

By Senator Peaden

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A bill to be entitled
An act relating to administrative procedures;
amending s. 120.551, F.S.; authorizing agencies
to publish on the Internet notices otherwise
required to be published in the Florida
Administrative Weekly; prescribing procedures
to be used by agencies electing to publish on
the Internet; providing an effective date.

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

Section 1. Section 120.551, Florida Statutes, is amended to read:

120.551 Internet publication of notices in lieu of
publication in Florida Administrative Weekly ~~pilot project~~.--

(1) Notwithstanding any other provision of law,
whenever an agency is required to publish notices in the
Florida Administrative Weekly, it may, in lieu of publishing
in the Florida Administrative Weekly, elect to publish such
notices on the Internet. Notices published on the Internet
under this section must clearly state the date the notice was
first posted on the Internet, must be posted only on the same
days the Florida Administrative Weekly is published, and must
comply with the form and content provisions of rules 1S-1.002
through 1S-1.004, F.A.C. Each agency electing to publish on
the Internet under this section shall establish an Internet
noticing site accessible through a common portal or link to be
established by the State Technology Office on the home page of
MyFlorida.com. Additional links to the Internet noticing site
may also be placed on the agency's own Internet home page.
Such Internet noticing site must, at a minimum:

1 (a) Conform to all applicable procedures or guidelines
2 established by the State Technology Office;

3 (b) Organize published notices under the same
4 categories as provided in sections I through XII of the
5 Florida Administrative Weekly;

6 (c) Allow the public to search notices by date of
7 publication, category of notice, or applicable rule chapter
8 number;

9 (d) Maintain a permanent searchable ~~on or before~~
10 ~~December 31, 2001, the Department of Environmental Protection~~
11 ~~and the State Technology Office shall establish and commence a~~
12 ~~pilot project to determine the cost-effectiveness of~~
13 ~~publication of notices on the Internet in lieu of complete~~
14 ~~publication in the Florida Administrative Weekly. The pilot~~
15 ~~project shall end on July 1, 2003. Under this pilot project,~~
16 ~~notwithstanding any other provision of law, whenever the~~
17 ~~Department of Environmental Protection is required to publish~~
18 ~~notices in the Florida Administrative Weekly, the Department~~
19 ~~of Environmental Protection instead may publish a summary of~~
20 ~~such notice in the Florida Administrative Weekly along with~~
21 ~~the specific URL or Internet address where the complete notice~~
22 ~~required by law shall be published. The Department of~~
23 ~~Environmental Protection shall publish all other notices in~~
24 ~~the manner prescribed by law. Notices published on the~~
25 ~~Internet under this section shall clearly state the date the~~
26 ~~notice was first posted on the Internet and shall be initially~~
27 ~~posted only on the same days the Florida Administrative Weekly~~
28 ~~is published. Notices related to rulemaking published on the~~
29 ~~Internet under this provision shall be maintained on the~~
30 ~~Internet for a period of at least 12 months after the~~
31 ~~effective date of the rule or at least 3 months after the~~

1 ~~publication of a notice of withdrawal of the proposed rule.~~
2 ~~All other notices published on the Internet under this~~
3 ~~provision shall be maintained on the Internet for a period of~~
4 ~~at least 3 months after the date first posted. A searchable~~
5 ~~database or other electronic system to be permanently~~
6 ~~maintained on the Internet for the purpose of archiving all~~
7 ~~notices published on the Internet and allowing citizens~~
8 ~~permanent electronic access to such archived records; and~~
9 (e) Provide an optional free e-mail subscription
10 service that directly notifies registered subscribers when a
11 notice has been published concerning an area of interest
12 specified in the person's subscription registration. shall
13 ~~also be established by the pilot project. No notice posted on~~
14 ~~the Internet shall be removed until the searchable database is~~
15 ~~implemented.~~
16 (2) If an agency elects to publish notices on the
17 Internet, the agency shall publish notice of that election in
18 each weekly publication of the Florida Administrative Weekly
19 for at least 90 days before the implementation of such
20 election; however, the Department of Environmental Protection
21 may continue to publish notices on the Internet without prior
22 notice of that election. Upon commencement of publication on
23 the Internet under such election, the agency shall publish in
24 each weekly publication of the Florida Administrative Weekly a
25 notice stating: "Pursuant to section 120.551, F.S., the name
26 of agency has elected to publish notices on the Internet at
27 the following Internet URL or address: state URL or Internet
28 address ." The Department of State shall establish in the
29 Florida Administrative Weekly a specific section for all such
30 notices. ~~The Department of State shall publish notice of this~~
31 ~~pilot project in each weekly publication of the Florida~~

1 ~~Administrative Weekly. The notice shall state: "Under a~~
2 ~~temporary pilot project, in conjunction with the State~~
3 ~~Technology Office, to determine the cost-effectiveness of~~
4 ~~Internet publication of notices in lieu of complete~~
5 ~~publication in the Florida Administrative Weekly, summaries of~~
6 ~~notices of the Department of Environmental Protection are~~
7 ~~being published in the Florida Administrative Weekly along~~
8 ~~with a reference to the specific Internet URL or address where~~
9 ~~the complete notice required by law shall be published."~~

10 ~~(3) No later than January 31, 2003, the Department of~~
11 ~~Environmental Protection, the State Technology Office, and the~~
12 ~~Department of State shall submit a report to the Governor, the~~
13 ~~President of the Senate, and the Speaker of the House of~~
14 ~~Representatives containing findings on the cost-effectiveness~~
15 ~~of publication of notices on the Internet in lieu of~~
16 ~~publication in the Florida Administrative Weekly, and~~
17 ~~recommendations, including legislative or rule changes, for~~
18 ~~modifications to the process necessary to effectuate~~
19 ~~publication of notices on the Internet.~~

20 Section 2. This act shall take effect July 1, 2003.

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23 SENATE SUMMARY

24 Allows agencies to elect to publish on the Internet
25 notices currently required to be published in the Florida
26 Administrative Weekly and specifies procedures to be used
27 in establishing the Internet site for such notices and
28 for publicizing the change in publication location.
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