

1                   A bill to be entitled  
2           An act relating to effective public notices by  
3           governmental entities; creating s. 50.0311, F.S.; defining  
4           the term "publicly accessible website"; authorizing a  
5           local government to use its publicly accessible website  
6           for legally required advertisements and public notices;  
7           providing conditions for such use; providing for optional  
8           receipt of legally required advertisements and public  
9           notices by first-class mail or e-mail; providing  
10          requirements for advertisements and public notices  
11          published on a publicly accessible website; amending s.  
12          50.011, F.S.; providing that a notice, advertisement, or  
13          publication on a publicly accessible website of a local  
14          government in accordance with s. 50.0311, F.S.,  
15          constitutes legal notice; amending s. 50.021, F.S.;  
16          providing that advertisements directed by law or order or  
17          decree of court to be made in a county in which no  
18          newspaper is published may be made by publication on a  
19          publicly accessible website; amending s. 50.051, F.S.;  
20          providing clarifying provisions; amending s. 50.061, F.S.;  
21          providing clarifying provisions; amending s. 100.342,  
22          F.S.; providing for notice of special election or  
23          referendum on a publicly accessible website; amending s.  
24          125.66, F.S.; providing for notice of consideration of an  
25          ordinance by a board of county commissioners to be  
26          published on a publicly accessible website; requiring  
27          maintenance of the advertisement for a specified period;  
28          providing clarifying provisions; amending s. 129.03, F.S.;

29 providing for the advertisement of a summary statement of  
30 adopted tentative county budgets on a publicly accessible  
31 website; amending s. 129.06, F.S.; providing for  
32 advertisement of a public hearing relating to the  
33 amendment of a county budget on a publicly accessible  
34 website; amending s. 153.79, F.S.; providing for public  
35 advertisement by a county water and sewer system district  
36 of projects to construct, reconstruct, acquire, or improve  
37 a water system or a sewer system, and of a call for sealed  
38 bids for such projects, on a publicly accessible website;  
39 amending s. 159.32, F.S.; providing for advertisement for  
40 competitive bids for contracts for the construction of a  
41 project under the Florida Industrial Development Financing  
42 Act on a publicly accessible website; amending s. 162.12,  
43 F.S.; providing for optional serving of notice by a code  
44 enforcement board of a violation of a county or municipal  
45 code via a publicly accessible website; amending s.  
46 163.3184, F.S.; providing for notice of public hearings on  
47 the adoption of a local government comprehensive plan or  
48 plan amendment or the approval of a compliance agreement  
49 under the Local Government Comprehensive Planning and Land  
50 Development Regulation Act via a publicly accessible  
51 website; amending s. 166.041, F.S.; providing for notice  
52 of adoption of a municipal ordinance via a publicly  
53 accessible website; providing clarifying provisions;  
54 amending s. 170.05, F.S.; providing for publication on a  
55 publicly accessible website of a resolution relating to  
56 municipal public improvements financed by special

57 | assessments; amending s. 170.07, F.S.; providing for  
58 | publication on a publicly accessible website of notice of  
59 | hearing on municipal public improvements financed by  
60 | special assessments; amending s. 180.24, F.S.; providing  
61 | for advertisement via a publicly accessible website of  
62 | specified construction contracts for utilities or  
63 | extensions to a previously constructed utility; amending  
64 | s. 197.3632, F.S.; providing for publication on a publicly  
65 | accessible website of a local government's notice of  
66 | intent to use the uniform method of collecting non-ad  
67 | valorem assessments; amending s. 200.065, F.S.; providing  
68 | for advertisement on a publicly accessible website of a  
69 | taxing authority's intent to adopt a millage rate and  
70 | budget; providing for advertisement on a publicly  
71 | accessible website of the intention of a specified  
72 | multicounty taxing authority to adopt a tentative budget  
73 | and millage rate; providing clarifying and conforming  
74 | provisions; providing for notice via a publicly accessible  
75 | website of correction of a specified error contained in a  
76 | notice of proposed property taxes mailed to taxpayers;  
77 | amending s. 255.0525, F.S.; providing for advertisement  
78 | via a publicly accessible website for the solicitation of  
79 | competitive bids or proposals for construction projects of  
80 | a county, municipality, or other political subdivision  
81 | which are projected to exceed specified costs; amending s.  
82 | 380.06, F.S.; providing for publication of an  
83 | advertisement on a publicly accessible website of a public  
84 | hearing by a local government on an areawide development

85 of regional impact under the Florida Environmental Land  
 86 and Water Management Act of 1972; amending s. 403.7049,  
 87 F.S.; prescribing procedures for fulfilling public  
 88 disclosure system requirements with respect to the duty of  
 89 a municipality to disclose costs for solid waste  
 90 management; amending s. 403.973, F.S.; redefining the term  
 91 "duly noticed" to include publication on a publicly  
 92 accessible website; providing conforming provisions;  
 93 amending s. 420.9075, F.S.; providing for advertisement of  
 94 notice on a publicly accessible website of funding  
 95 availability through a local housing assistance plan under  
 96 the State Housing Initiatives Partnership Act; providing  
 97 an effective date.

98

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

100

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

103 50.0311 Publication of advertisements and public notices  
 104 on a local government's publicly accessible website and  
 105 government access channels.-

106 (1) For purposes of notices and advertisements required by  
 107 statute to be published by a local government, the term  
 108 "publicly accessible website" means a county or municipal  
 109 government's official website that is accessible via the  
 110 Internet.

111 (2) If specifically authorized by ordinance, a local  
 112 government may use its website for legally required

HB 89

2011

113 advertisements and public notices if:

114 (a) A public library or other governmental facility  
115 providing free access to the Internet during regular business  
116 hours exists within the jurisdictional boundaries of such county  
117 or municipality;

118 (b) The local government provides notice to its residents  
119 at least once per year in a newspaper of general circulation,  
120 the county or municipality's newsletter or periodical, or  
121 another publication that is mailed or delivered to all residents  
122 or property owners throughout the local government's  
123 jurisdiction, indicating that residents may receive legally  
124 required advertisements and public notices from the local  
125 government by first-class mail or e-mail upon registering their  
126 name and address or e-mail address with the local governmental  
127 entity; and

128 (c) The local government maintains a registry of names,  
129 addresses, and e-mail addresses of residents who request in  
130 writing that they receive legally required advertisements and  
131 public notices from the local government by first-class mail or  
132 e-mail.

133 (3) Advertisements and public notices published on a  
134 publicly accessible website shall be conspicuously placed on the  
135 website's homepage or accessible through a direct link from the  
136 homepage. The advertisement shall indicate the date on which the  
137 advertisement was first published on the publicly accessible  
138 website.

139 (4) The local government that has a government access  
140 channel authorized under s. 610.109 may also include on its

141 government access channel a summary of all advertisements and  
 142 public notices that are published on its website.

143 Section 2. Section 50.011, Florida Statutes, is amended to  
 144 read:

145 50.011 Where and in what language legal notices to be  
 146 published.—Whenever by statute an official or legal  
 147 advertisement or a publication, or notice in a newspaper has  
 148 been or is directed or permitted in the nature of or in lieu of  
 149 process, or for constructive service, or in initiating,  
 150 assuming, reviewing, exercising or enforcing jurisdiction or  
 151 power, or for any purpose, including all legal notices and  
 152 advertisements of sheriffs and tax collectors, the  
 153 contemporaneous and continuous intent and meaning of such  
 154 legislation all and singular, existing or repealed, is and has  
 155 been and is hereby declared to be and to have been, and the rule  
 156 of interpretation is and has been, a publication in a newspaper  
 157 printed and published periodically once a week or oftener,  
 158 containing at least 25 percent of its words in the English  
 159 language, entered or qualified to be admitted and entered as  
 160 periodicals matter at a post office in the county where  
 161 published, for sale to the public generally, available to the  
 162 public generally for the publication of official or other  
 163 notices and customarily containing information of a public  
 164 character or of interest or of value to the residents or owners  
 165 of property in the county where published, or of interest or of  
 166 value to the general public. Notwithstanding any provisions to  
 167 the contrary, and as specifically authorized by s. 50.0311, a  
 168 notice, advertisement, or publication on a publicly accessible

HB 89

2011

169 website of a local government in accordance with s. 50.0311  
 170 constitutes legal notice.

171 Section 3. Section 50.021, Florida Statutes, is amended to  
 172 read:

173 50.021 Publication when no newspaper in county.—When any  
 174 law, or order or decree of court, shall direct advertisements to  
 175 be made in any county and there be no newspaper published in the  
 176 said county, the advertisement may be made, in the case of a  
 177 county or municipality, by publishing such advertisement on a  
 178 publicly accessible website maintained by the entity responsible  
 179 for publication or posting three copies thereof in three  
 180 different places in said county, one of which shall be at the  
 181 front door of the courthouse, and by publication in the nearest  
 182 county in which a newspaper is published.

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

185 50.051 Proof of publication; form of uniform affidavit.—  
 186 The printed form upon which all such affidavits establishing  
 187 proof of publication in a newspaper are to be executed shall be  
 188 substantially as follows:

189  
 190 NAME OF NEWSPAPER

191 Published (Weekly or Daily)

192 (Town or City) (County) FLORIDA

193  
 194 STATE OF FLORIDA

195  
 196 COUNTY OF .....:

HB 89

2011

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

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

214 |  
 215 | Sworn to and subscribed before me this . . . . day of . . . . ,  
 216 | . . . . (year) . . . . , by . . . . , who is personally known to me or who has  
 217 | produced (type of identification) as identification.

218 |  
 219 |  
 220 | . . . . (Signature of Notary Public) . . . .

221 |  
 222 | . . . . (Print, Type, or Stamp Commissioned Name of Notary Public) . . . .

223 |  
 224 | . . . . (Notary Public) . . . .



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

227 50.061 Amounts chargeable.—

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

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

234 100.342 Notice of special election or referendum.—In any  
 235 special election or referendum not otherwise provided for there  
 236 shall be at least 30 days' notice of the election or referendum  
 237 by publication in a newspaper of general circulation in the  
 238 county, district, or municipality, as the case may be, or, in  
 239 the case of a county or municipality, publication on a publicly  
 240 accessible website maintained by the local government  
 241 responsible for publication and published daily during the 5  
 242 weeks immediately preceding the election or referendum. If  
 243 advertised in the newspaper, the publication shall be made at  
 244 least twice, once in the fifth week and once in the third week  
 245 prior to the week in which the election or referendum is to be  
 246 held. If there is no newspaper of general circulation in the  
 247 county, district, or municipality and publication is not made on  
 248 a publicly accessible website maintained by the local government  
 249 responsible for publication, the notice shall be posted in no  
 250 fewer ~~less~~ than five places within the territorial limits of the  
 251 county, district, or municipality.

252 Section 7. Paragraph (a) of subsection (2) and paragraph

253 (b) of subsection (4) of section 125.66, Florida Statutes, are  
 254 amended to read:

255 125.66 Ordinances; enactment procedure; emergency  
 256 ordinances; rezoning or change of land use ordinances or  
 257 resolutions.—

258 (2) (a) The regular enactment procedure shall be as  
 259 follows: The board of county commissioners at any regular or  
 260 special meeting may enact or amend any ordinance, except as  
 261 provided in subsection (4), if notice of intent to consider such  
 262 ordinance is given at least 10 days before the ~~prior to said~~  
 263 meeting on a publicly accessible website maintained by the  
 264 county or by publication in a newspaper of general circulation  
 265 in the county. If advertised on a publicly accessible website,  
 266 the advertisement shall be published daily during the 10 days  
 267 immediately preceding the meeting. A copy of such notice shall  
 268 be kept available for public inspection during the regular  
 269 business hours of the office of the clerk of the board of county  
 270 commissioners. The notice of proposed enactment shall state the  
 271 date, time, and place of the meeting; the title or titles of  
 272 proposed ordinances; and the place or places within the county  
 273 where such proposed ordinances may be inspected by the public.  
 274 The notice shall also advise that interested parties may appear  
 275 at the meeting and be heard with respect to the proposed  
 276 ordinance.

277 (4) Ordinances or resolutions, initiated by other than the  
 278 county, that change the actual zoning map designation of a  
 279 parcel or parcels of land shall be enacted pursuant to  
 280 subsection (2). Ordinances or resolutions that change the actual

HB 89

2011

281 list of permitted, conditional, or prohibited uses within a  
282 zoning category, or ordinances or resolutions initiated by the  
283 county that change the actual zoning map designation of a parcel  
284 or parcels of land shall be enacted pursuant to the following  
285 procedure:

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

292 1. The board of county commissioners shall hold two  
293 advertised public hearings on the proposed ordinance or  
294 resolution. At least one hearing shall be held after 5 p.m. on a  
295 weekday, unless the board of county commissioners, by a majority  
296 plus one vote, elects to conduct that hearing at another time of  
297 day. The first public hearing shall be held at least 7 days  
298 after the day that the first advertisement is published. The  
299 second hearing shall be held at least 10 days after the first  
300 hearing and shall be advertised at least 5 days prior to the  
301 public hearing.

302 2. The required newspaper advertisements shall be no less  
303 than 2 columns wide by 10 inches long in a standard size or a  
304 tabloid size newspaper, and the headline in the advertisement  
305 shall be in a type no smaller than 18 point. The newspaper  
306 advertisement shall not be placed in that portion of the  
307 newspaper where legal notices and classified advertisements  
308 appear. The newspaper advertisement shall be placed in a

309 newspaper of general paid circulation in the county and of  
 310 general interest and readership in the community pursuant to  
 311 chapter 50, not one of limited subject matter. It is the  
 312 legislative intent that, whenever possible, the newspaper  
 313 advertisement shall appear in a newspaper that is published at  
 314 least 5 days a week unless the only newspaper in the community  
 315 is published less than 5 days a week. The newspaper  
 316 advertisement shall be in substantially the following form:

317  
 318 NOTICE OF (TYPE OF) CHANGE  
 319

320 The ...(name of local governmental unit)... proposes to  
 321 adopt the following by ordinance or resolution:...(title of  
 322 ordinance or resolution)....

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

325  
 326 Except for amendments which change the actual list of permitted,  
 327 conditional, or prohibited uses within a zoning category, the  
 328 advertisement shall contain a geographic location map which  
 329 clearly indicates the area within the local government covered  
 330 by the proposed ordinance or resolution. The map shall include  
 331 major street names as a means of identification of the general  
 332 area.

333 3. In lieu of publishing the advertisements set out in  
 334 this paragraph, the board of county commissioners may mail a  
 335 notice to each person owning real property within the area  
 336 covered by the ordinance or resolution. Such notice shall

337 clearly explain the proposed ordinance or resolution and shall  
 338 notify the person of the time, place, and location of both  
 339 public hearings on the proposed ordinance or resolution.

340 Section 8. Paragraph (b) of subsection (3) of section  
 341 129.03, Florida Statutes, is amended to read:

342 129.03 Preparation and adoption of budget.—

343 (3) No later than 15 days after certification of value by  
 344 the property appraiser pursuant to s. 200.065(1), the county  
 345 budget officer, after tentatively ascertaining the proposed  
 346 fiscal policies of the board for the ensuing fiscal year, shall  
 347 prepare and present to the board a tentative budget for the  
 348 ensuing fiscal year for each of the funds provided in this  
 349 chapter, including all estimated receipts, taxes to be levied,  
 350 and balances expected to be brought forward and all estimated  
 351 expenditures, reserves, and balances to be carried over at the  
 352 end of the year.

353 (b) Upon receipt of the tentative budgets and completion  
 354 of any revisions made by the board, the board shall prepare a  
 355 statement summarizing all of the adopted tentative budgets. This  
 356 summary statement shall show, for each budget and the total of  
 357 all budgets, the proposed tax millages, the balances, the  
 358 reserves, and the total of each major classification of receipts  
 359 and expenditures, classified according to the classification of  
 360 accounts prescribed by the appropriate state agency. The board  
 361 shall cause this summary statement to be advertised one time in  
 362 a newspaper of general circulation published in the county, on a  
 363 publicly accessible website maintained by the county, or by  
 364 posting at the courthouse door if there is no such newspaper or

365 website, and the advertisement shall appear adjacent to the  
 366 advertisement required pursuant to s. 200.065.

367 Section 9. Paragraph (f) of subsection (2) of section  
 368 129.06, Florida Statutes, is amended to read:

369 129.06 Execution and amendment of budget.—

370 (2) The board at any time within a fiscal year may amend a  
 371 budget for that year, and may within the first 60 days of a  
 372 fiscal year amend the budget for the prior fiscal year, as  
 373 follows:

374 (f) If an amendment to a budget is required for a purpose  
 375 not specifically authorized in paragraphs (a)-(e), unless  
 376 otherwise prohibited by law, the amendment may be authorized by  
 377 resolution or ordinance of the board of county commissioners  
 378 adopted following a public hearing. ~~The public hearing must be~~  
 379 ~~advertised at least 2 days, but not more than 5 days, before the~~  
 380 ~~date of the hearing.~~ The advertisement must appear on a publicly  
 381 accessible website maintained by the county or in a newspaper of  
 382 paid general circulation and must identify the name of the  
 383 taxing authority, the date, place, and time of the hearing, and  
 384 the purpose of the hearing. If advertised in the newspaper, the  
 385 public hearing must be advertised at least 2 days, but not more  
 386 than 5 days, before the date of the hearing. If advertised on a  
 387 publicly accessible website, the notice must be published daily  
 388 during the 5 days immediately preceding the hearing. The  
 389 advertisement must also identify each budgetary fund to be  
 390 amended, the source of the funds, the use of the funds, and the  
 391 total amount of each budget.

392 Section 10. Section 153.79, Florida Statutes, is amended

HB 89

2011

393 to read:

394 153.79 Contracts for construction of improvements, sealed  
395 bids.—All contracts let, awarded, or entered into by the  
396 district for the construction, reconstruction, or acquisition or  
397 improvement of a water system or a sewer system or both or any  
398 part thereof, if the amount thereof shall exceed \$1,000, shall  
399 be awarded only after public advertisement and call for sealed  
400 bids therefor on a publicly accessible website maintained by the  
401 county or, in a newspaper published in the county circulating in  
402 the district, or, if there is ~~be~~ no such website or newspaper,  
403 ~~then~~ in a newspaper published in the state and circulating in  
404 the district. If advertised in the newspaper, such advertisement  
405 shall ~~to~~ be published at least once at least 3 weeks before the  
406 date set for the receipt of such bids. If advertised on a  
407 publicly accessible website, such advertisement shall be  
408 published daily during the 3 weeks immediately preceding the  
409 date set for the receipt of such bids. Such advertisements for  
410 bids in addition to the other necessary and pertinent matter  
411 shall state in general terms the nature and description of the  
412 improvement or improvements to be undertaken and shall state  
413 that detailed plans and specifications for such work are on file  
414 for inspection in the office of the district clerk and copies  
415 thereof shall be furnished to any interested party upon payment  
416 of reasonable charges to reimburse the district for its expenses  
417 in providing such copies. The award shall be made to the  
418 responsible and competent bidder or bidders who shall offer to  
419 undertake the improvements at the lowest cost to the district  
420 and such bidder or bidders shall be required to file bond for

HB 89

2011

421 the full and faithful performance of such work and the execution  
422 of any such contract in such amount as the district board shall  
423 determine, and in all other respects the letting of such  
424 construction contracts shall comply with applicable provisions  
425 of the general laws relating to the letting of public contracts.  
426 Nothing in this section shall be deemed to prevent the district  
427 from hiring or retaining such consulting engineers, attorneys,  
428 financial experts or other technicians as it shall determine, in  
429 its discretion, or from undertaking any construction work with  
430 its own resources, without any such public advertisement.

431 Section 11. Section 159.32, Florida Statutes, is amended  
432 to read:

433 159.32 Construction contracts.—Contracts for the  
434 construction of the project may be awarded by the local agency  
435 in such manner as in its judgment will best promote free and  
436 open competition, including advertisement for competitive bids  
437 in a newspaper of general circulation within the boundaries of  
438 the local agency or on a publicly accessible website maintained  
439 by the county; however, if the local agency shall determine that  
440 the purposes of this part will be more effectively served, the  
441 local agency in its discretion may award or cause to be awarded  
442 contracts for the construction of any project, or any part  
443 thereof, upon a negotiated basis as determined by the local  
444 agency. The local agency shall prescribe bid security  
445 requirements and other procedures in connection with the award  
446 of such contracts as in its judgment shall protect the public  
447 interest. The local agency may by written contract engage the  
448 services of the lessee, purchaser, or prospective lessee or



HB 89

2011

449 purchaser of any project in the construction of the project and  
450 may provide in the contract that the lessee, purchaser, or  
451 prospective lessee or purchaser may act as an agent of, or an  
452 independent contractor for, the local agency for the performance  
453 of the functions described therein, subject to such conditions  
454 and requirements consistent with the provisions of this part as  
455 shall be prescribed in the contract, including functions such as  
456 the acquisition of the site and other real property for the  
457 project; the preparation of plans, specifications, and contract  
458 documents; the award of construction and other contracts upon a  
459 competitive or negotiated basis; the construction of the  
460 project, or any part thereof, directly by the lessee, purchaser,  
461 or prospective lessee or purchaser; the inspection and  
462 supervision of construction; the employment of engineers,  
463 architects, builders, and other contractors; and the provision  
464 of money to pay the cost thereof pending reimbursement by the  
465 local agency. Any such contract may provide that the local  
466 agency may, out of proceeds of bonds, make advances to or  
467 reimburse the lessee, purchaser, or prospective lessee or  
468 purchaser for its costs incurred in the performance of those  
469 functions, and shall set forth the supporting documents required  
470 to be submitted to the local agency and the reviews,  
471 examinations, and audits that shall be required in connection  
472 therewith to assure compliance with the provisions of this part  
473 and the contract.

474 Section 12. Paragraph (a) of subsection (2) of section  
475 162.12, Florida Statutes, is amended to read:

476 162.12 Notices.—

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

480 (a)1. Such notice shall be published once during each week  
 481 for 4 consecutive weeks (four publications being sufficient) in  
 482 a newspaper of general circulation in the county where the code  
 483 enforcement board is located or daily during the 4 weeks  
 484 immediately preceding the hearing on a publicly accessible  
 485 website maintained by the local government. The website and  
 486 newspaper shall meet such requirements as are prescribed under  
 487 chapter 50 for legal and official advertisements.

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

490  
 491 Evidence that an attempt has been made to hand deliver or mail  
 492 notice as provided in subsection (1), together with proof of  
 493 publication or posting as provided in subsection (2), shall be  
 494 sufficient to show that the notice requirements of this part  
 495 have been met, without regard to whether or not the alleged  
 496 violator actually received such notice.

497 Section 13. Paragraph (b) of subsection (15) and paragraph  
 498 (c) of subsection (16) of section 163.3184, Florida Statutes,  
 499 are amended to read:

500 163.3184 Process for adoption of comprehensive plan or  
 501 plan amendment.—

502 (15) PUBLIC HEARINGS.—

503 (b) The local governing body shall hold at least two  
 504 advertised public hearings on the proposed comprehensive plan or

505 plan amendment as follows:

506 1. The first public hearing shall be held at the  
 507 transmittal stage pursuant to subsection (3). It shall be held  
 508 on a weekday at least 7 days after the day that the first  
 509 advertisement is published or after the notice of the first  
 510 public hearing is initially published on the publicly accessible  
 511 website.

512 2. The second public hearing shall be held at the adoption  
 513 stage pursuant to subsection (7). It shall be held on a weekday  
 514 at least 5 days after the day that the second advertisement is  
 515 published or after the notice of the second public hearing is  
 516 initially published on the publicly accessible website.

517 (16) COMPLIANCE AGREEMENTS.—

518 (c) Before ~~Prior to~~ its execution of a compliance  
 519 agreement, the local government must approve the compliance  
 520 agreement at a public hearing advertised at least 10 days before  
 521 the public hearing in a newspaper of general circulation in the  
 522 area or daily during the 10 days immediately preceding the  
 523 hearing on a publicly accessible website maintained by the local  
 524 government in accordance with the advertisement requirements of  
 525 subsection (15).

526 Section 14. Paragraphs (a) and (c) of subsection (3) of  
 527 section 166.041, Florida Statutes, are amended to read:

528 166.041 Procedures for adoption of ordinances and  
 529 resolutions.—

530 (3) (a) Except as provided in paragraph (c), a proposed  
 531 ordinance may be read by title, or in full, on at least 2  
 532 separate days and shall, at least 10 days before ~~prior to~~

533 adoption, be noticed once in a newspaper of general circulation  
534 in the municipality or noticed daily during the 10 days  
535 immediately preceding the adoption on a publicly accessible  
536 website maintained by the municipality. The notice of proposed  
537 enactment shall state the date, time, and place of the meeting;  
538 the title or titles of proposed ordinances; and the place or  
539 places within the municipality where such proposed ordinances  
540 may be inspected by the public. The notice shall also advise  
541 that interested parties may appear at the meeting and be heard  
542 with respect to the proposed ordinance.

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

551 1. In cases in which the proposed ordinance changes the  
552 actual zoning map designation for a parcel or parcels of land  
553 involving less than 10 contiguous acres, the governing body  
554 shall direct the clerk of the governing body to notify by mail  
555 each real property owner whose land the municipality will  
556 redesignate by enactment of the ordinance and whose address is  
557 known by reference to the latest ad valorem tax records. The  
558 notice shall state the substance of the proposed ordinance as it  
559 affects that property owner and shall set a time and place for  
560 one or more public hearings on such ordinance. Such notice shall

561 be given at least 30 days prior to the date set for the public  
562 hearing, and a copy of the notice shall be kept available for  
563 public inspection during the regular business hours of the  
564 office of the clerk of the governing body. The governing body  
565 shall hold a public hearing on the proposed ordinance and may,  
566 upon the conclusion of the hearing, immediately adopt the  
567 ordinance.

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

574 a. The local governing body shall hold two advertised  
575 public hearings on the proposed ordinance. At least one hearing  
576 shall be held after 5 p.m. on a weekday, unless the local  
577 governing body, by a majority plus one vote, elects to conduct  
578 that hearing at another time of day. The first public hearing  
579 shall be held at least 7 days after the day that the first  
580 advertisement is published. The second hearing shall be held at  
581 least 10 days after the first hearing and shall be advertised at  
582 least 5 days prior to the public hearing.

583 b. The required newspaper advertisements shall be no less  
584 than 2 columns wide by 10 inches long in a standard size or a  
585 tabloid size newspaper, and the headline in the advertisement  
586 shall be in a type no smaller than 18 point. The newspaper  
587 advertisement shall not be placed in that portion of the  
588 newspaper where legal notices and classified advertisements

589 appear. The newspaper advertisement shall be placed in a  
 590 newspaper of general paid circulation in the municipality and of  
 591 general interest and readership in the municipality, not one of  
 592 limited subject matter, pursuant to chapter 50. It is the  
 593 legislative intent that, whenever possible, the newspaper  
 594 advertisement appear in a newspaper that is published at least 5  
 595 days a week unless the only newspaper in the municipality is  
 596 published less than 5 days a week. The newspaper advertisement  
 597 shall be in substantially the following form:

598 NOTICE OF (TYPE OF) CHANGE

599  
 600 The ...(name of local governmental unit)... proposes to  
 601 adopt the following ordinance:... (title of the ordinance)....

602 A public hearing on the ordinance will be held on ...(date  
 603 and time)... at ...(meeting place)....

604  
 605 Except for amendments which change the actual list of permitted,  
 606 conditional, or prohibited uses within a zoning category, the  
 607 advertisement shall contain a geographic location map which  
 608 clearly indicates the area covered by the proposed ordinance.

609 The map shall include major street names as a means of  
 610 identification of the general area.

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

617 Section 15. Section 170.05, Florida Statutes, is amended  
 618 to read:

619 170.05 Publication of resolution.—Upon the adoption of the  
 620 resolution provided for in s. 170.03, the municipality shall  
 621 cause said resolution to be published on a publicly accessible  
 622 website maintained by the municipality or one time in a  
 623 newspaper of general circulation published in said municipality,  
 624 and if there is ~~be~~ no website or newspaper published in said  
 625 municipality, the governing authority of said municipality shall  
 626 cause said resolution to be published once a week for a period  
 627 of 2 weeks in a newspaper of general circulation published in  
 628 the county in which said municipality is located.

629 Section 16. Section 170.07, Florida Statutes, is amended  
 630 to read:

631 170.07 Publication of preliminary assessment roll.—Upon  
 632 the completion of said preliminary assessment roll, the  
 633 governing authority of the municipality shall by resolution fix  
 634 a time and place at which the owners of the property to be  
 635 assessed or any other persons interested therein may appear  
 636 before said governing authority and be heard as to the propriety  
 637 and advisability of making such improvements, as to the cost  
 638 thereof, as to the manner of payment therefor, and as to the  
 639 amount thereof to be assessed against each property so improved.  
 640 Thirty days' notice in writing of such time and place shall be  
 641 given to such property owners. The notice shall include the  
 642 amount of the assessment and shall be served by mailing a copy  
 643 to each of such property owners at his or her last known  
 644 address, the names and addresses of such property owners to be

645 | obtained from the records of the property appraiser or from such  
 646 | other sources as the city or town clerk or engineer deems  
 647 | reliable, proof of such mailing to be made by the affidavit of  
 648 | the clerk or deputy clerk of said municipality, or by the  
 649 | engineer, said proof to be filed with the clerk, provided, that  
 650 | failure to mail said notice or notices shall not invalidate any  
 651 | of the proceedings hereunder. Notice of the time and place of  
 652 | such hearing shall also be given by two publications a week  
 653 | apart in a newspaper of general circulation in said municipality  
 654 | or by publication daily for 2 weeks on a publicly accessible  
 655 | website maintained by the municipality, and if there is ~~be~~ no  
 656 | website or newspaper published in said municipality, the  
 657 | governing authority of said municipality shall cause said notice  
 658 | to be published in like manner in a newspaper of general  
 659 | circulation published in the county in which said municipality  
 660 | is located; provided that the last publication shall be at least  
 661 | 1 week before ~~prior to~~ the date of the hearing. Said notice  
 662 | shall describe the streets or other areas to be improved and  
 663 | advise all persons interested that the description of each  
 664 | property to be assessed and the amount to be assessed to each  
 665 | piece or parcel of property may be ascertained at the office of  
 666 | the clerk of the municipality. Such service by publication shall  
 667 | be verified by the affidavit of the publisher and filed with the  
 668 | clerk of said municipality.

669 |       Section 17. Subsection (1) of section 180.24, Florida  
 670 | Statutes, is amended to read:

671 |       180.24 Contracts for construction; bond; publication of  
 672 | notice; bids.—



HB 89

2011

673 (1) Any municipality desiring the accomplishment of any or  
674 all of the purposes of this chapter may make contracts for the  
675 construction of any of the utilities mentioned in this chapter,  
676 or any extension or extensions to any previously constructed  
677 utility, which said contracts shall be in writing, and the  
678 contractor shall be required to give bond, which said bond shall  
679 be executed by a surety company authorized to do business in the  
680 state; provided, however, construction contracts in excess of  
681 \$25,000 shall be advertised by the publication of a notice in a  
682 newspaper of general circulation in the county in which said  
683 municipality is located at least once each week for 2  
684 consecutive weeks, by publication daily for 2 weeks on a  
685 publicly accessible website maintained by the municipality, or  
686 by posting three notices in three conspicuous places in said  
687 municipality, one of which shall be on the door of the city  
688 hall; and that at least 10 days shall elapse between the date of  
689 the first publication or posting of such notice and the date of  
690 receiving bids and the execution of such contract documents. For  
691 municipal construction projects identified in s. 255.0525, the  
692 notice provision of that section supersedes and replaces the  
693 notice provisions in this section.

694 Section 18. Paragraph (a) of subsection (3) of section  
695 197.3632, Florida Statutes, is amended to read:

696 197.3632 Uniform method for the levy, collection, and  
697 enforcement of non-ad valorem assessments.—

698 (3) (a) Notwithstanding any other provision of law to the  
699 contrary, a local government which is authorized to impose a  
700 non-ad valorem assessment and which elects to use the uniform

701 method of collecting such assessment for the first time as  
 702 authorized in this section shall adopt a resolution at a public  
 703 hearing before ~~prior to~~ January 1 or, if the property appraiser,  
 704 tax collector, and local government agree, March 1. The  
 705 resolution shall clearly state its intent to use the uniform  
 706 method of collecting such assessment. The local government shall  
 707 publish notice of its intent to use the uniform method for  
 708 collecting such assessment weekly in a newspaper of general  
 709 circulation within each county contained in the boundaries of  
 710 the local government for 4 consecutive weeks preceding the  
 711 hearing or, in the case of a county or municipality, daily  
 712 during the 4 consecutive weeks immediately preceding the hearing  
 713 on a publicly accessible website maintained by the county or  
 714 municipality. The resolution shall state the need for the levy  
 715 and shall include a legal description of the boundaries of the  
 716 real property subject to the levy. If the resolution is adopted,  
 717 the local governing board shall send a copy of it by United  
 718 States mail to the property appraiser, the tax collector, and  
 719 the department by January 10 or, if the property appraiser, tax  
 720 collector, and local government agree, March 10.

721 Section 19. Paragraph (d) of subsection (2), paragraph (g)  
 722 of subsection (3), paragraph (b) of subsection (12), and  
 723 paragraph (a) of subsection (14) of section 200.065, Florida  
 724 Statutes, are amended to read:

725 200.065 Method of fixing millage.—

726 (2) No millage shall be levied until a resolution or  
 727 ordinance has been approved by the governing board of the taxing  
 728 authority which resolution or ordinance must be approved by the

729 taxing authority according to the following procedure:  
 730 (d) Within 15 days after the meeting adopting the  
 731 tentative budget, the taxing authority shall advertise in a  
 732 newspaper of general circulation in the county as provided in  
 733 subsection (3), ~~its intent to finally adopt a millage rate and~~  
 734 ~~budget or, in the case of a county or municipality, may~~  
 735 advertise on its publicly accessible website its intent to  
 736 finally adopt a millage rate and budget, and shall maintain the  
 737 notice on its website until completion of the hearing. If  
 738 advertised in a newspaper, a public hearing to finalize the  
 739 budget and adopt a millage rate shall be held not less than 2  
 740 days nor more than 5 days after the day that the advertisement  
 741 is first published. During the hearing, the governing body of  
 742 the taxing authority shall amend the adopted tentative budget as  
 743 it sees fit, adopt a final budget, and adopt a resolution or  
 744 ordinance stating the millage rate to be levied. The resolution  
 745 or ordinance shall state the percent, if any, by which the  
 746 millage rate to be levied exceeds the rolled-back rate computed  
 747 pursuant to subsection (1), which shall be characterized as the  
 748 percentage increase in property taxes adopted by the governing  
 749 body. The adoption of the budget and the millage-levy resolution  
 750 or ordinance shall be by separate votes. For each taxing  
 751 authority levying millage, the name of the taxing authority, the  
 752 rolled-back rate, the percentage increase, and the millage rate  
 753 to be levied shall be publicly announced before ~~prior to~~ the  
 754 adoption of the millage-levy resolution or ordinance. ~~In no~~  
 755 ~~event may~~ The millage rate adopted pursuant to this paragraph  
 756 may not exceed the millage rate tentatively adopted pursuant to

757 paragraph (c). If the rate tentatively adopted pursuant to  
758 paragraph (c) exceeds the proposed rate provided to the property  
759 appraiser pursuant to paragraph (b), or as subsequently adjusted  
760 pursuant to subsection (11), each taxpayer within the  
761 jurisdiction of the taxing authority shall be sent notice by  
762 first-class mail of his or her taxes under the tentatively  
763 adopted millage rate and his or her taxes under the previously  
764 proposed rate. The notice must be prepared by the property  
765 appraiser, at the expense of the taxing authority, and must  
766 generally conform to the requirements of s. 200.069. If such  
767 additional notice is necessary, its mailing must precede the  
768 hearing held pursuant to this paragraph by not less than 10 days  
769 and not more than 15 days.

770 (3) The advertisement shall be no less than one-quarter  
771 page in size of a standard size or a tabloid size newspaper, and  
772 the headline in the advertisement shall be in a type no smaller  
773 than 18 point. The advertisement shall not be placed in that  
774 portion of the newspaper where legal notices and classified  
775 advertisements appear. The advertisement shall be published in a  
776 newspaper of general paid circulation in the county or in a  
777 geographically limited insert of such newspaper. The geographic  
778 boundaries in which such insert is circulated shall include the  
779 geographic boundaries of the taxing authority. It is the  
780 legislative intent that, whenever possible, the advertisement  
781 appear in a newspaper that is published at least 5 days a week  
782 unless the only newspaper in the county is published less than 5  
783 days a week, or that the advertisement appear in a  
784 geographically limited insert of such newspaper which insert is

785 published throughout the taxing authority's jurisdiction at  
 786 least twice each week. It is further the legislative intent that  
 787 the newspaper selected be one of general interest and readership  
 788 in the community and not one of limited subject matter, pursuant  
 789 to chapter 50.

790 (g) ~~If In the event that~~ the mailing of the notice of  
 791 proposed property taxes is delayed beyond September 3 in a  
 792 county, any multicounty taxing authority which levies ad valorem  
 793 taxes within that county shall advertise its intention to adopt  
 794 a tentative budget and millage rate on a publicly accessible  
 795 website maintained by the taxing authority or in a newspaper of  
 796 paid general circulation within that county, as provided in this  
 797 subsection, and shall hold the hearing required pursuant to  
 798 paragraph (2) (c). If advertised in the newspaper, the hearing  
 799 shall be held not less than 2 days or more than 5 days  
 800 thereafter, and not later than September 18. If advertised on  
 801 the website, the hearing shall be held not less than 2 days  
 802 after initial publication of the advertisement on the website  
 803 and not later than September 18, and shall remain on the website  
 804 until the date of the hearing. The advertisement shall be in the  
 805 following form, unless the proposed millage rate is less than or  
 806 equal to the rolled-back rate, computed pursuant to subsection  
 807 (1), in which case the advertisement shall be as provided in  
 808 paragraph (e):

809 NOTICE OF TAX INCREASE

810  
 811 The ...(name of the taxing authority)... proposes to  
 812 increase its property tax levy by ...(percentage of increase

813 over rolled-back rate)... percent.

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

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

822 (b) Any public hearing preceded by a newspaper  
 823 advertisement is held not less than 2 days or more than 5 days  
 824 following publication of such advertisement and any public  
 825 hearing preceded by advertisement on a website advertisement is  
 826 held not less than 2 days after initial publication; and

827 (14) (a) If the notice of proposed property taxes mailed to  
 828 taxpayers under this section contains an error, the property  
 829 appraiser, in lieu of mailing a corrected notice to all  
 830 taxpayers, may correct the error by mailing a short form of the  
 831 notice to those taxpayers affected by the error and its  
 832 correction. The notice shall be prepared by the property  
 833 appraiser at the expense of the taxing authority which caused  
 834 the error or at the property appraiser's expense if he or she  
 835 caused the error. The form of the notice must be approved by the  
 836 executive director of the Department of Revenue or the executive  
 837 director's designee. If the error involves only the date and  
 838 time of the public hearings required by this section, the  
 839 property appraiser, with the permission of the taxing authority  
 840 affected by the error, may correct the error by advertising the

841 | corrected information on a publicly accessible website  
 842 | maintained by the taxing authority or in a newspaper of general  
 843 | circulation in the county as provided in subsection (3).

844 | Section 20. Subsection (2) of section 255.0525, Florida  
 845 | Statutes, is amended to read:

846 | 255.0525 Advertising for competitive bids or proposals.—

847 | (2) The solicitation of competitive bids or proposals for  
 848 | any county, municipality, or other political subdivision  
 849 | construction project that is projected to cost more than  
 850 | \$200,000 shall be publicly advertised at least once in a  
 851 | newspaper of general circulation in the county where the project  
 852 | is located at least 21 days before ~~prior to~~ the established bid  
 853 | opening and at least 5 days before ~~prior to~~ any scheduled prebid  
 854 | conference, or advertised daily during the 21-day period  
 855 | immediately preceding the established bid opening date and daily  
 856 | during the 5-day period immediately preceding any scheduled  
 857 | prebid conference on a publicly accessible website maintained by  
 858 | the entity responsible for publication. The solicitation of  
 859 | competitive bids or proposals for any county, municipality, or  
 860 | other political subdivision construction project that is  
 861 | projected to cost more than \$500,000 shall be publicly  
 862 | advertised at least once in a newspaper of general circulation  
 863 | in the county where the project is located at least 30 days  
 864 | before ~~prior to~~ the established bid opening and at least 5 days  
 865 | before ~~prior to~~ any scheduled prebid conference, or advertised  
 866 | daily during the 30-day period immediately preceding the  
 867 | established bid opening date and daily during the 5-day period  
 868 | immediately preceding any scheduled prebid conference on a

869 publicly accessible website. Bids or proposals shall be received  
 870 and opened at the location, date, and time established in the  
 871 bid or proposal advertisement. In cases of emergency, the  
 872 procedures required in this section may be altered by the local  
 873 governmental entity in any manner that is reasonable under the  
 874 emergency circumstances.

875 Section 21. Paragraph (e) of subsection (25) of section  
 876 380.06, Florida Statutes, is amended to read:

877 380.06 Developments of regional impact.—

878 (25) AREAWIDE DEVELOPMENT OF REGIONAL IMPACT.—

879 (e) The local government shall schedule a public hearing  
 880 within 60 days after receipt of the petition. The public hearing  
 881 shall be advertised at least 30 days before ~~prior to~~ the  
 882 hearing. In addition to the public hearing notice by the local  
 883 government, the petitioner, except when the petitioner is a  
 884 local government, shall provide actual notice to each person  
 885 owning land within the proposed areawide development plan at  
 886 least 30 days before ~~prior to~~ the hearing. If the petitioner is  
 887 a local government, or local governments pursuant to an  
 888 interlocal agreement, notice of the public hearing shall be  
 889 provided by the publication of an advertisement on a publicly  
 890 accessible website maintained by the county or municipality  
 891 responsible for publication or in a newspaper of general  
 892 circulation that meets the requirements of this paragraph. The  
 893 newspaper advertisement must be no less than one-quarter page in  
 894 a standard size or tabloid size newspaper, and the headline in  
 895 the newspaper advertisement must be in type no smaller than 18  
 896 point. The newspaper advertisement may ~~shall~~ not be published in



HB 89

2011

897 that portion of the newspaper where legal notices and classified  
898 advertisements appear. The advertisement must be published on a  
899 publicly accessible website maintained by the county or  
900 municipality responsible for publication or in a newspaper of  
901 general paid circulation in the county and of general interest  
902 and readership in the community, not one of limited subject  
903 matter, pursuant to chapter 50. Whenever possible, the newspaper  
904 advertisement must appear in a newspaper that is published at  
905 least 5 days a week, unless the only newspaper in the community  
906 is published less than 5 days a week. The advertisement must be  
907 in substantially the form used to advertise amendments to  
908 comprehensive plans pursuant to s. 163.3184. The local  
909 government shall specifically notify in writing the regional  
910 planning agency and the state land planning agency at least 30  
911 days before ~~prior to~~ the public hearing. At the public hearing,  
912 all interested parties may testify and submit evidence regarding  
913 the petitioner's qualifications, the need for and benefits of an  
914 areawide development of regional impact, and such other issues  
915 relevant to a full consideration of the petition. If more than  
916 one local government has jurisdiction over the defined planning  
917 area in an areawide development plan, the local governments  
918 shall hold a joint public hearing. Such hearing shall address,  
919 at a minimum, the need to resolve conflicting ordinances or  
920 comprehensive plans, if any. The local government holding the  
921 joint hearing shall comply with the following additional  
922 requirements:

923 1. The notice of the hearing shall be published at least  
924 60 days in advance of the hearing and shall specify where the

925 petition may be reviewed.

926 2. The notice shall be given to the state land planning  
 927 agency, to the applicable regional planning agency, and to such  
 928 other persons as may have been designated by the state land  
 929 planning agency as entitled to receive such notices.

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

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

934 403.7049 Determination of full cost for solid waste  
 935 management; local solid waste management fees.—

936 (2) (a) Each municipality shall establish a system to  
 937 inform, no less than once a year, residential and nonresidential  
 938 users of solid waste management services within the  
 939 municipality's service area of the user's share, on an average  
 940 or individual basis, of the full cost for solid waste management  
 941 as determined pursuant to subsection (1). Counties shall provide  
 942 the information required of municipalities only to residential  
 943 and nonresidential users of solid waste management services  
 944 within the county's service area that are not served by a  
 945 municipality. Municipalities shall include costs charged to them  
 946 or persons contracting with them for disposal of solid waste in  
 947 the full cost information provided to residential and  
 948 nonresidential users of solid waste management services.

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

951 1. By mailing a copy of the full cost information to each  
 952 residential and nonresidential user of solid waste management

953 service within the solid waste management service area of the  
 954 county or municipality;

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

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

963 4. By advertising a copy of the full cost information  
 964 daily for at least two consecutive weeks on a publicly  
 965 accessible website maintained by the municipality.

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

969 Section 23. Paragraph (a) of subsection (2) of section  
 970 403.973, Florida Statutes, is amended to read:

971 403.973 Expedited permitting; amendments to comprehensive  
 972 plans.—

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

974 (a) "Duly noticed" means publication on a publicly  
 975 accessible website maintained by the municipality or county  
 976 having jurisdiction or in a newspaper of general circulation in  
 977 the municipality or county having ~~with~~ jurisdiction. If  
 978 published in a newspaper, the notice shall appear on at least 2  
 979 separate days, one of which shall be at least 7 days before the  
 980 meeting. If published on a publicly accessible website, the

981 notice shall appear daily during the 7 days immediately  
 982 preceding the meeting. The notice shall state the date, time,  
 983 and place of the meeting scheduled to discuss or enact the  
 984 memorandum of agreement, and the places within the municipality  
 985 or county where such proposed memorandum of agreement may be  
 986 inspected by the public. The newspaper notice must be one-eighth  
 987 of a page in size and must be published in a portion of the  
 988 paper other than the legal notices section. The notice shall  
 989 also advise that interested parties may appear at the meeting  
 990 and be heard with respect to the memorandum of agreement.

991 Section 24. Paragraph (b) of subsection (4) of section  
 992 420.9075, Florida Statutes, is amended to read:

993 420.9075 Local housing assistance plans; partnerships.—

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

996 (b) The county or eligible municipality or its  
 997 administrative representative shall advertise the notice of  
 998 funding availability in a newspaper of general circulation and  
 999 periodicals serving ethnic and diverse neighborhoods, at least  
 1000 30 days before the beginning of the application period or daily  
 1001 during the 30 days immediately preceding the application period  
 1002 on a publicly accessible website maintained by the county or  
 1003 eligible municipality. If no funding is available due to a  
 1004 waiting list, no notice of funding availability is required.

1005 Section 25. This act shall take effect October 1, 2011.