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LEGISLATIVE ACTION

Senate

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House

The Committee on Budget (Alexander) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 50.0311, Florida Statutes, is created to
read:

50.0311 Publication of advertisements and public notices on
the Department of State website for publication of local
government notices and advertisements, a local government's
publicly accessible website, and government access channels.—

(1) For purposes of notices and advertisements required by
statute to be published by a local government, the term



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14 "publicly accessible website" means a county or municipal
15 government's official website that is accessible via the
16 Internet, and the term "state notice website" means the
17 Department of State website for publication of local government
18 notices and advertisements.

19 (2) A local government shall use its website and the
20 Department of State website for legally required advertisements
21 and public notices if:

22 (a) A public library or other governmental facility
23 providing free access to the Internet during regular business
24 hours exists within the jurisdictional boundaries of such county
25 or municipality;

26 (b) The local government provides notice to its residents
27 at least once per year in a newspaper of general circulation,
28 the county or municipality's newsletter or periodical, or
29 another publication that is mailed or delivered to all residents
30 or property owners throughout the local government's
31 jurisdiction, indicating that residents may receive legally
32 required advertisements and public notices from the local
33 government by first-class mail or e-mail upon registering their
34 name and address or e-mail address with the local governmental
35 entity; and

36 (c) The local government maintains a registry of names,
37 addresses, and e-mail addresses of residents who request in
38 writing that they receive legally required advertisements and
39 public notices from the local government by first-class mail or
40 e-mail.

41 (3) Advertisements and public notices published on a
42 publicly accessible website shall be conspicuously placed on the



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43 website's homepage or accessible through a direct link from the
44 homepage. The advertisement shall indicate the date on which the
45 advertisement was first published on the publicly accessible
46 website.

47 (4) The local government that has a government access
48 channel authorized under s. 610.109 may also include on its
49 government access channel a summary of all advertisements and
50 public notices that are published on the state notice website
51 and its website.

52 Section 2. Section 50.011, Florida Statutes, is amended to
53 read:

54 50.011 Where and in what language legal notices to be
55 published.—Whenever by statute an official or legal
56 advertisement or a publication, or notice in a newspaper has
57 been or is directed or permitted in the nature of or in lieu of
58 process, or for constructive service, or in initiating,
59 assuming, reviewing, exercising or enforcing jurisdiction or
60 power, or for any purpose, including all legal notices and
61 advertisements of sheriffs and tax collectors, the
62 contemporaneous and continuous intent and meaning of such
63 legislation all and singular, existing or repealed, is and has
64 been and is hereby declared to be and to have been, and the rule
65 of interpretation is and has been, a publication in a newspaper
66 printed and published periodically once a week or oftener,
67 containing at least 25 percent of its words in the English
68 language, entered or qualified to be admitted and entered as
69 periodicals matter at a post office in the county where
70 published, for sale to the public generally, available to the
71 public generally for the publication of official or other



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72 notices and customarily containing information of a public
73 character or of interest or of value to the residents or owners
74 of property in the county where published, or of interest or of
75 value to the general public. Notwithstanding any provisions to
76 the contrary, and as specifically authorized by s. 50.0311, a
77 notice, advertisement, or publication on the state notice
78 website and a publicly accessible website of a local government
79 in accordance with s. 50.0311 constitutes legal notice.

80 Section 3. Section 50.021, Florida Statutes, is amended to
81 read:

82 50.021 Publication when no newspaper in county.—When any
83 law, or order or decree of court, shall direct advertisements to
84 be made in any county and there be no newspaper published in the
85 said county, the advertisement may be made, in the case of a
86 county or municipality, by publishing such advertisement on the
87 state notice website and a publicly accessible website
88 maintained by the entity responsible for publication or posting
89 three copies thereof in three different places in said county,
90 one of which shall be at the front door of the courthouse, and
91 by publication in the nearest county in which a newspaper is
92 published.

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

95 50.051 Proof of publication; form of uniform affidavit.—The
96 printed form upon which all such affidavits establishing proof
97 of publication in a newspaper are to be executed shall be
98 substantially as follows:

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NAME OF NEWSPAPER



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Published (Weekly or Daily)

(Town or City) (County) FLORIDA

STATE OF FLORIDA

COUNTY OF

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

Affiant further says that the said is a newspaper published at, in said County, Florida, and that the said newspaper has heretofore been continuously published in said County, Florida, each and has been entered as periodicals matter at the post office in, in said County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

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



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

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

...(Notary Public)...

Section 5. Subsection (4) of section 50.061, Florida Statutes, is amended to read:

50.061 Amounts chargeable.—

(4) All official public notices and legal advertisements published in a newspaper shall be charged and paid for on the basis of 6-point type on 6-point body, unless otherwise specified by statute.

Section 6. Section 100.342, Florida Statutes, is amended to read:

100.342 Notice of special election or referendum.—In any special election or referendum not otherwise provided for there shall be at least 30 days' notice of the election or referendum by publication in a newspaper of general circulation in the county, district, or municipality, as the case may be, or, in the case of a county or municipality, publication on the state notice website and a publicly accessible website maintained by the local government responsible for publication and published daily during the 5 weeks immediately preceding the election or referendum. If advertised in the newspaper, the publication shall be made at least twice, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held. If there is no newspaper of general



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159 circulation in the county, district, or municipality and
160 publication is not made on the state notice website for
161 publication of local government notices and advertisements and a
162 publicly accessible website maintained by the local government
163 responsible for publication, the notice shall be posted in no
164 fewer less than five places within the territorial limits of the
165 county, district, or municipality.

166 Section 7. Paragraph (a) of subsection (2) and paragraph
167 (b) of subsection (4) of section 125.66, Florida Statutes, are
168 amended to read:

169 125.66 Ordinances; enactment procedure; emergency
170 ordinances; rezoning or change of land use ordinances or
171 resolutions.-

172 (2) (a) The regular enactment procedure shall be as follows:
173 The board of county commissioners at any regular or special
174 meeting may enact or amend any ordinance, except as provided in
175 subsection (4), if notice of intent to consider such ordinance
176 is given at least 10 days before the ~~prior to said~~ meeting on
177 the state notice website for publication of local government
178 notices and advertisements and a publicly accessible website
179 maintained by the county or by publication in a newspaper of
180 general circulation in the county. If advertised on the state
181 notice website and a publicly accessible website, the
182 advertisement shall be published daily during the 10 days
183 immediately preceding the meeting. A copy of such notice shall
184 be kept available for public inspection during the regular
185 business hours of the office of the clerk of the board of county
186 commissioners. The notice of proposed enactment shall state the
187 date, time, and place of the meeting; the title or titles of



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188 proposed ordinances; and the place or places within the county
189 where such proposed ordinances may be inspected by the public.
190 The notice shall also advise that interested parties may appear
191 at the meeting and be heard with respect to the proposed
192 ordinance.

193 (4) Ordinances or resolutions, initiated by other than the
194 county, that change the actual zoning map designation of a
195 parcel or parcels of land shall be enacted pursuant to
196 subsection (2). Ordinances or resolutions that change the actual
197 list of permitted, conditional, or prohibited uses within a
198 zoning category, or ordinances or resolutions initiated by the
199 county that change the actual zoning map designation of a parcel
200 or parcels of land shall be enacted pursuant to the following
201 procedure:

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

208 1. The board of county commissioners shall hold two
209 advertised public hearings on the proposed ordinance or
210 resolution. At least one hearing shall be held after 5 p.m. on a
211 weekday, unless the board of county commissioners, by a majority
212 plus one vote, elects to conduct that hearing at another time of
213 day. The first public hearing shall be held at least 7 days
214 after the day that the first advertisement is published. The
215 second hearing shall be held at least 10 days after the first
216 hearing and shall be advertised at least 5 days prior to the



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217 public hearing.

218 2. The required newspaper advertisements shall be no less
219 than 2 columns wide by 10 inches long in a standard size or a
220 tabloid size newspaper, and the headline in the advertisement
221 shall be in a type no smaller than 18 point. The newspaper
222 advertisement shall not be placed in that portion of the
223 newspaper where legal notices and classified advertisements
224 appear. The newspaper advertisement shall be placed in a
225 newspaper of general paid circulation in the county and of
226 general interest and readership in the community pursuant to
227 chapter 50, not one of limited subject matter. It is the
228 legislative intent that, whenever possible, the newspaper
229 advertisement shall appear in a newspaper that is published at
230 least 5 days a week unless the only newspaper in the community
231 is published less than 5 days a week. The newspaper
232 advertisement shall be in substantially the following form:

233

234 NOTICE OF (TYPE OF) CHANGE

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236 The ...(name of local governmental unit)... proposes to
237 adopt the following by ordinance or resolution:...(title of
238 ordinance or resolution)....

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

241

242 Except for amendments which change the actual list of
243 permitted, conditional, or prohibited uses within a zoning
244 category, the advertisement shall contain a geographic location
245 map which clearly indicates the area within the local government



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246 covered by the proposed ordinance or resolution. The map shall
247 include major street names as a means of identification of the
248 general area.

249 3. In lieu of publishing the advertisements set out in this
250 paragraph, the board of county commissioners may mail a notice
251 to each person owning real property within the area covered by
252 the ordinance or resolution. Such notice shall clearly explain
253 the proposed ordinance or resolution and shall notify the person
254 of the time, place, and location of both public hearings on the
255 proposed ordinance or resolution.

256 Section 8. Paragraph (b) of subsection (3) of section
257 129.03, Florida Statutes, is amended to read:

258 129.03 Preparation and adoption of budget.-

259 (3) No later than 15 days after certification of value by
260 the property appraiser pursuant to s. 200.065(1), the county
261 budget officer, after tentatively ascertaining the proposed
262 fiscal policies of the board for the ensuing fiscal year, shall
263 prepare and present to the board a tentative budget for the
264 ensuing fiscal year for each of the funds provided in this
265 chapter, including all estimated receipts, taxes to be levied,
266 and balances expected to be brought forward and all estimated
267 expenditures, reserves, and balances to be carried over at the
268 end of the year.

269 (b) Upon receipt of the tentative budgets and completion of
270 any revisions made by the board, the board shall prepare a
271 statement summarizing all of the adopted tentative budgets. This
272 summary statement shall show, for each budget and the total of
273 all budgets, the proposed tax millages, the balances, the
274 reserves, and the total of each major classification of receipts



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275 and expenditures, classified according to the classification of
276 accounts prescribed by the appropriate state agency. The board
277 shall cause this summary statement to be advertised one time in
278 a newspaper of general circulation published in the county, on
279 the state notice website and a publicly accessible website
280 maintained by the county, or by posting at the courthouse door
281 if there is no such newspaper or website, and the advertisement
282 shall appear adjacent to the advertisement required pursuant to
283 s. 200.065.

284 Section 9. Paragraph (f) of subsection (2) of section
285 129.06, Florida Statutes, is amended to read:

286 129.06 Execution and amendment of budget.—

287 (2) The board at any time within a fiscal year may amend a
288 budget for that year, and may within the first 60 days of a
289 fiscal year amend the budget for the prior fiscal year, as
290 follows:

291 (f) If an amendment to a budget is required for a purpose
292 not specifically authorized in paragraphs (a)-(e), unless
293 otherwise prohibited by law, the amendment may be authorized by
294 resolution or ordinance of the board of county commissioners
295 adopted following a public hearing. ~~The public hearing must be~~
296 ~~advertised at least 2 days, but not more than 5 days, before the~~
297 ~~date of the hearing.~~ The advertisement must appear on the state
298 notice website and a publicly accessible website maintained by
299 the county or in a newspaper of paid general circulation and
300 must identify the name of the taxing authority, the date, place,
301 and time of the hearing, and the purpose of the hearing. If
302 advertised in the newspaper, the public hearing must be
303 advertised at least 2 days, but not more than 5 days, before the



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304 date of the hearing. If advertised on the state notice website
305 and a publicly accessible website, the notice must be published
306 daily during the 5 days immediately preceding the hearing. The
307 advertisement must also identify each budgetary fund to be
308 amended, the source of the funds, the use of the funds, and the
309 total amount of each budget.

310 Section 10. Section 153.79, Florida Statutes, is amended to
311 read:

312 153.79 Contracts for construction of improvements, sealed
313 bids.—All contracts let, awarded, or entered into by the
314 district for the construction, reconstruction, or acquisition or
315 improvement of a water system or a sewer system or both or any
316 part thereof, if the amount thereof shall exceed \$1,000, shall
317 be awarded only after public advertisement and call for sealed
318 bids therefor on the state notice website and a publicly
319 accessible website maintained by the county or, in a newspaper
320 published in the county circulating in the district, or, if
321 there ~~is~~ is ~~be~~ no such website or newspaper, ~~then~~ in a newspaper
322 published in the state and circulating in the district. If
323 advertised in the newspaper, such advertisement shall ~~to~~ be
324 published at least once at least 3 weeks before the date set for
325 the receipt of such bids. If advertised on the state notice
326 website and a publicly accessible website, such advertisement
327 shall be published daily during the 3 weeks immediately
328 preceding the date set for the receipt of such bids. Such
329 advertisements for bids in addition to the other necessary and
330 pertinent matter shall state in general terms the nature and
331 description of the improvement or improvements to be undertaken
332 and shall state that detailed plans and specifications for such



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333 work are on file for inspection in the office of the district
334 clerk and copies thereof shall be furnished to any interested
335 party upon payment of reasonable charges to reimburse the
336 district for its expenses in providing such copies. The award
337 shall be made to the responsible and competent bidder or bidders
338 who shall offer to undertake the improvements at the lowest cost
339 to the district and such bidder or bidders shall be required to
340 file bond for the full and faithful performance of such work and
341 the execution of any such contract in such amount as the
342 district board shall determine, and in all other respects the
343 letting of such construction contracts shall comply with
344 applicable provisions of the general laws relating to the
345 letting of public contracts. Nothing in this section shall be
346 deemed to prevent the district from hiring or retaining such
347 consulting engineers, attorneys, financial experts or other
348 technicians as it shall determine, in its discretion, or from
349 undertaking any construction work with its own resources,
350 without any such public advertisement.

351 Section 11. Section 159.32, Florida Statutes, is amended to
352 read:

353 159.32 Construction contracts.—Contracts for the
354 construction of the project may be awarded by the local agency
355 in such manner as in its judgment will best promote free and
356 open competition, including advertisement for competitive bids
357 in a newspaper of general circulation within the boundaries of
358 the local agency or on the state notice website and a publicly
359 accessible website maintained by the county; however, if the
360 local agency shall determine that the purposes of this part will
361 be more effectively served, the local agency in its discretion



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362 may award or cause to be awarded contracts for the construction
363 of any project, or any part thereof, upon a negotiated basis as
364 determined by the local agency. The local agency shall prescribe
365 bid security requirements and other procedures in connection
366 with the award of such contracts as in its judgment shall
367 protect the public interest. The local agency may by written
368 contract engage the services of the lessee, purchaser, or
369 prospective lessee or purchaser of any project in the
370 construction of the project and may provide in the contract that
371 the lessee, purchaser, or prospective lessee or purchaser may
372 act as an agent of, or an independent contractor for, the local
373 agency for the performance of the functions described therein,
374 subject to such conditions and requirements consistent with the
375 provisions of this part as shall be prescribed in the contract,
376 including functions such as the acquisition of the site and
377 other real property for the project; the preparation of plans,
378 specifications, and contract documents; the award of
379 construction and other contracts upon a competitive or
380 negotiated basis; the construction of the project, or any part
381 thereof, directly by the lessee, purchaser, or prospective
382 lessee or purchaser; the inspection and supervision of
383 construction; the employment of engineers, architects, builders,
384 and other contractors; and the provision of money to pay the
385 cost thereof pending reimbursement by the local agency. Any such
386 contract may provide that the local agency may, out of proceeds
387 of bonds, make advances to or reimburse the lessee, purchaser,
388 or prospective lessee or purchaser for its costs incurred in the
389 performance of those functions, and shall set forth the
390 supporting documents required to be submitted to the local



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391 agency and the reviews, examinations, and audits that shall be
392 required in connection therewith to assure compliance with the
393 provisions of this part and the contract.

394 Section 12. Paragraph (a) of subsection (2) of section
395 162.12, Florida Statutes, is amended to read:

396 162.12 Notices.—

397 (2) In addition to providing notice as set forth in
398 subsection (1), at the option of the code enforcement board,
399 notice may also be served by publication or posting, as follows:

400 (a)1. Such notice shall be published once during each week
401 for 4 consecutive weeks (four publications being sufficient) in
402 a newspaper of general circulation in the county where the code
403 enforcement board is located or daily during the 4 weeks
404 immediately preceding the hearing on the state notice website
405 and a publicly accessible website maintained by the local
406 government. The websites and newspaper shall meet such
407 requirements as are prescribed under chapter 50 for legal and
408 official advertisements.

409 2. Proof of newspaper publication shall be made as provided
410 in ss. 50.041 and 50.051.

411
412 Evidence that an attempt has been made to hand deliver or
413 mail notice as provided in subsection (1), together with proof
414 of publication or posting as provided in subsection (2), shall
415 be sufficient to show that the notice requirements of this part
416 have been met, without regard to whether or not the alleged
417 violator actually received such notice.

418 Section 13. Paragraph (b) of subsection (15) and paragraph
419 (c) of subsection (16) of section 163.3184, Florida Statutes,



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420 are amended to read:

421 163.3184 Process for adoption of comprehensive plan or plan
422 amendment.—

423 (15) PUBLIC HEARINGS.—

424 (b) The local governing body shall hold at least two
425 advertised public hearings on the proposed comprehensive plan or
426 plan amendment as follows:

427 1. The first public hearing shall be held at the
428 transmittal stage pursuant to subsection (3). It shall be held
429 on a weekday at least 7 days after the day that the first
430 advertisement is published or after the notice of the first
431 public hearing is initially published on the state notice
432 website and the publicly accessible website.

433 2. The second public hearing shall be held at the adoption
434 stage pursuant to subsection (7). It shall be held on a weekday
435 at least 5 days after the day that the second advertisement is
436 published or after the notice of the second public hearing is
437 initially published on the state notice website and the publicly
438 accessible website.

439 (16) COMPLIANCE AGREEMENTS.—

440 (c) Before ~~Prior to~~ its execution of a compliance
441 agreement, the local government must approve the compliance
442 agreement at a public hearing advertised at least 10 days before
443 the public hearing in a newspaper of general circulation in the
444 area or daily during the 10 days immediately preceding the
445 hearing on the state notice website and a publicly accessible
446 website maintained by the local government in accordance with
447 the advertisement requirements of subsection (15).

448 Section 14. Paragraphs (a) and (c) of subsection (3) of



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449 section 166.041, Florida Statutes, are amended to read:

450 166.041 Procedures for adoption of ordinances and
451 resolutions.—

452 (3) (a) Except as provided in paragraph (c), a proposed
453 ordinance may be read by title, or in full, on at least 2
454 separate days and shall, at least 10 days before ~~prior to~~
455 adoption, be noticed once in a newspaper of general circulation
456 in the municipality or noticed daily during the 10 days
457 immediately preceding the adoption on the state notice website
458 and a publicly accessible website maintained by the
459 municipality. The notice of proposed enactment shall state the
460 date, time, and place of the meeting; the title or titles of
461 proposed ordinances; and the place or places within the
462 municipality where such proposed ordinances may be inspected by
463 the public. The notice shall also advise that interested parties
464 may appear at the meeting and be heard with respect to the
465 proposed ordinance.

466 (c) Ordinances initiated by other than the municipality
467 that change the actual zoning map designation of a parcel or
468 parcels of land shall be enacted pursuant to paragraph (a).
469 Ordinances that change the actual list of permitted,
470 conditional, or prohibited uses within a zoning category, or
471 ordinances initiated by the municipality that change the actual
472 zoning map designation of a parcel or parcels of land shall be
473 enacted pursuant to the following procedure:

474 1. In cases in which the proposed ordinance changes the
475 actual zoning map designation for a parcel or parcels of land
476 involving less than 10 contiguous acres, the governing body
477 shall direct the clerk of the governing body to notify by mail



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478 each real property owner whose land the municipality will
479 redesignate by enactment of the ordinance and whose address is
480 known by reference to the latest ad valorem tax records. The
481 notice shall state the substance of the proposed ordinance as it
482 affects that property owner and shall set a time and place for
483 one or more public hearings on such ordinance. Such notice shall
484 be given at least 30 days prior to the date set for the public
485 hearing, and a copy of the notice shall be kept available for
486 public inspection during the regular business hours of the
487 office of the clerk of the governing body. The governing body
488 shall hold a public hearing on the proposed ordinance and may,
489 upon the conclusion of the hearing, immediately adopt the
490 ordinance.

491 2. In cases in which the proposed ordinance changes the
492 actual list of permitted, conditional, or prohibited uses within
493 a zoning category, or changes the actual zoning map designation
494 of a parcel or parcels of land involving 10 contiguous acres or
495 more, the governing body shall provide for public notice and
496 hearings as follows:

497 a. The local governing body shall hold two advertised
498 public hearings on the proposed ordinance. At least one hearing
499 shall be held after 5 p.m. on a weekday, unless the local
500 governing body, by a majority plus one vote, elects to conduct
501 that hearing at another time of day. The first public hearing
502 shall be held at least 7 days after the day that the first
503 advertisement is published. The second hearing shall be held at
504 least 10 days after the first hearing and shall be advertised at
505 least 5 days prior to the public hearing.

506 b. The required newspaper advertisements shall be no less



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507 than 2 columns wide by 10 inches long in a standard size or a
508 tabloid size newspaper, and the headline in the advertisement
509 shall be in a type no smaller than 18 point. The newspaper
510 advertisement shall not be placed in that portion of the
511 newspaper where legal notices and classified advertisements
512 appear. The newspaper advertisement shall be placed in a
513 newspaper of general paid circulation in the municipality and of
514 general interest and readership in the municipality, not one of
515 limited subject matter, pursuant to chapter 50. It is the
516 legislative intent that, whenever possible, the newspaper
517 advertisement appear in a newspaper that is published at least 5
518 days a week unless the only newspaper in the municipality is
519 published less than 5 days a week. The newspaper advertisement
520 shall be in substantially the following form:

521
522 NOTICE OF (TYPE OF) CHANGE
523

524 The ...(name of local governmental unit)... proposes to
525 adopt the following ordinance:... (title of the ordinance)....

526 A public hearing on the ordinance will be held on ...(date
527 and time)... at ...(meeting place)....
528

529 Except for amendments which change the actual list of
530 permitted, conditional, or prohibited uses within a zoning
531 category, the advertisement shall contain a geographic location
532 map which clearly indicates the area covered by the proposed
533 ordinance. The map shall include major street names as a means
534 of identification of the general area.

535 c. In lieu of publishing the advertisement set out in this



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536 paragraph, the municipality may mail a notice to each person
537 owning real property within the area covered by the ordinance.
538 Such notice shall clearly explain the proposed ordinance and
539 shall notify the person of the time, place, and location of any
540 public hearing on the proposed ordinance.

541 Section 15. Section 170.05, Florida Statutes, is amended to
542 read:

543 170.05 Publication of resolution.—Upon the adoption of the
544 resolution provided for in s. 170.03, the municipality shall
545 cause said resolution to be published on the state notice
546 website and a publicly accessible website maintained by the
547 municipality or one time in a newspaper of general circulation
548 published in said municipality, and if there ~~is~~ is ~~be~~ no website or
549 newspaper published in said municipality, the governing
550 authority of said municipality shall cause said resolution to be
551 published once a week for a period of 2 weeks in a newspaper of
552 general circulation published in the county in which said
553 municipality is located.

554 Section 16. Section 170.07, Florida Statutes, is amended to
555 read:

556 170.07 Publication of preliminary assessment roll.—Upon the
557 completion of said preliminary assessment roll, the governing
558 authority of the municipality shall by resolution fix a time and
559 place at which the owners of the property to be assessed or any
560 other persons interested therein may appear before said
561 governing authority and be heard as to the propriety and
562 advisability of making such improvements, as to the cost
563 thereof, as to the manner of payment therefor, and as to the
564 amount thereof to be assessed against each property so improved.



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565 Thirty days' notice in writing of such time and place shall be
566 given to such property owners. The notice shall include the
567 amount of the assessment and shall be served by mailing a copy
568 to each of such property owners at his or her last known
569 address, the names and addresses of such property owners to be
570 obtained from the records of the property appraiser or from such
571 other sources as the city or town clerk or engineer deems
572 reliable, proof of such mailing to be made by the affidavit of
573 the clerk or deputy clerk of said municipality, or by the
574 engineer, said proof to be filed with the clerk, provided, that
575 failure to mail said notice or notices shall not invalidate any
576 of the proceedings hereunder. Notice of the time and place of
577 such hearing shall also be given by two publications a week
578 apart in a newspaper of general circulation in said municipality
579 or by publication daily for 2 weeks on the state notice website
580 and a publicly accessible website maintained by the
581 municipality, and if there is ~~be~~ no website or newspaper
582 published in said municipality, the governing authority of said
583 municipality shall cause said notice to be published in like
584 manner in a newspaper of general circulation published in the
585 county in which said municipality is located; provided that the
586 last publication shall be at least 1 week before ~~prior to~~ the
587 date of the hearing. Said notice shall describe the streets or
588 other areas to be improved and advise all persons interested
589 that the description of each property to be assessed and the
590 amount to be assessed to each piece or parcel of property may be
591 ascertained at the office of the clerk of the municipality. Such
592 service by publication shall be verified by the affidavit of the
593 publisher and filed with the clerk of said municipality.



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594 Section 17. Subsection (1) of section 180.24, Florida
595 Statutes, is amended to read:

596 180.24 Contracts for construction; bond; publication of
597 notice; bids.-

598 (1) Any municipality desiring the accomplishment of any or
599 all of the purposes of this chapter may make contracts for the
600 construction of any of the utilities mentioned in this chapter,
601 or any extension or extensions to any previously constructed
602 utility, which said contracts shall be in writing, and the
603 contractor shall be required to give bond, which said bond shall
604 be executed by a surety company authorized to do business in the
605 state; provided, however, construction contracts in excess of
606 \$25,000 shall be advertised by the publication of a notice in a
607 newspaper of general circulation in the county in which said
608 municipality is located at least once each week for 2
609 consecutive weeks, by publication daily for 2 weeks on the state
610 notice website and a publicly accessible website maintained by
611 the municipality, or by posting three notices in three
612 conspicuous places in said municipality, one of which shall be
613 on the door of the city hall; and that at least 10 days shall
614 elapse between the date of the first publication or posting of
615 such notice and the date of receiving bids and the execution of
616 such contract documents. For municipal construction projects
617 identified in s. 255.0525, the notice provision of that section
618 supersedes and replaces the notice provisions in this section.

619 Section 18. Paragraph (a) of subsection (3) of section
620 197.3632, Florida Statutes, is amended to read:

621 197.3632 Uniform method for the levy, collection, and
622 enforcement of non-ad valorem assessments.-



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623 (3) (a) Notwithstanding any other provision of law to the
624 contrary, a local government which is authorized to impose a
625 non-ad valorem assessment and which elects to use the uniform
626 method of collecting such assessment for the first time as
627 authorized in this section shall adopt a resolution at a public
628 hearing before ~~prior to~~ January 1 or, if the property appraiser,
629 tax collector, and local government agree, March 1. The
630 resolution shall clearly state its intent to use the uniform
631 method of collecting such assessment. The local government shall
632 publish notice of its intent to use the uniform method for
633 collecting such assessment weekly in a newspaper of general
634 circulation within each county contained in the boundaries of
635 the local government for 4 consecutive weeks preceding the
636 hearing or, in the case of a county or municipality, daily
637 during the 4 consecutive weeks immediately preceding the hearing
638 on the state notice website and a publicly accessible website
639 maintained by the county or municipality. The resolution shall
640 state the need for the levy and shall include a legal
641 description of the boundaries of the real property subject to
642 the levy. If the resolution is adopted, the local governing
643 board shall send a copy of it by United States mail to the
644 property appraiser, the tax collector, and the department by
645 January 10 or, if the property appraiser, tax collector, and
646 local government agree, March 10.

647 Section 19. Paragraph (d) of subsection (2), paragraph (g)
648 of subsection (3), paragraph (b) of subsection (12), and
649 paragraph (a) of subsection (14) of section 200.065, Florida
650 Statutes, are amended to read:

651 200.065 Method of fixing millage.-



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652 (2) No millage shall be levied until a resolution or
653 ordinance has been approved by the governing board of the taxing
654 authority which resolution or ordinance must be approved by the
655 taxing authority according to the following procedure:

656 (d) Within 15 days after the meeting adopting the tentative
657 budget, the taxing authority shall advertise in a newspaper of
658 general circulation in the county as provided in subsection (3)~~7~~
659 its intent to finally adopt a millage rate and budget or, in the
660 case of a county or municipality, may advertise on the state
661 notice website and its publicly accessible website its intent to
662 finally adopt a millage rate and budget, and shall maintain the
663 notice on the state notice website and its website until
664 completion of the hearing. If advertised in a newspaper, a
665 public hearing to finalize the budget and adopt a millage rate
666 shall be held not less than 2 days nor more than 5 days after
667 the day that the advertisement is first published. During the
668 hearing, the governing body of the taxing authority shall amend
669 the adopted tentative budget as it sees fit, adopt a final
670 budget, and adopt a resolution or ordinance stating the millage
671 rate to be levied. The resolution or ordinance shall state the
672 percent, if any, by which the millage rate to be levied exceeds
673 the rolled-back rate computed pursuant to subsection (1), which
674 shall be characterized as the percentage increase in property
675 taxes adopted by the governing body. The adoption of the budget
676 and the millage-levy resolution or ordinance shall be by
677 separate votes. For each taxing authority levying millage, the
678 name of the taxing authority, the rolled-back rate, the
679 percentage increase, and the millage rate to be levied shall be
680 publicly announced before ~~prior to~~ the adoption of the millage-



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681 levy resolution or ordinance. ~~In no event may~~ The millage rate
682 adopted pursuant to this paragraph may not exceed the millage
683 rate tentatively adopted pursuant to paragraph (c). If the rate
684 tentatively adopted pursuant to paragraph (c) exceeds the
685 proposed rate provided to the property appraiser pursuant to
686 paragraph (b), or as subsequently adjusted pursuant to
687 subsection (11), each taxpayer within the jurisdiction of the
688 taxing authority shall be sent notice by first-class mail of his
689 or her taxes under the tentatively adopted millage rate and his
690 or her taxes under the previously proposed rate. The notice must
691 be prepared by the property appraiser, at the expense of the
692 taxing authority, and must generally conform to the requirements
693 of s. 200.069. If such additional notice is necessary, its
694 mailing must precede the hearing held pursuant to this paragraph
695 by not less than 10 days and not more than 15 days.

696 (3) The advertisement shall be no less than one-quarter
697 page in size of a standard size or a tabloid size newspaper, and
698 the headline in the advertisement shall be in a type no smaller
699 than 18 point. The advertisement shall not be placed in that
700 portion of the newspaper where legal notices and classified
701 advertisements appear. The advertisement shall be published in a
702 newspaper of general paid circulation in the county or in a
703 geographically limited insert of such newspaper. The geographic
704 boundaries in which such insert is circulated shall include the
705 geographic boundaries of the taxing authority. It is the
706 legislative intent that, whenever possible, the advertisement
707 appear in a newspaper that is published at least 5 days a week
708 unless the only newspaper in the county is published less than 5
709 days a week, or that the advertisement appear in a



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710 geographically limited insert of such newspaper which insert is
711 published throughout the taxing authority's jurisdiction at
712 least twice each week. It is further the legislative intent that
713 the newspaper selected be one of general interest and readership
714 in the community and not one of limited subject matter, pursuant
715 to chapter 50.

716 (g) If ~~In the event that~~ the mailing of the notice of
717 proposed property taxes is delayed beyond September 3 in a
718 county, any multicounty taxing authority which levies ad valorem
719 taxes within that county shall advertise its intention to adopt
720 a tentative budget and millage rate on the state notice website
721 and a publicly accessible website maintained by the taxing
722 authority or in a newspaper of paid general circulation within
723 that county, as provided in this subsection, and shall hold the
724 hearing required pursuant to paragraph (2) (c). If advertised in
725 the newspaper, the hearing shall be held not less than 2 days or
726 more than 5 days thereafter, and not later than September 18. If
727 advertised on the websites, the hearing shall be held not less
728 than 2 days after initial publication of the advertisement on
729 the state notice website and the website and not later than
730 September 18, and shall remain on the publicly accessible
731 website until the date of the hearing. The advertisement shall
732 be in the following form, unless the proposed millage rate is
733 less than or equal to the rolled-back rate, computed pursuant to
734 subsection (1), in which case the advertisement shall be as
735 provided in paragraph (e):

736 NOTICE OF TAX INCREASE

737
738 The ...(name of the taxing authority)... proposes to



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739 increase its property tax levy by ... (percentage of increase
740 over rolled-back rate)... percent.

741 All concerned citizens are invited to attend a public
742 hearing on the proposed tax increase to be held on ... (date and
743 time)... at ... (meeting place)....

744 (12) The time periods specified in this section shall be
745 determined by using the date of certification of value pursuant
746 to subsection (1) or July 1, whichever date is later, as day 1.
747 The time periods shall be considered directory and may be
748 shortened, provided:

749 (b) Any public hearing preceded by a newspaper
750 advertisement is held not less than 2 days or more than 5 days
751 following publication of such advertisement and any public
752 hearing preceded by advertisement on the state notice website
753 and a publicly accessible website advertisement is held not less
754 than 2 days after initial publication; and

755 (14) (a) If the notice of proposed property taxes mailed to
756 taxpayers under this section contains an error, the property
757 appraiser, in lieu of mailing a corrected notice to all
758 taxpayers, may correct the error by mailing a short form of the
759 notice to those taxpayers affected by the error and its
760 correction. The notice shall be prepared by the property
761 appraiser at the expense of the taxing authority which caused
762 the error or at the property appraiser's expense if he or she
763 caused the error. The form of the notice must be approved by the
764 executive director of the Department of Revenue or the executive
765 director's designee. If the error involves only the date and
766 time of the public hearings required by this section, the
767 property appraiser, with the permission of the taxing authority



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768 affected by the error, may correct the error by advertising the
769 corrected information on the state notice website and a publicly
770 accessible website maintained by the taxing authority or in a
771 newspaper of general circulation in the county as provided in
772 subsection (3).

773 Section 20. Subsection (2) of section 255.0525, Florida
774 Statutes, is amended to read:

775 255.0525 Advertising for competitive bids or proposals.—

776 (2) The solicitation of competitive bids or proposals for
777 any county, municipality, or other political subdivision
778 construction project that is projected to cost more than
779 \$200,000 shall be publicly advertised at least once in a
780 newspaper of general circulation in the county where the project
781 is located at least 21 days before ~~prior to~~ the established bid
782 opening and at least 5 days before ~~prior to~~ any scheduled prebid
783 conference, or advertised daily during the 21-day period
784 immediately preceding the established bid opening date and daily
785 during the 5-day period immediately preceding any scheduled
786 prebid conference on the state notice website and a publicly
787 accessible website maintained by the entity responsible for
788 publication. The solicitation of competitive bids or proposals
789 for any county, municipality, or other political subdivision
790 construction project that is projected to cost more than
791 \$500,000 shall be publicly advertised at least once in a
792 newspaper of general circulation in the county where the project
793 is located at least 30 days before ~~prior to~~ the established bid
794 opening and at least 5 days before ~~prior to~~ any scheduled prebid
795 conference, or advertised daily during the 30-day period
796 immediately preceding the established bid opening date and daily



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797 during the 5-day period immediately preceding any scheduled
798 prebid conference on the state notice website and a publicly
799 accessible website. Bids or proposals shall be received and
800 opened at the location, date, and time established in the bid or
801 proposal advertisement. In cases of emergency, the procedures
802 required in this section may be altered by the local
803 governmental entity in any manner that is reasonable under the
804 emergency circumstances.

805 Section 21. Paragraph (e) of subsection (25) of section
806 380.06, Florida Statutes, is amended to read:

807 380.06 Developments of regional impact.—

808 (25) AREAWIDE DEVELOPMENT OF REGIONAL IMPACT.—

809 (e) The local government shall schedule a public hearing
810 within 60 days after receipt of the petition. The public hearing
811 shall be advertised at least 30 days before ~~prior to~~ the
812 hearing. In addition to the public hearing notice by the local
813 government, the petitioner, except when the petitioner is a
814 local government, shall provide actual notice to each person
815 owning land within the proposed areawide development plan at
816 least 30 days before ~~prior to~~ the hearing. If the petitioner is
817 a local government, or local governments pursuant to an
818 interlocal agreement, notice of the public hearing shall be
819 provided by the publication of an advertisement on the state
820 notice website and a publicly accessible website maintained by
821 the county or municipality responsible for publication or in a
822 newspaper of general circulation that meets the requirements of
823 this paragraph. The newspaper advertisement must be no less than
824 one-quarter page in a standard size or tabloid size newspaper,
825 and the headline in the newspaper advertisement must be in type



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826 no smaller than 18 point. The newspaper advertisement may ~~shall~~
827 not be published in that portion of the newspaper where legal
828 notices and classified advertisements appear. The advertisement
829 must be published on the state notice website and a publicly
830 accessible website maintained by the county or municipality
831 responsible for publication or in a newspaper of general paid
832 circulation in the county and of general interest and readership
833 in the community, not one of limited subject matter, pursuant to
834 chapter 50. Whenever possible, the newspaper advertisement must
835 appear in a newspaper that is published at least 5 days a week,
836 unless the only newspaper in the community is published less
837 than 5 days a week. The advertisement must be in substantially
838 the form used to advertise amendments to comprehensive plans
839 pursuant to s. 163.3184. The local government shall specifically
840 notify in writing the regional planning agency and the state
841 land planning agency at least 30 days before ~~prior to~~ the public
842 hearing. At the public hearing, all interested parties may
843 testify and submit evidence regarding the petitioner's
844 qualifications, the need for and benefits of an areawide
845 development of regional impact, and such other issues relevant
846 to a full consideration of the petition. If more than one local
847 government has jurisdiction over the defined planning area in an
848 areawide development plan, the local governments shall hold a
849 joint public hearing. Such hearing shall address, at a minimum,
850 the need to resolve conflicting ordinances or comprehensive
851 plans, if any. The local government holding the joint hearing
852 shall comply with the following additional requirements:

853 1. The notice of the hearing shall be published at least 60
854 days in advance of the hearing and shall specify where the



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855 petition may be reviewed.

856 2. The notice shall be given to the state land planning
857 agency, to the applicable regional planning agency, and to such
858 other persons as may have been designated by the state land
859 planning agency as entitled to receive such notices.

860 3. A public hearing date shall be set by the appropriate
861 local government at the next scheduled meeting.

862 Section 22. Subsection (2) of section 403.7049, Florida
863 Statutes, is amended to read:

864 403.7049 Determination of full cost for solid waste
865 management; local solid waste management fees.-

866 (2) (a) Each municipality shall establish a system to
867 inform, no less than once a year, residential and nonresidential
868 users of solid waste management services within the
869 municipality's service area of the user's share, on an average
870 or individual basis, of the full cost for solid waste management
871 as determined pursuant to subsection (1). Counties shall provide
872 the information required of municipalities only to residential
873 and nonresidential users of solid waste management services
874 within the county's service area that are not served by a
875 municipality. Municipalities shall include costs charged to them
876 or persons contracting with them for disposal of solid waste in
877 the full cost information provided to residential and
878 nonresidential users of solid waste management services.

879 (b) The public disclosure system requirements of this
880 section shall be fulfilled by meeting one of the following:

881 1. By mailing a copy of the full cost information to each
882 residential and nonresidential user of solid waste management
883 service within the solid waste management service area of the



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884 county or municipality;

885 2. By enclosing a copy of the full cost information in or
886 with a bill sent to each residential and nonresidential user of
887 solid waste management services within the service area of the
888 county or municipality;

889 3. By publishing a copy of the full cost information in a
890 newspaper of general circulation within the county. Such notice
891 shall be a display advertisement not less than one-quarter page
892 in size; or

893 4. By advertising a copy of the full cost information daily
894 for at least two consecutive weeks on the state notice website
895 and a publicly accessible website maintained by the
896 municipality.

897 (c) ~~(b)~~ Counties and municipalities are encouraged to
898 operate their solid waste management systems through use of an
899 enterprise fund.

900 Section 23. Paragraph (a) of subsection (2) of section
901 403.973, Florida Statutes, is amended to read:

902 403.973 Expedited permitting; amendments to comprehensive
903 plans.—

904 (2) As used in this section, the term:

905 (a) "Duly noticed" means publication on the state notice
906 website and a publicly accessible website maintained by the
907 municipality or county having jurisdiction, or in a newspaper of
908 general circulation in the municipality or county having ~~with~~
909 jurisdiction. If published in a newspaper, the notice shall
910 appear on at least 2 separate days, one of which shall be at
911 least 7 days before the meeting. If published on the state
912 notice website and a publicly accessible website, the notice



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913 shall appear daily during the 7 days immediately preceding the
914 meeting. The notice shall state the date, time, and place of the
915 meeting scheduled to discuss or enact the memorandum of
916 agreement, and the places within the municipality or county
917 where such proposed memorandum of agreement may be inspected by
918 the public. The newspaper notice must be one-eighth of a page in
919 size and must be published in a portion of the paper other than
920 the legal notices section. The notice shall also advise that
921 interested parties may appear at the meeting and be heard with
922 respect to the memorandum of agreement.

923 Section 24. Paragraph (b) of subsection (4) of section
924 420.9075, Florida Statutes, is amended to read:

925 420.9075 Local housing assistance plans; partnerships.-

926 (4) Each local housing assistance plan is governed by the
927 following criteria and administrative procedures:

928 (b) The county or eligible municipality or its
929 administrative representative shall advertise the notice of
930 funding availability in a newspaper of general circulation and
931 periodicals serving ethnic and diverse neighborhoods, at least
932 30 days before the beginning of the application period or daily
933 during the 30 days immediately preceding the application period
934 on the state notice website and a publicly accessible website
935 maintained by the county or eligible municipality. If no funding
936 is available due to a waiting list, no notice of funding
937 availability is required.

938 Section 25.

939 Department of State website for publication of state and
940 local government notices and advertisements.-

941 (1) The Department of State shall establish and maintain a



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942 centralized internet website for the posting of state and local
943 government notices and advertisements, to be provided to the
944 public without charge, which permits the public to:

945 (a) Search notices by geographic name, type, or
946 publication date;

947 (b) Search a permanent database that archives all notices
948 published on the website; and

949 (c) Subscribe to an automated e-mail notification of
950 selected notice types.

951 Section 26. Agency use of Department of State website for
952 publication of government notices and advertisements. -

953 Each agency, as defined in s. 120.52(1), shall, in addition
954 to all other notice and publication requirements, post any
955 notice required by law on the website developed by the
956 Department of State for the publication of government notices
957 and advertisements.

958 Section 27. This act shall take effect October 1, 2011.

959
960
961 ===== T I T L E A M E N D M E N T =====

962 And the title is amended as follows:

963 Delete everything before the enacting clause
964 and insert:

965 A bill to be entitled
966 An act relating to effective public notices by
967 governmental entities; creating s. 50.0311, F.S.;
968 defining the term "publicly accessible website";
969 authorizing a local government to use its publicly
970 accessible website for legally required advertisements



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971 and public notices; providing conditions for such use;
972 providing for optional receipt of legally required
973 advertisements and public notices by first-class mail
974 or e-mail; providing requirements for advertisements
975 and public notices published on a publicly accessible
976 website; amending s. 50.011, F.S.; providing that a
977 notice, advertisement, or publication on a publicly
978 accessible website of a local government in accordance
979 with s. 50.0311, F.S., constitutes legal notice;
980 amending s. 50.021, F.S.; providing that
981 advertisements directed by law or order or decree of
982 court to be made in a county in which no newspaper is
983 published may be made by publication on a publicly
984 accessible website; amending s. 50.051, F.S.;
985 providing clarifying provisions; amending s. 50.061,
986 F.S.; providing clarifying provisions; amending s.
987 100.342, F.S.; providing for notice of special
988 election or referendum on a publicly accessible
989 website; amending s. 125.66, F.S.; providing for
990 notice of consideration of an ordinance by a board of
991 county commissioners to be published on a publicly
992 accessible website; requiring maintenance of the
993 advertisement for a specified period; providing
994 clarifying provisions; amending s. 129.03, F.S.;
995 providing for the advertisement of a summary statement
996 of adopted tentative county budgets on a publicly
997 accessible website; amending s. 129.06, F.S.;
998 providing for advertisement of a public hearing
999 relating to the amendment of a county budget on a



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1000 publicly accessible website; amending s. 153.79, F.S.;

1001 providing for public advertisement by a county water

1002 and sewer system district of projects to construct,

1003 reconstruct, acquire, or improve a water system or a

1004 sewer system, and of a call for sealed bids for such

1005 projects, on a publicly accessible website; amending

1006 s. 159.32, F.S.; providing for advertisement for

1007 competitive bids for contracts for the construction of

1008 a project under the Florida Industrial Development

1009 Financing Act on a publicly accessible website;

1010 amending s. 162.12, F.S.; providing for optional

1011 serving of notice by a code enforcement board of a

1012 violation of a county or municipal code via a publicly

1013 accessible website; amending s. 163.3184, F.S.;

1014 providing for notice of public hearings on the

1015 adoption of a local government comprehensive plan or

1016 plan amendment or the approval of a compliance

1017 agreement under the Local Government Comprehensive

1018 Planning and Land Development Regulation Act via a

1019 publicly accessible website; amending s. 166.041,

1020 F.S.; providing for notice of adoption of a municipal

1021 ordinance via a publicly accessible website; providing

1022 clarifying provisions; amending s. 170.05, F.S.;

1023 providing for publication on a publicly accessible

1024 website of a resolution relating to municipal public

1025 improvements financed by special assessments; amending

1026 s. 170.07, F.S.; providing for publication on a

1027 publicly accessible website of notice of hearing on

1028 municipal public improvements financed by special



1029 assessments; amending s. 180.24, F.S.; providing for
1030 advertisement via a publicly accessible website of
1031 specified construction contracts for utilities or
1032 extensions to a previously constructed utility;
1033 amending s. 197.3632, F.S.; providing for publication
1034 on a publicly accessible website of a local
1035 government's notice of intent to use the uniform
1036 method of collecting non-ad valorem assessments;
1037 amending s. 200.065, F.S.; providing for advertisement
1038 on a publicly accessible website of a taxing
1039 authority's intent to adopt a millage rate and budget;
1040 providing for advertisement on a publicly accessible
1041 website of the intention of a specified multicounty
1042 taxing authority to adopt a tentative budget and
1043 millage rate; providing clarifying and conforming
1044 provisions; providing for notice via a publicly
1045 accessible website of correction of a specified error
1046 contained in a notice of proposed property taxes
1047 mailed to taxpayers; amending s. 255.0525, F.S.;
1048 providing for advertisement via a publicly accessible
1049 website for the solicitation of competitive bids or
1050 proposals for construction projects of a county,
1051 municipality, or other political subdivision which are
1052 projected to exceed specified costs; amending s.
1053 380.06, F.S.; providing for publication of an
1054 advertisement on a publicly accessible website of a
1055 public hearing by a local government on an areawide
1056 development of regional impact under the Florida
1057 Environmental Land and Water Management Act of 1972;



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1058 amending s. 403.7049, F.S.; prescribing procedures for
1059 fulfilling public disclosure system requirements with
1060 respect to the duty of a municipality to disclose
1061 costs for solid waste management; amending s. 403.973,
1062 F.S.; redefining the term "duly noticed" to include
1063 publication on a publicly accessible website;
1064 providing conforming provisions; amending s. 420.9075,
1065 F.S.; providing for advertisement of notice on a
1066 publicly accessible website of funding availability
1067 through a local housing assistance plan under the
1068 State Housing Initiatives Partnership Act; creating a
1069 centralized internet website in the Department of
1070 State for publication of state and local government
1071 notices and advertisements; requiring all state
1072 agencies to post notices on the Department of State
1073 website; providing an effective date.