records in this office indicate that you have not filed  
23 an application for homestead exemption for the current year.

24 If you wish to claim such exemption, please fill out  
25 the enclosed form and file it with your property appraiser on  
26 or before March 1, ... (year) ...~~19....~~.

27 Failure to do so may constitute a waiver of said  
28 exemption for the year ... (year) ...~~19....~~.

29  
30 ... (Property Appraiser) ...  
31 .... County, Florida

1           Section 18. Paragraph (b) of subsection (9) of section  
2 200.065, Florida Statutes, 1998 Supplement, is amended to  
3 read:

4           200.065 Method of fixing millage.--

5           (9)

6           (b) In the event a school district needs to amend the  
7 list of capital outlay projects previously advertised and  
8 adopted, a notice of intent to amend the notice of tax for  
9 school capital outlay shall be published in conformity with  
10 the advertisement required in subsection (3). A public  
11 hearing to adopt the amended project list shall be held not  
12 less than 2 days nor more than 5 days after the day the  
13 advertisement is first published. The projects should be  
14 listed under each category of new, amended, or deleted  
15 projects in the same order as required in paragraph (a). The  
16 notice shall appear in the following form, except that any of  
17 the categories of new, amended, or deleted projects may be  
18 omitted if not appropriate for the changes proposed:

19  
20                                    AMENDED NOTICE OF TAX FOR  
21                                    SCHOOL CAPITAL OUTLAY  
22

23           The School Board of ...(name)... County will soon  
24 consider a measure to amend the use of property tax for the  
25 capital outlay projects previously advertised for the  
26 ...(year)...~~19....~~to...(year)...~~19....~~school year.

27  
28           New projects to be funded:

29  
30                                    ...(list of capital outlay projects)...  
31

1 Amended projects to be funded:

2

3 ... (list of capital outlay projects) ...

4

5 Projects to be deleted:

6

7 ... (list of capital outlay projects) ...

8

9 All concerned citizens are invited to a public hearing  
10 to be held on ... (date and time) ... at ... (meeting place) ...

11 A DECISION on the proposed amendment to the projects  
12 funded from CAPITAL OUTLAY TAXES will be made at this meeting.

13 Section 19. Subsection (2) of section 236.32, Florida  
14 Statutes, is amended to read:

15 236.32 Procedure for holding and conducting school  
16 district millage elections.--The procedure for holding and  
17 conducting school district millage elections shall be:

18 (2) FORM OF BALLOT.--The school board, at its option,  
19 may determine whether to use paper ballots or automatic voting  
20 machines for said election. On the ballot, the school board  
21 may propose a single millage or two millages, with one for  
22 operating expenses and another for a local capital improvement  
23 reserve fund. When two millage figures are proposed, each  
24 millage shall be voted on separately. The school board shall  
25 provide substantially the following form of ballot for voting  
26 the levy in the school district:

27

28 SPECIAL SCHOOL DISTRICT MILLAGE ELECTION FOR THE DISTRICT OF  
29 .... COUNTY, FLORIDA, HELD ....., ... (year) ... ~~19~~ .....

30 (a) In districts where paper ballots are used the  
31 following instructions shall be included:

1  
2 INSTRUCTIONS TO VOTERS: The proposed levy for the school term  
3 as proposed by the school board is .... mills for operating  
4 expenses and .... mills for the local capital improvement  
5 reserve fund. Each millage will be voted on and determined  
6 separately. Indicate your choice by making an "X" in the  
7 proper space below. If some other millage for operating  
8 expenses is desired, indicate by writing in the millage. On  
9 the proposed levy for local capital improvement reserve fund,  
10 vote "for" or "against."

11 1. Proposed levy of .... mills for operating expenses.

12  FOR proposed levy of .... mills for operating  
13 expenses.

14  AGAINST proposed levy of .... mills for operating  
15 expenses.

16 2. Proposed levy of .... mills for local capital  
17 improvement reserve fund.

18  FOR proposed levy of .... mills for local capital  
19 improvement reserve fund.

20  AGAINST proposed levy for local capital  
21 improvement reserve fund.

22 (b) In districts where automatic voting machines are  
23 used the following instructions shall be included:

24  
25 INSTRUCTIONS TO VOTERS: The proposed levy for the school term  
26 as proposed by the school board is .... mills for operating  
27 expenses and .... mills for the local capital improvement  
28 reserve fund.

29  
30 Each millage will be voted on and determined separately. If  
31 you favor the proposed millage for operating expenses, so

1 indicate by depressing the "for" lever directly over (under)  
2 the proposed millage. If you favor a different millage for  
3 operating expenses, so indicate by writing in the millage you  
4 favor. You may select only one millage for operating  
5 expenses. On the proposed millage for the local capital  
6 improvement reserve fund, indicate your choice by depressing  
7 the "for" lever or the "against" lever over (under) the  
8 proposed millage.

9 Section 20. Subsection (3) of section 255.05, Florida  
10 Statutes, 1998 Supplement, is amended to read:

11 255.05 Bond of contractor constructing public  
12 buildings; form; action by materialmen.--

13 (3) The bond required in subsection (1) may be in  
14 substantially the following form:

15

16 PUBLIC CONSTRUCTION BOND

17

18 BY THIS BOND, We . . . ., as Principal and . . . ., a  
19 corporation, as Surety, are bound to . . . ., herein called  
20 Owner, in the sum of \$. . . ., for payment of which we bind  
21 ourselves, our heirs, personal representatives, successors,  
22 and assigns, jointly and severally.

23 THE CONDITION OF THIS BOND is that if Principal:

24 1. Performs the contract dated . . . ., ~~19~~. . . ., between  
25 Principal and Owner for construction of . . . ., the contract  
26 being made a part of this bond by reference, at the times and  
27 in the manner prescribed in the contract; and

28 2. Promptly makes payments to all claimants, as  
29 defined in Section 255.05(1), Florida Statutes, supplying  
30 Principal with labor, materials, or supplies, used directly or  
31



1 indirectly by Principal in the prosecution of the work  
2 provided for in the contract; and

3           3. Pays Owner all losses, damages, expenses, costs,  
4 and attorney's fees, including appellate proceedings, that  
5 Owner sustains because of a default by Principal under the  
6 contract; and

7           4. Performs the guarantee of all work and materials  
8 furnished under the contract for the time specified in the  
9 contract, then this bond is void; otherwise it remains in full  
10 force.

11           Any changes in or under the contract documents and  
12 compliance or noncompliance with any formalities connected  
13 with the contract or the changes does not affect Surety's  
14 obligation under this bond.

15

16           DATED ON ....., ~~19~~.....

17

...(Name of Principal)...

18

By ...(As Attorney in Fact)...

19

...(Name of Surety)...

20

21           Section 21. Subsections (2) and (6) of section  
22 298.301, Florida Statutes, 1998 Supplement, are amended to  
23 read:

23

24           298.301 District water control plan adoption; district  
25 boundary modification; plan amendment; notice forms;  
26 objections; hearings; assessments.--

26

27           (2) Before adopting a water control plan or plan  
28 amendment, the board of supervisors must adopt a resolution to  
29 consider adoption of the proposed plan or plan amendment. As  
30 soon as the resolution proposing the adoption or amendment of  
31 the district's water control plan has been filed with the  
district secretary, the board of supervisors shall give notice

1 of a public hearing on the proposed plan or plan amendment by  
2 causing publication to be made once a week for 3 consecutive  
3 weeks in a newspaper of general circulation published in each  
4 county in which lands and other property described in the  
5 resolution are situated. The notice must be in substantially  
6 the following form:

7

8

Notice of Hearing

9

10 To the owners and all persons interested in the lands  
11 corporate, and other property in and adjacent to the ...name  
12 of district... District.

13 You are notified that the ...name of district...  
14 District has filed in the office of the secretary of the  
15 district a resolution to consider approval of a water control  
16 plan or an amendment to the current water control plan to  
17 provide ...here insert a summary of the proposed water control  
18 plan or plan amendment.... On or before its scheduled meeting  
19 of ...(date and time)... at the district's offices located at  
20 ...(list address of offices)... written objections to the  
21 proposed plan or plan amendment may be filed at the district's  
22 offices. A public hearing on the proposed plan or plan  
23 amendment will be conducted at the scheduled meeting, and  
24 written objections will be considered at that time. At the  
25 conclusion of the hearing, the board of supervisors may  
26 determine to proceed with the process for approval of the  
27 proposed plan or plan amendment and direct the district  
28 engineer to prepare an engineer's report identifying any  
29 property to be taken, determining benefits and damages, and  
30 estimating the cost of implementing the improvements  
31 associated with the proposed plan or plan amendment. A final

1 hearing on approval of the proposed plan or plan amendment and  
 2 engineer's report shall be duly noticed and held at a  
 3 regularly scheduled board of supervisors meeting within 60  
 4 days after filing of the engineer's report with the secretary  
 5 of the district.

6  
 7       Date of first publication: .....,  
 8       ...(year)...19....  
 9       .....  
 10       (Chairman, Board of Supervisors)  
 11       ..... County, Florida

12  
 13       (6) Upon the filing of the engineer's report, the  
 14 board of supervisors shall give notice thereof by arranging  
 15 the publication of the report together with a geographical  
 16 depiction of the district once a week for 2 consecutive weeks  
 17 in a newspaper of general circulation in each county in the  
 18 district. The notice must be substantially as follows:

19  
 20                   Notice of Filing Engineer's Report for  
 21                   ..... District

22  
 23       Notice is given to all persons interested in the  
 24 following described land and property in ..... County (or  
 25 Counties), Florida, viz.: ...(Here describe land and  
 26 property)... included within the ..... district that  
 27 the engineer hereto appointed to determine benefits and  
 28 damages to the property and lands situated in the district and  
 29 to determine the estimated cost of construction required by  
 30 the water control plan, within or without the limits of the  
 31 district, under the proposed water control plan or plan

1 amendment, filed his report in the office of the secretary of  
 2 the district, located at ...(list address of district  
 3 offices),... on the ..... day of .....,...(year)...  
 4 ~~19....~~, and you may examine the report and file written  
 5 objections with the secretary of the district to all, or any  
 6 part thereof, on or before ...(enter date 20 days after the  
 7 last scheduled publication of this notice, which date must be  
 8 before the date of the final hearing).... The report  
 9 recommends ...(describe benefits and damages).... A final  
 10 hearing to consider approval of the report and proposed water  
 11 control plan or plan amendment shall be held ...(time, place,  
 12 and date at least 30 days but no later than 60 days after the  
 13 last scheduled publication of this notice)....

14  
 15           Date of first publication: .....,  
 16           ...(year)...~~19....~~  
 17           .....  
 18           (Chairman, Board of Supervisors)  
 19           ..... County, Florida

20           Section 22. Subsection (2) of section 298.77, Florida  
 21 Statutes, is amended to read:

22           298.77 Readjustment of assessments; procedure, notice,  
 23 hearings.--

24           (2) Such notice may be in the following form:

25  
 26           NOTICE IS HEREBY GIVEN to all persons interested in the  
 27 lands included within the .... Water Control District that a  
 28 petition has been filed with the district, praying for a  
 29 readjustment of the assessment of benefits for the purpose of  
 30 making a more equitable basis for the levy of taxes against  
 31 the various pieces and parcels of land in said district to pay

1 its indebtedness and maintain its drainage system, and that  
2 said petition will be heard by the board of supervisors on the  
3 .... day of .....,...(year)...19......

4 Dated .....,...(year)...19......  
5 .....(Secretary of District)...  
6 ..... County

7 Section 23. Subsection (3) of section 372.312, Florida  
8 Statutes, is amended to read:

9 372.312 Forfeiture proceedings.--

10 (3) The said citation may be in, or substantially in,  
11 the following form:

12  
13 IN THE CIRCUIT COURT OF THE .... JUDICIAL CIRCUIT, IN  
14 AND FOR .... COUNTY, FLORIDA.

15  
16 IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

17 (here describe property)

18 THE STATE OF FLORIDA TO:

19 ALL PERSONS, FIRMS AND CORPORATIONS OWNING, HAVING OR  
20 CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED  
21 PROPERTY

22  
23 YOU AND EACH OF YOU are hereby notified that the above  
24 described property has been seized, under and by virtue of  
25 chapter 372, as amended, and is now in the possession of the  
26 board of county commissioners of this county, and you, and  
27 each of you, are hereby further notified that a petition,  
28 under said chapter, has been filed in the circuit court of the  
29 .... Judicial Circuit, in and for .... County, Florida,  
30 seeking the forfeiture of the said property, and you are  
31 hereby directed and required to file your claim, if any you

1 have, and show cause, on or before ....,...(year)...19....,  
 2 if not personally served with process herein, and within  
 3 twenty days from personal service if personally served with  
 4 process herein, why the said property should not be forfeited  
 5 pursuant to said chapter. Should you fail to file claim as  
 6 herein directed judgment will be entered herein against you in  
 7 due course. Persons not personally served with process may  
 8 obtain a copy of the petition for forfeiture filed herein from  
 9 the undersigned clerk of court.

10 WITNESS my hand and the seal of the above mentioned  
 11 court, at ...., Florida, this ...., ...(year)...19.....  
 12 (COURT SEAL) ....(Clerk of the above mentioned court)...  
 13 By ....(Deputy Clerk)...

14 Section 24. Subsection (1) of section 538.08, Florida  
 15 Statutes, is amended to read:

16 538.08 Stolen goods; petition for return.--

17 (1) If the secondhand dealer contests the  
 18 identification or ownership of the property, the person  
 19 alleging ownership of the property may, provided that a  
 20 timely report of the theft of the goods was made to the proper  
 21 authorities, bring an action for replevin in the county or  
 22 circuit court by petition in substantially the following form:

23  
 24 Plaintiff A. B., sues defendant C. D., and alleges:

25 1. This is an action to recover possession of personal  
 26 property in.....County, Florida.

27 2. The description of the property is: ....(list  
 28 property).... To the best of plaintiff's knowledge,  
 29 information, and belief, the value of the property is  
 30 \$.....  
 31

1           3. Plaintiff is entitled to the possession of the  
2 property under a security agreement dated.....,  
3 ...(year)...~~19....~~, a copy of which is attached.  
4           4. To plaintiff's best knowledge, information, and  
5 belief, the property is located at.....  
6           5. The property is wrongfully detained by defendant.  
7 Defendant came into possession of the property by ...(describe  
8 method of possession).... To plaintiff's best knowledge,  
9 information, and belief, defendant detains the property  
10 because ...(give reasons)....  
11           6. The property has not been taken under an execution  
12 or attachment against plaintiff's property.  
13           Section 25. Subsection (1) of section 538.24, Florida  
14 Statutes, is amended to read:  
15           538.24 Stolen regulated metals property; petition for  
16 return.--  
17           (1) If the secondary metals recycler contests the  
18 identification or ownership of the regulated metals property,  
19 the party other than the secondary metals recycler claiming  
20 ownership of any stolen goods in the possession of a secondary  
21 metals recycler may, provided that a timely report of the  
22 theft of the regulated metals property was made to the proper  
23 authorities, bring an action for replevin in the county or  
24 circuit court by petition in substantially the following form:  
25  
26           Plaintiff A. B. sues defendant C. D., and alleges:  
27           1. This is an action to recover possession of personal  
28 property in ..... County, Florida.  
29           2. The description of the property is: ...(list  
30 property).... To the best of plaintiff's knowledge,  
31

1 information, and belief, the value of the property is  
2 \$.....

3 3. Plaintiff is the lawful owner of the property and  
4 can identify the property as belonging to the plaintiff in the  
5 following manner: ...(explain basis of identification)....

6 4. Plaintiff is entitled to the possession of the  
7 property under a security agreement dated .....,  
8 ~~...(year)...~~19...., a copy of which is attached.

9 5. To the plaintiff's best knowledge, information, and  
10 belief, the property is located at .....

11 6. The property is wrongfully detained by defendant.  
12 Defendant came into possession of the property by ...(describe  
13 method of possession).... To plaintiff's best knowledge,  
14 information, and belief, defendant detains the property  
15 because ...(give reasons)....

16 7. The property has not been taken under an execution  
17 or attachment against plaintiff's property.

18 Section 26. Subsection (1) of section 568.13, Florida  
19 Statutes, is amended to read:

20 568.13 Form of information or indictment.--

21 (1) An indictment or information framed substantially  
22 as follows shall be deemed sufficient in counties voting  
23 against the sale of intoxicating liquors, wines, or beer:  
24

25 The grand jurors of the State of Florida, inquiring in  
26 and for the body of the County of ....., upon their oaths do  
27 present that ....., late of the County of ....., did, on, to  
28 wit: the .... day of ...., ...~~19....~~...., in the said  
29 County of ....., State of Florida, unlawfully sell intoxicating  
30 liquors, (or intoxicating wines or intoxicating beer as the  
31 case may be), which said county had voted against the sale of



1 intoxicating liquors, wines, or beer, contrary to the statute  
2 made and provided and against the peace and dignity of the  
3 State of Florida.

4 Section 27. Subsection (1) of section 591.29, Florida  
5 Statutes, is amended to read:

6 591.29 Seed trees; form of designation and  
7 dedication.--

8 (1) Seed trees shall be designated as such by filling  
9 out and signing an instrument by the owner in substantially  
10 the following form:

11  
12 CONVEYANCE AND/OR DEDICATION OF STANDING TIMBER TO  
13 DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OF FLORIDA.  
14 State of Florida,  
15 County of ....  
16 Owner(s) of Land .....  
17 Description of Land .....  
18 .....  
19 .....  
20 Approximate number  
21 of seed trees designated.....  
22 This .... day of ....., ... (year) ... ~~19.....~~.

23 Signed: ...(Owner)...

24 Section 28. Subsection (2) of section 695.031, Florida  
25 Statutes, is amended to read:

26 695.031 Affidavits and acknowledgments by members of  
27 armed forces and their spouses.--

28 (2) The instrument shall not be rendered invalid by  
29 the failure to state therein the place of execution or  
30 acknowledgment. No authentication of the officer's  
31 certificate of acknowledgment or otherwise shall be required,

1 and no seal shall be necessary, but the officer taking the  
2 acknowledgment shall endorse thereon or attach thereto a  
3 certificate substantially in the following form:

4           On this .... day of .....,... (year) ...~~19....~~, before  
5 me ....., the undersigned officer, personally appeared .....,  
6 known to me (or satisfactorily proven) to be serving in or  
7 with, or whose duties require her or his presence with the  
8 Armed Forces of the United States, and to be the person whose  
9 name is subscribed to the within instrument, and acknowledged  
10 that she or he executed the same for the purposes therein  
11 contained, and the undersigned does further certify that she  
12 or he is at the date of this certificate a commissioned  
13 officer of the rank stated below and is in the active service  
14 of the Armed Forces of the United States.

15 ... (Signature of commissioned officer.) ...

16 ... (Rank of commissioned officer and command or branch of  
17 service to which officer is attached.) ...

18           Section 29. Paragraph (c) of subsection (4) of section  
19 709.08, Florida Statutes, is amended to read:

20           709.08 Durable power of attorney.--

21           (4) PROTECTION WITHOUT NOTICE; GOOD FAITH ACTS;  
22 AFFIDAVITS.--

23           (c) A third party that has not received written notice  
24 under subsection (5) may, but need not, require that the  
25 attorney in fact execute an affidavit stating that there has  
26 been no revocation, partial or complete termination, or  
27 suspension of the durable power of attorney at the time the  
28 power of attorney is exercised. A written affidavit executed  
29 by the attorney in fact under this paragraph may, but need  
30 not, be in the following form:

31

1 STATE OF  
2 COUNTY OF

3  
4 Before me, the undersigned authority, personally  
5 appeared ...(attorney in fact)... ("Affiant"), who swore or  
6 affirmed that:

7 1. Affiant is the attorney in fact named in the  
8 Durable Power of Attorney executed by ...(principal)...  
9 ("Principal") on ...(date)....

10 2. To the best of Affiant's knowledge after diligent  
11 search and inquiry:

12 a. The Principal is not deceased, has not been  
13 adjudicated incapacitated, and has not revoked, partially or  
14 completely terminated, or suspended the Durable Power of  
15 Attorney; and

16 b. A petition to determine the incapacity of or to  
17 appoint a guardian for the Principal is not pending.

18 3. Affiant agrees not to exercise any powers granted  
19 by the Durable Power of Attorney if Affiant attains knowledge  
20 that it has been revoked, partially or completely terminated,  
21 suspended, or is no longer valid because of the death or  
22 adjudication of incapacity of the Principal.

23 .....  
24 ...Affiant...

25  
26 Sworn to (or affirmed) and subscribed before me  
27 this day of , ...(year)...~~19~~, by ...(name of person  
28 making statement)...

29  
30 ...(Signature of Notary Public-State of Florida)...  
31 (Print, Type, or Stamp Commissioned Name of Notary Public)

1 Personally Known OR Produced Identification

2 ...(Type of Identification Produced)...

3 Section 30. Subsections (4) and (5) of section 713.20,  
4 Florida Statutes, are amended to read:

5 713.20 Waiver or release of liens.--

6 (4) When a lienor is required to execute a waiver or  
7 release of lien in exchange for, or to induce payment of, a  
8 progress payment, the waiver or release may be in  
9 substantially the following form:

10

11

WAIVER AND RELEASE OF LIEN

12

UPON PROGRESS PAYMENT

13

14

15

16

17

18

19

The undersigned lienor, in consideration of the sum of  
\$...., hereby waives and releases its lien and right to claim  
a lien for labor, services, or materials furnished through  
...(insert date)... to ...(insert the name of your  
customer)... on the job of ...(insert the name of the  
owner)... to the following property:

20

21

...(description of property)...

22

23

24

This waiver and release does not cover any retention or labor,  
services, or materials furnished after the date specified.

25

26

DATED on ....., ...(year)...~~19.....~~. ...(Lienor)...

27

By: .....

28

29

30

31

(5) When a lienor is required to execute a waiver or  
release of lien in exchange for, or to induce payment of, the

1 final payment, the waiver and release may be in substantially  
2 the following form:

3  
4 WAIVER AND RELEASE OF LIEN  
5 UPON FINAL PAYMENT  
6

7 The undersigned lienor, in consideration of the final  
8 payment in the amount of \$....., hereby waives and releases  
9 its lien and right to claim a lien for labor, services, or  
10 materials furnished to ...(insert the name of your  
11 customer)... on the job of ...(insert the name of the  
12 owner)... to the following described property:

13  
14 ...(description of property)...

15  
16 DATED on ....., ...(year)...~~19....~~. ...(Lienor)...  
17 By: .....

18 Section 31. Subsection (2) of section 713.22, Florida  
19 Statutes, is amended to read:

20 713.22 Duration of lien.--

21 (2) An owner or the owner's agent or attorney may  
22 elect to shorten the time prescribed in subsection (1) within  
23 which to commence an action to enforce any claim of lien or  
24 claim against a bond or other security under s. 713.23 or s.  
25 713.24 by recording in the clerk's office a notice in  
26 substantially the following form:

27  
28 NOTICE OF CONTEST OF LIEN

29 To: ...(Name and address of lienor)...  
30 You are notified that the undersigned contests the claim of  
31 lien filed by you on ....., ...(year)...~~19....~~, and recorded

1 in .... Book ....., Page ....., of the public records of ....  
2 County, Florida, and that the time within which you may file  
3 suit to enforce your lien is limited to 60 days from the date  
4 of service of this notice. This .... day of .....,  
5 ...(year)...~~19....~~.

6 Signed: ...(Owner or Attorney)...

7  
8 The lien of any lienor upon whom such notice is served and who  
9 fails to institute a suit to enforce his or her lien within 60  
10 days after service of such notice shall be extinguished  
11 automatically. The clerk shall mail a copy of the notice of  
12 contest to the lien claimant at the address shown in the claim  
13 of lien or most recent amendment thereto and shall certify to  
14 such service on the face of such notice and record the notice.  
15 Service shall be deemed complete upon mailing.

16 Section 32. Subsections (2) and (3) of section 713.23,  
17 Florida Statutes, 1998 Supplement, are amended to read:

18 713.23 Payment bond.--

19 (2) The bond shall secure every lien under the direct  
20 contract accruing subsequent to its execution and delivery,  
21 except that of the contractor. Every claim of lien, except  
22 that of the contractor, filed subsequent to execution and  
23 delivery of the bond shall be transferred to it with the same  
24 effect as liens transferred under s. 713.24. Record notice of  
25 the transfer shall be effected by the contractor, or any  
26 person having an interest in the property against which the  
27 claim of lien has been asserted, by recording in the clerk's  
28 office a notice in substantially the following form:

29  
30 NOTICE OF BOND

31

1 To ...(Name and Address of Lienor)...

2

3 You are notified that the claim of lien filed by you on .....,  
4 ~~19~~....., and recorded in Official Records Book .... at page  
5 ..... of the public records of .... County, Florida, is secured  
6 by a bond, a copy being attached.

7

8 Signed: ...(Name of person recording notice)...

9

10 The notice shall be verified. The clerk shall mail a copy of  
11 the notice to the lienor at the address shown in the claim of  
12 lien, or the most recent amendment to it; shall certify to the  
13 service on the face of the notice; and shall record the  
14 notice. The clerk shall receive the same fee as prescribed in  
15 s. 713.24(1) for certifying to a transfer of lien.

16

17 (3) A payment bond in substantially the following form  
18 shall be sufficient:

19

20 PAYMENT BOND

21

22 BY THIS BOND We, ....., as Principal, and ....., a  
23 corporation, as Surety, are bound to ....., herein called  
24 Owner, in the sum of \$.... for the payment of which we bind  
25 ourselves, our heirs, personal representatives, successors,  
26 and assigns, jointly and severally.

27 THE CONDITION OF THIS BOND is that if Principal:

28 1. Promptly makes payments to all lienors supplying  
29 labor, material, and supplies used directly or indirectly by  
30 Principal in the prosecution of the work provided in the  
31 contract dated ....., ~~19~~....., between Principal and Owner for





1 attorney may require the association to enforce a recorded  
2 claim of lien against his or her condominium parcel:

3

4

NOTICE OF CONTEST OF LIEN

5

6 TO: ...(Name and address of association)... You are  
7 notified that the undersigned contests the claim of lien filed  
8 by you on ...., ... (year)...~~19....~~, and recorded in Official  
9 Records Book .... at Page ...., of the public records of ....  
10 County, Florida, and that the time within which you may file  
11 suit to enforce your lien is limited to 90 days from the date  
12 of service of this notice. Executed this .... day of ....,  
13 ... (year)...~~19....~~.

14

15

Signed: ...(Owner or Attorney)...

16

17 After notice of contest of lien has been recorded, the clerk  
18 of the circuit court shall mail a copy of the recorded notice  
19 to the association by certified mail, return receipt  
20 requested, at the address shown in the claim of lien or most  
21 recent amendment to it and shall certify to the service on the  
22 face of the notice. Service is complete upon mailing. After  
23 service, the association has 90 days in which to file an  
24 action to enforce the lien; and, if the action is not filed  
25 within the 90-day period, the lien is void. However, the  
26 90-day period shall be extended for any length of time that  
27 the association is prevented from filing its action because of  
28 an automatic stay resulting from the filing of a bankruptcy  
29 petition by the unit owner or by any other person claiming an  
30 interest in the parcel.

31

1 Section 34. Subsection (2) of section 727.111, Florida  
2 Statutes, is amended to read:

3 727.111 Notice.--

4 (2) The notice of assignment shall be in substantially  
5 the following form:

6

7 NOTICE OF ASSIGNMENT

8

9 IN THE CIRCUIT COURT

10 OF THE....

11 CIRCUIT, IN AND FOR

12 ...COUNTY,

13 FLORIDA

14

15 IN RE: .....,

16 Assignor,

17

18 to:.....,

19 Assignee.

20

21 TO CREDITORS AND OTHER INTERESTED PARTIES:

22

23 PLEASE TAKE NOTICE that on ....., a petition

24 commencing an assignment for the benefit of creditors pursuant

25 to chapter 727, Florida Statutes, made by ....., assignor,

26 with principal place of business at ....., to .....,

27 assignee, whose address is ....., was filed on .....,

28 ...(year)...~~19....~~

29 YOU ARE HEREBY further notified that in order to

30 receive any dividend in this proceeding you must file a proof

31 of claim with the assignee or the assignee's attorney on or

1 before....(120 days from the date of the filing of the  
2 petition).

3  
4

5 .....  
6 ASSIGNEE

7

8 Attorney for assignee (if any):....

9 Address:.....

10 Section 35. Subsection (1) of section 765.303, Florida  
11 Statutes, is amended to read:

12 765.303 Suggested form of a living will.--

13 (1) A living will may, but need not, be in the  
14 following form:

15 Living Will

16 Declaration made this .... day of .....(year)....,  
17 ~~19.....~~I, ....., willfully and voluntarily make known my  
18 desire that my dying not be artificially prolonged under the  
19 circumstances set forth below, and I do hereby declare:

20 If at any time I have a terminal condition and if my  
21 attending or treating physician and another consulting  
22 physician have determined that there is no medical probability  
23 of my recovery from such condition, I direct that  
24 life-prolonging procedures be withheld or withdrawn when the  
25 application of such procedures would serve only to prolong  
26 artificially the process of dying, and that I be permitted to  
27 die naturally with only the administration of medication or  
28 the performance of any medical procedure deemed necessary to  
29 provide me with comfort care or to alleviate pain.

30 It is my intention that this declaration be honored by  
31 my family and physician as the final expression of my legal

1 right to refuse medical or surgical treatment and to accept  
2 the consequences for such refusal.

3 In the event that I have been determined to be unable  
4 to provide express and informed consent regarding the  
5 withholding, withdrawal, or continuation of life-prolonging  
6 procedures, I wish to designate, as my surrogate to carry out  
7 the provisions of this declaration:

8  
9 Name:.....  
10 Address:.....  
11 ..... Zip Code:....  
12 Phone:.....

13 I understand the full import of this declaration, and I  
14 am emotionally and mentally competent to make this  
15 declaration.

16 Additional Instructions (optional):  
17 .....  
18 .....  
19 .....

20 .....(Signed)....  
21 .....Witness....  
22 .....Address....  
23 .....Phone....  
24 .....Witness....  
25 .....Address....  
26 .....Phone....

27 Section 36. Paragraph (d) of subsection (3) of section  
28 812.014, Florida Statutes, is amended to read:

29 812.014 Theft.--  
30 (3)

31

1 (d)1. Every judgment of guilty or not guilty of a  
2 petit theft shall be in writing, signed by the judge, and  
3 recorded by the clerk of the circuit court. The judge shall  
4 cause to be affixed to every such written judgment of guilty  
5 of petit theft, in open court and in the presence of such  
6 judge, the fingerprints of the defendant against whom such  
7 judgment is rendered. Such fingerprints shall be affixed  
8 beneath the judge's signature to such judgment. Beneath such  
9 fingerprints shall be appended a certificate to the following  
10 effect:

11

12 "I hereby certify that the above and foregoing  
13 fingerprints on this judgment are the fingerprints of the  
14 defendant, . . . ., and that they were placed thereon by said  
15 defendant in my presence, in open court, this the . . . . day of  
16 .....,...(year)...19......"

17

18 Such certificate shall be signed by the judge, whose signature  
19 thereto shall be followed by the word "Judge."

20 2. Any such written judgment of guilty of a petit  
21 theft, or a certified copy thereof, is admissible in evidence  
22 in the courts of this state as prima facie evidence that the  
23 fingerprints appearing thereon and certified by the judge are  
24 the fingerprints of the defendant against whom such judgment  
25 of guilty of a petit theft was rendered.

26 Section 37. Subsection (3) of section 849.38, Florida  
27 Statutes, is amended to read:

28 849.38 Proceedings for forfeiture; notice of seizure  
29 and order to show cause.--

30 (3) The said citation may be in, or substantially in,  
31 the following form:

1  
2 IN THE CIRCUIT COURT OF THE .... JUDICIAL CIRCUIT, IN AND FOR  
3 .... COUNTY, FLORIDA.

4 IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

5 (Here describe property)

6 THE STATE OF FLORIDA TO:

7  
8 ALL PERSONS, FIRMS AND CORPORATIONS OWNING, HAVING OR  
9 CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED  
10 PROPERTY.

11  
12 YOU AND EACH OF YOU are hereby notified that the above  
13 described property has been seized, under and by virtue of  
14 chapter ...., Laws of Florida, and is now in the possession of  
15 the sheriff of this county, and you, and each of you, are  
16 hereby further notified that a petition, under said chapter,  
17 has been filed in the Circuit Court of the .... Judicial  
18 Circuit, in and for .... County, Florida, seeking the  
19 forfeiture of the said property, and you are hereby directed  
20 and required to file your claim, if any you have, and show  
21 cause, on or before ....., ...(year)...~~19....~~, if not  
22 personally served with process herein, and within 20 days from  
23 personal service if personally served with process herein, why  
24 the said property should not be forfeited pursuant to said  
25 chapter ...., Laws of Florida, 1955. Should you fail to file  
26 claim as herein directed judgment will be entered herein  
27 against you in due course. Persons not personally served with  
28 process may obtain a copy of the petition for forfeiture filed  
29 herein from the undersigned clerk of court.

30 WITNESS my hand and the seal of the above mentioned  
31 court, at .... Florida, this ....., ...(year)...~~19....~~.

1 (COURT SEAL)

2 ... (Clerk of the above-mentioned Court.)...

3 By ... (Deputy Clerk)...

4 Section 38. Subsection (2) of section 921.241, Florida  
5 Statutes, is amended to read:

6 921.241 Felony judgments; fingerprints and social  
7 security number required in record.--

8 (2) Every judgment of guilty or not guilty of a felony  
9 shall be in writing, signed by the judge, and recorded by the  
10 clerk of the court. The judge shall cause to be affixed to  
11 every written judgment of guilty of a felony, in open court,  
12 in the presence of such judge, and at the time the judgment is  
13 rendered, the fingerprints of the defendant against whom such  
14 judgment is rendered. Such fingerprints shall be affixed  
15 beneath the judge's signature to such judgment. Beneath such  
16 fingerprints shall be appended a certificate to the following  
17 effect:

18

19 "I hereby certify that the above and foregoing  
20 fingerprints on this judgment are the fingerprints of the  
21 defendant, ...., and that they were placed thereon by said  
22 defendant in my presence, in open court, this the .... day of  
23 ....., (year) 19......"

24

25 Such certificate shall be signed by the judge, whose signature  
26 thereto shall be followed by the word "Judge."

27 Section 39. Subsection (1) of section 921.242, Florida  
28 Statutes, is amended to read:

29 921.242 Subsequent offenses under chapter 796; method  
30 of proof applicable.--

31

1           (1) Every judgment of guilty with respect to any  
 2 offense governed by the provisions of chapter 796 shall be in  
 3 writing, signed by the judge, and recorded by the clerk of the  
 4 circuit court. The judge shall cause to be affixed to every  
 5 such written judgment of guilty, in open court and in the  
 6 presence of such judge, the fingerprints of the defendant  
 7 against whom such judgment is rendered. Such fingerprints  
 8 shall be affixed beneath the judge's signature to any such  
 9 judgment. Beneath such fingerprints shall be appended a  
 10 certificate to the following effect:

11  
 12           "I hereby certify that the above and foregoing  
 13 fingerprints are of the defendant, ...(name)..., and that they  
 14 were placed thereon by said defendant in my presence, in open  
 15 court, this the .... day of .....,...(year)...~~19....~~."

16  
 17 Such certificate shall be signed by the judge, whose signature  
 18 thereto shall be followed by the word "Judge."

19           Section 40. Section 932.66, Florida Statutes, is  
 20 amended to read:

21           932.66 Suggested forms for transfer.--The petition for  
 22 transfer, order of transfer, and agreement of bail bond agent  
 23 to transfer bond shall be substantially as follows:

24  
 25                                   PETITION FOR TRANSFER TO COURT  
 26                                   PROVIDING TRIAL BY JURY  
 27                                                           IN THE .... COURT, .... FLORIDA  
 28           I, ...(Name)..., am ...(Age)... years of age and I  
 29 reside at ...(Address).... I was arrested on ...(Date)...,  
 30 ...(Year)...~~19....~~ and am charged in this court with  
 31 ...(Description and number of each county or municipal



1 ordinance).... I am presently incarcerated in the  
2 ...(Jail)... awaiting trial on the charge(s) listed above.

3 --OR--

4 I am at liberty on (surety bond) (cash bond) (my own  
5 recognizance). My bail bond agent is ...(Name)...

6  
7 ...(Address)...

8  
9 I am due to appear in this court on ...(Date)... for  
10 ...(Type of appearance)....

11 My charge(s) in this court constitute a violation of  
12 the criminal laws of the state as follows:.....

13 I desire a trial by jury and seek a transfer of the  
14 following charge(s).....  
15 .....  
16 to a court of this county providing criminal trial by jury.

17 I agree to appear in the court to which my case is  
18 transferred on .... the .... day of ...., ... (Year)...~~19....~~.

19 ...(Signature of petitioner)...

20 ...(Attorney for petitioner)...

21 ORDER OF TRANSFER

22 This cause is hereby transferred to the .... court at  
23 ...., Florida.

24 DONE AND ORDERED this .... day

25 of ...., ... (Year)...~~19....~~

26 ...(Judge)...

27 AGREEMENT OF BAIL BOND AGENT TO

28 TRANSFER BOND TO COURT

29 PROVIDING TRIAL BY JURY

30  
31

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I, . . . . , a duly licensed bail bond agent agree to the transfer of that certain bond . . . . to . . . . Court at . . . . , Florida.

...(Signature of bail bond agent)...

Reviser's note.--Revises references to dates reading "19...." in forms in the Florida Statutes in anticipation of the approaching millennium.