

By Senator Bennett

21-01181-11

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

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30 clarifying provisions; amending s. 129.03, F.S.;

31 providing for the advertisement of a summary statement

32 of adopted tentative county budgets on a publicly

33 accessible website; amending s. 129.06, F.S.;

34 providing for advertisement of a public hearing

35 relating to the amendment of a county budget on a

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

37 providing for public advertisement by a county water

38 and sewer system district of projects to construct,

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

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

41 projects, on a publicly accessible website; amending

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

43 competitive bids for contracts for the construction of

44 a project under the Florida Industrial Development

45 Financing Act on a publicly accessible website;

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

47 serving of notice by a code enforcement board of a

48 violation of a county or municipal code via a publicly

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

50 providing for notice of public hearings on the

51 adoption of a local government comprehensive plan or

52 plan amendment or the approval of a compliance

53 agreement under the Local Government Comprehensive

54 Planning and Land Development Regulation Act via a

55 publicly accessible website; amending s. 166.041,

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

57 ordinance via a publicly accessible website; providing

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

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

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88 projected to exceed specified costs; amending s.  
89 380.06, F.S.; providing for publication of an  
90 advertisement on a publicly accessible website of a  
91 public hearing by a local government on an areawide  
92 development of regional impact under the Florida  
93 Environmental Land and Water Management Act of 1972;  
94 amending s. 403.7049, F.S.; prescribing procedures for  
95 fulfilling public disclosure system requirements with  
96 respect to the duty of a municipality to disclose  
97 costs for solid waste management; amending s. 403.973,  
98 F.S.; redefining the term "duly noticed" to include  
99 publication on a publicly accessible website;  
100 providing conforming provisions; amending s. 420.9075,  
101 F.S.; providing for advertisement of notice on a  
102 publicly accessible website of funding availability  
103 through a local housing assistance plan under the  
104 State Housing Initiatives Partnership Act; providing  
105 an effective date.

106  
107 Be It Enacted by the Legislature of the State of Florida:

108  
109 Section 1. Section 50.0311, Florida Statutes, is created to  
110 read:

111 50.0311 Publication of advertisements and public notices on  
112 a local government's publicly accessible website and government  
113 access channels.-

114 (1) For purposes of notices and advertisements required by  
115 statute to be published by a local government, the term  
116 "publicly accessible website" means a county or municipal

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117 government's official website that is accessible via the  
118 Internet.

119 (2) If specifically authorized by ordinance, a local  
120 government may use its website for legally required  
121 advertisements and public notices if:

122 (a) A public library or other governmental facility  
123 providing free access to the Internet during regular business  
124 hours exists within the jurisdictional boundaries of such county  
125 or municipality;

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

136 (c) The local government maintains a registry of names,  
137 addresses, and e-mail addresses of residents who request in  
138 writing that they receive legally required advertisements and  
139 public notices from the local government by first-class mail or  
140 e-mail.

141 (3) Advertisements and public notices published on a  
142 publicly accessible website shall be conspicuously placed on the  
143 website's homepage or accessible through a direct link from the  
144 homepage. The advertisement shall indicate the date on which the  
145 advertisement was first published on the publicly accessible

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146 website.

147 (4) The local government that has a government access  
148 channel authorized under s. 610.109 may also include on its  
149 government access channel a summary of all advertisements and  
150 public notices that are published on its website.

151 Section 2. Section 50.011, Florida Statutes, is amended to  
152 read:

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

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175 the contrary, and as specifically authorized by s. 50.0311, a  
 176 notice, advertisement, or publication on a publicly accessible  
 177 website of a local government in accordance with s. 50.0311  
 178 constitutes legal notice.

179 Section 3. Section 50.021, Florida Statutes, is amended to  
 180 read:

181 50.021 Publication when no newspaper in county.—When any  
 182 law, or order or decree of court, shall direct advertisements to  
 183 be made in any county and there be no newspaper published in the  
 184 said county, the advertisement may be made, in the case of a  
 185 county or municipality, by publishing such advertisement on a  
 186 publicly accessible website maintained by the entity responsible  
 187 for publication or posting three copies thereof in three  
 188 different places in said county, one of which shall be at the  
 189 front door of the courthouse, and by publication in the nearest  
 190 county in which a newspaper is published.

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

193 50.051 Proof of publication; form of uniform affidavit.—The  
 194 printed form upon which all such affidavits establishing proof  
 195 of publication in a newspaper are to be executed shall be  
 196 substantially as follows:

197  
 198 NAME OF NEWSPAPER

199  
 200 Published (Weekly or Daily)

201  
 202 (Town or City) (County) FLORIDA

203

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204 STATE OF FLORIDA

205

206 COUNTY OF .....

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

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

224

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

228

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

230

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

232



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233 ... (Notary Public) ...

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

236 50.061 Amounts chargeable.—

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

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

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

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

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

264 125.66 Ordinances; enactment procedure; emergency  
265 ordinances; rezoning or change of land use ordinances or  
266 resolutions.—

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

286 (4) Ordinances or resolutions, initiated by other than the  
287 county, that change the actual zoning map designation of a  
288 parcel or parcels of land shall be enacted pursuant to  
289 subsection (2). Ordinances or resolutions that change the actual  
290 list of permitted, conditional, or prohibited uses within a

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291 zoning category, or ordinances or resolutions initiated by the  
292 county that change the actual zoning map designation of a parcel  
293 or parcels of land shall be enacted pursuant to the following  
294 procedure:

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

301 1. The board of county commissioners shall hold two  
302 advertised public hearings on the proposed ordinance or  
303 resolution. At least one hearing shall be held after 5 p.m. on a  
304 weekday, unless the board of county commissioners, by a majority  
305 plus one vote, elects to conduct that hearing at another time of  
306 day. The first public hearing shall be held at least 7 days  
307 after the day that the first advertisement is published. The  
308 second hearing shall be held at least 10 days after the first  
309 hearing and shall be advertised at least 5 days prior to the  
310 public hearing.

311 2. The required newspaper advertisements shall be no less  
312 than 2 columns wide by 10 inches long in a standard size or a  
313 tabloid size newspaper, and the headline in the advertisement  
314 shall be in a type no smaller than 18 point. The newspaper  
315 advertisement shall not be placed in that portion of the  
316 newspaper where legal notices and classified advertisements  
317 appear. The newspaper advertisement shall be placed in a  
318 newspaper of general paid circulation in the county and of  
319 general interest and readership in the community pursuant to

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320 chapter 50, not one of limited subject matter. It is the  
321 legislative intent that, whenever possible, the newspaper  
322 advertisement shall appear in a newspaper that is published at  
323 least 5 days a week unless the only newspaper in the community  
324 is published less than 5 days a week. The newspaper  
325 advertisement shall be in substantially the following form:  
326

327 NOTICE OF (TYPE OF) CHANGE  
328

329 The ...(name of local governmental unit)... proposes to  
330 adopt the following by ordinance or resolution:... (title of  
331 ordinance or resolution)....

332 A public hearing on the ordinance or resolution will be  
333 held on ...(date and time)... at ...(meeting place)....  
334

335 Except for amendments which change the actual list of permitted,  
336 conditional, or prohibited uses within a zoning category, the  
337 advertisement shall contain a geographic location map which  
338 clearly indicates the area within the local government covered  
339 by the proposed ordinance or resolution. The map shall include  
340 major street names as a means of identification of the general  
341 area.

342 3. In lieu of publishing the advertisements set out in this  
343 paragraph, the board of county commissioners may mail a notice  
344 to each person owning real property within the area covered by  
345 the ordinance or resolution. Such notice shall clearly explain  
346 the proposed ordinance or resolution and shall notify the person  
347 of the time, place, and location of both public hearings on the  
348 proposed ordinance or resolution.

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349 Section 8. Paragraph (b) of subsection (3) of section  
350 129.03, Florida Statutes, is amended to read:

351 129.03 Preparation and adoption of budget.—

352 (3) No later than 15 days after certification of value by  
353 the property appraiser pursuant to s. 200.065(1), the county  
354 budget officer, after tentatively ascertaining the proposed  
355 fiscal policies of the board for the ensuing fiscal year, shall  
356 prepare and present to the board a tentative budget for the  
357 ensuing fiscal year for each of the funds provided in this  
358 chapter, including all estimated receipts, taxes to be levied,  
359 and balances expected to be brought forward and all estimated  
360 expenditures, reserves, and balances to be carried over at the  
361 end of the year.

362 (b) Upon receipt of the tentative budgets and completion of  
363 any revisions made by the board, the board shall prepare a  
364 statement summarizing all of the adopted tentative budgets. This  
365 summary statement shall show, for each budget and the total of  
366 all budgets, the proposed tax millages, the balances, the  
367 reserves, and the total of each major classification of receipts  
368 and expenditures, classified according to the classification of  
369 accounts prescribed by the appropriate state agency. The board  
370 shall cause this summary statement to be advertised one time in  
371 a newspaper of general circulation published in the county, on a  
372 publicly accessible website maintained by the county, or by  
373 posting at the courthouse door if there is no such newspaper or  
374 website, and the advertisement shall appear adjacent to the  
375 advertisement required pursuant to s. 200.065.

376 Section 9. Paragraph (f) of subsection (2) of section  
377 129.06, Florida Statutes, is amended to read:

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378 129.06 Execution and amendment of budget.—

379 (2) The board at any time within a fiscal year may amend a  
380 budget for that year, and may within the first 60 days of a  
381 fiscal year amend the budget for the prior fiscal year, as  
382 follows:

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

401 Section 10. Section 153.79, Florida Statutes, is amended to  
402 read:

403 153.79 Contracts for construction of improvements, sealed  
404 bids.—All contracts let, awarded, or entered into by the  
405 district for the construction, reconstruction, or acquisition or  
406 improvement of a water system or a sewer system or both or any

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407 part thereof, if the amount thereof shall exceed \$1,000, shall  
408 be awarded only after public advertisement and call for sealed  
409 bids therefor on a publicly accessible website maintained by the  
410 county or, in a newspaper published in the county circulating in  
411 the district, or, if there is ~~be~~ no such website or newspaper,  
412 ~~then~~ in a newspaper published in the state and circulating in  
413 the district. If advertised in the newspaper, such advertisement  
414 shall ~~to~~ be published at least once at least 3 weeks before the  
415 date set for the receipt of such bids. If advertised on a  
416 publicly accessible website, such advertisement shall be  
417 published daily during the 3 weeks immediately preceding the  
418 date set for the receipt of such bids. Such advertisements for  
419 bids in addition to the other necessary and pertinent matter  
420 shall state in general terms the nature and description of the  
421 improvement or improvements to be undertaken and shall state  
422 that detailed plans and specifications for such work are on file  
423 for inspection in the office of the district clerk and copies  
424 thereof shall be furnished to any interested party upon payment  
425 of reasonable charges to reimburse the district for its expenses  
426 in providing such copies. The award shall be made to the  
427 responsible and competent bidder or bidders who shall offer to  
428 undertake the improvements at the lowest cost to the district  
429 and such bidder or bidders shall be required to file bond for  
430 the full and faithful performance of such work and the execution  
431 of any such contract in such amount as the district board shall  
432 determine, and in all other respects the letting of such  
433 construction contracts shall comply with applicable provisions  
434 of the general laws relating to the letting of public contracts.  
435 Nothing in this section shall be deemed to prevent the district

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436 from hiring or retaining such consulting engineers, attorneys,  
437 financial experts or other technicians as it shall determine, in  
438 its discretion, or from undertaking any construction work with  
439 its own resources, without any such public advertisement.

440 Section 11. Section 159.32, Florida Statutes, is amended to  
441 read:

442 159.32 Construction contracts.—Contracts for the  
443 construction of the project may be awarded by the local agency  
444 in such manner as in its judgment will best promote free and  
445 open competition, including advertisement for competitive bids  
446 in a newspaper of general circulation within the boundaries of  
447 the local agency or on a publicly accessible website maintained  
448 by the county; however, if the local agency shall determine that  
449 the purposes of this part will be more effectively served, the  
450 local agency in its discretion may award or cause to be awarded  
451 contracts for the construction of any project, or any part  
452 thereof, upon a negotiated basis as determined by the local  
453 agency. The local agency shall prescribe bid security  
454 requirements and other procedures in connection with the award  
455 of such contracts as in its judgment shall protect the public  
456 interest. The local agency may by written contract engage the  
457 services of the lessee, purchaser, or prospective lessee or  
458 purchaser of any project in the construction of the project and  
459 may provide in the contract that the lessee, purchaser, or  
460 prospective lessee or purchaser may act as an agent of, or an  
461 independent contractor for, the local agency for the performance  
462 of the functions described therein, subject to such conditions  
463 and requirements consistent with the provisions of this part as  
464 shall be prescribed in the contract, including functions such as



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465 the acquisition of the site and other real property for the  
466 project; the preparation of plans, specifications, and contract  
467 documents; the award of construction and other contracts upon a  
468 competitive or negotiated basis; the construction of the  
469 project, or any part thereof, directly by the lessee, purchaser,  
470 or prospective lessee or purchaser; the inspection and  
471 supervision of construction; the employment of engineers,  
472 architects, builders, and other contractors; and the provision  
473 of money to pay the cost thereof pending reimbursement by the  
474 local agency. Any such contract may provide that the local  
475 agency may, out of proceeds of bonds, make advances to or  
476 reimburse the lessee, purchaser, or prospective lessee or  
477 purchaser for its costs incurred in the performance of those  
478 functions, and shall set forth the supporting documents required  
479 to be submitted to the local agency and the reviews,  
480 examinations, and audits that shall be required in connection  
481 therewith to assure compliance with the provisions of this part  
482 and the contract.

483 Section 12. Paragraph (a) of subsection (2) of section  
484 162.12, Florida Statutes, is amended to read:

485 162.12 Notices.—

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

489 (a)1. Such notice shall be published once during each week  
490 for 4 consecutive weeks (four publications being sufficient) in  
491 a newspaper of general circulation in the county where the code  
492 enforcement board is located or daily during the 4 weeks  
493 immediately preceding the hearing on a publicly accessible

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494 website maintained by the local government. The website and  
495 newspaper shall meet such requirements as are prescribed under  
496 chapter 50 for legal and official advertisements.

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

499

500 Evidence that an attempt has been made to hand deliver or mail  
501 notice as provided in subsection (1), together with proof of  
502 publication or posting as provided in subsection (2), shall be  
503 sufficient to show that the notice requirements of this part  
504 have been met, without regard to whether or not the alleged  
505 violator actually received such notice.

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

509 163.3184 Process for adoption of comprehensive plan or plan  
510 amendment.—

511 (15) PUBLIC HEARINGS.—

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

515 1. The first public hearing shall be held at the  
516 transmittal stage pursuant to subsection (3). It shall be held  
517 on a weekday at least 7 days after the day that the first  
518 advertisement is published or after the notice of the first  
519 public hearing is initially published on the publicly accessible  
520 website.

521 2. The second public hearing shall be held at the adoption  
522 stage pursuant to subsection (7). It shall be held on a weekday

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523 at least 5 days after the day that the second advertisement is  
524 published or after the notice of the second public hearing is  
525 initially published on the publicly accessible website.

526 (16) COMPLIANCE AGREEMENTS.—

527 (c) Before ~~Prior to~~ its execution of a compliance  
528 agreement, the local government must approve the compliance  
529 agreement at a public hearing advertised at least 10 days before  
530 the public hearing in a newspaper of general circulation in the  
531 area or daily during the 10 days immediately preceding the  
532 hearing on a publicly accessible website maintained by the local  
533 government in accordance with the advertisement requirements of  
534 subsection (15).

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

537 166.041 Procedures for adoption of ordinances and  
538 resolutions.—

539 (3) (a) Except as provided in paragraph (c), a proposed  
540 ordinance may be read by title, or in full, on at least 2  
541 separate days and shall, at least 10 days before ~~prior to~~  
542 adoption, be noticed once in a newspaper of general circulation  
543 in the municipality or noticed daily during the 10 days  
544 immediately preceding the adoption on a publicly accessible  
545 website maintained by the municipality. The notice of proposed  
546 enactment shall state the date, time, and place of the meeting;  
547 the title or titles of proposed ordinances; and the place or  
548 places within the municipality where such proposed ordinances  
549 may be inspected by the public. The notice shall also advise  
550 that interested parties may appear at the meeting and be heard  
551 with respect to the proposed ordinance.

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552 (c) Ordinances initiated by other than the municipality  
553 that change the actual zoning map designation of a parcel or  
554 parcels of land shall be enacted pursuant to paragraph (a).  
555 Ordinances that change the actual list of permitted,  
556 conditional, or prohibited uses within a zoning category, or  
557 ordinances initiated by the municipality that change the actual  
558 zoning map designation of a parcel or parcels of land shall be  
559 enacted pursuant to the following procedure:

560 1. In cases in which the proposed ordinance changes the  
561 actual zoning map designation for a parcel or parcels of land  
562 involving less than 10 contiguous acres, the governing body  
563 shall direct the clerk of the governing body to notify by mail  
564 each real property owner whose land the municipality will  
565 redesignate by enactment of the ordinance and whose address is  
566 known by reference to the latest ad valorem tax records. The  
567 notice shall state the substance of the proposed ordinance as it  
568 affects that property owner and shall set a time and place for  
569 one or more public hearings on such ordinance. Such notice shall  
570 be given at least 30 days prior to the date set for the public  
571 hearing, and a copy of the notice shall be kept available for  
572 public inspection during the regular business hours of the  
573 office of the clerk of the governing body. The governing body  
574 shall hold a public hearing on the proposed ordinance and may,  
575 upon the conclusion of the hearing, immediately adopt the  
576 ordinance.

577 2. In cases in which the proposed ordinance changes the  
578 actual list of permitted, conditional, or prohibited uses within  
579 a zoning category, or changes the actual zoning map designation  
580 of a parcel or parcels of land involving 10 contiguous acres or

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581 more, the governing body shall provide for public notice and  
582 hearings as follows:

583 a. The local governing body shall hold two advertised  
584 public hearings on the proposed ordinance. At least one hearing  
585 shall be held after 5 p.m. on a weekday, unless the local  
586 governing body, by a majority plus one vote, elects to conduct  
587 that hearing at another time of day. The first public hearing  
588 shall be held at least 7 days after the day that the first  
589 advertisement is published. The second hearing shall be held at  
590 least 10 days after the first hearing and shall be advertised at  
591 least 5 days prior to the public hearing.

592 b. The required newspaper advertisements shall be no less  
593 than 2 columns wide by 10 inches long in a standard size or a  
594 tabloid size newspaper, and the headline in the advertisement  
595 shall be in a type no smaller than 18 point. The newspaper  
596 advertisement shall not be placed in that portion of the  
597 newspaper where legal notices and classified advertisements  
598 appear. The newspaper advertisement shall be placed in a  
599 newspaper of general paid circulation in the municipality and of  
600 general interest and readership in the municipality, not one of  
601 limited subject matter, pursuant to chapter 50. It is the  
602 legislative intent that, whenever possible, the newspaper  
603 advertisement appear in a newspaper that is published at least 5  
604 days a week unless the only newspaper in the municipality is  
605 published less than 5 days a week. The newspaper advertisement  
606 shall be in substantially the following form:

607  
608 NOTICE OF (TYPE OF) CHANGE  
609

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

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

614

615 Except for amendments which change the actual list of permitted,  
616 conditional, or prohibited uses within a zoning category, the  
617 advertisement shall contain a geographic location map which  
618 clearly indicates the area covered by the proposed ordinance.

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

621 c. In lieu of publishing the advertisement set out in this  
622 paragraph, the municipality may mail a notice to each person  
623 owning real property within the area covered by the ordinance.  
624 Such notice shall clearly explain the proposed ordinance and  
625 shall notify the person of the time, place, and location of any  
626 public hearing on the proposed ordinance.

627 Section 15. Section 170.05, Florida Statutes, is amended to  
628 read:

629 170.05 Publication of resolution.—Upon the adoption of the  
630 resolution provided for in s. 170.03, the municipality shall  
631 cause said resolution to be published on a publicly accessible  
632 website maintained by the municipality or one time in a  
633 newspaper of general circulation published in said municipality,  
634 and if there is ~~be~~ no website or newspaper published in said  
635 municipality, the governing authority of said municipality shall  
636 cause said resolution to be published once a week for a period  
637 of 2 weeks in a newspaper of general circulation published in  
638 the county in which said municipality is located.

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639 Section 16. Section 170.07, Florida Statutes, is amended to  
640 read:

641 170.07 Publication of preliminary assessment roll.—Upon the  
642 completion of said preliminary assessment roll, the governing  
643 authority of the municipality shall by resolution fix a time and  
644 place at which the owners of the property to be assessed or any  
645 other persons interested therein may appear before said  
646 governing authority and be heard as to the propriety and  
647 advisability of making such improvements, as to the cost  
648 thereof, as to the manner of payment therefor, and as to the  
649 amount thereof to be assessed against each property so improved.  
650 Thirty days' notice in writing of such time and place shall be  
651 given to such property owners. The notice shall include the  
652 amount of the assessment and shall be served by mailing a copy  
653 to each of such property owners at his or her last known  
654 address, the names and addresses of such property owners to be  
655 obtained from the records of the property appraiser or from such  
656 other sources as the city or town clerk or engineer deems  
657 reliable, proof of such mailing to be made by the affidavit of  
658 the clerk or deputy clerk of said municipality, or by the  
659 engineer, said proof to be filed with the clerk, provided, that  
660 failure to mail said notice or notices shall not invalidate any  
661 of the proceedings hereunder. Notice of the time and place of  
662 such hearing shall also be given by two publications a week  
663 apart in a newspaper of general circulation in said municipality  
664 or by publication daily for 2 weeks on a publicly accessible  
665 website maintained by the municipality, and if there ~~is~~ is no  
666 website or newspaper published in said municipality, the  
667 governing authority of said municipality shall cause said notice

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668 to be published in like manner in a newspaper of general  
669 circulation published in the county in which said municipality  
670 is located; provided that the last publication shall be at least  
671 1 week before ~~prior to~~ the date of the hearing. Said notice  
672 shall describe the streets or other areas to be improved and  
673 advise all persons interested that the description of each  
674 property to be assessed and the amount to be assessed to each  
675 piece or parcel of property may be ascertained at the office of  
676 the clerk of the municipality. Such service by publication shall  
677 be verified by the affidavit of the publisher and filed with the  
678 clerk of said municipality.

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

681 180.24 Contracts for construction; bond; publication of  
682 notice; bids.—

683 (1) Any municipality desiring the accomplishment of any or  
684 all of the purposes of this chapter may make contracts for the  
685 construction of any of the utilities mentioned in this chapter,  
686 or any extension or extensions to any previously constructed  
687 utility, which said contracts shall be in writing, and the  
688 contractor shall be required to give bond, which said bond shall  
689 be executed by a surety company authorized to do business in the  
690 state; provided, however, construction contracts in excess of  
691 \$25,000 shall be advertised by the publication of a notice in a  
692 newspaper of general circulation in the county in which said  
693 municipality is located at least once each week for 2  
694 consecutive weeks, by publication daily for 2 weeks on a  
695 publicly accessible website maintained by the municipality, or  
696 by posting three notices in three conspicuous places in said



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697 municipality, one of which shall be on the door of the city  
698 hall; and that at least 10 days shall elapse between the date of  
699 the first publication or posting of such notice and the date of  
700 receiving bids and the execution of such contract documents. For  
701 municipal construction projects identified in s. 255.0525, the  
702 notice provision of that section supersedes and replaces the  
703 notice provisions in this section.

704 Section 18. Paragraph (a) of subsection (3) of section  
705 197.3632, Florida Statutes, is amended to read:

706 197.3632 Uniform method for the levy, collection, and  
707 enforcement of non-ad valorem assessments.-

708 (3) (a) Notwithstanding any other provision of law to the  
709 contrary, a local government which is authorized to impose a  
710 non-ad valorem assessment and which elects to use the uniform  
711 method of collecting such assessment for the first time as  
712 authorized in this section shall adopt a resolution at a public  
713 hearing before ~~prior to~~ January 1 or, if the property appraiser,  
714 tax collector, and local government agree, March 1. The  
715 resolution shall clearly state its intent to use the uniform  
716 method of collecting such assessment. The local government shall  
717 publish notice of its intent to use the uniform method for  
718 collecting such assessment weekly in a newspaper of general  
719 circulation within each county contained in the boundaries of  
720 the local government for 4 consecutive weeks preceding the  
721 hearing or, in the case of a county or municipality, daily  
722 during the 4 consecutive weeks immediately preceding the hearing  
723 on a publicly accessible website maintained by the county or  
724 municipality. The resolution shall state the need for the levy  
725 and shall include a legal description of the boundaries of the

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726 real property subject to the levy. If the resolution is adopted,  
727 the local governing board shall send a copy of it by United  
728 States mail to the property appraiser, the tax collector, and  
729 the department by January 10 or, if the property appraiser, tax  
730 collector, and local government agree, March 10.

731 Section 19. Paragraph (d) of subsection (2), paragraph (g)  
732 of subsection (3), paragraph (b) of subsection (12), and  
733 paragraph (a) of subsection (14) of section 200.065, Florida  
734 Statutes, are amended to read:

735 200.065 Method of fixing millage.—

736 (2) No millage shall be levied until a resolution or  
737 ordinance has been approved by the governing board of the taxing  
738 authority which resolution or ordinance must be approved by the  
739 taxing authority according to the following procedure:

740 (d) Within 15 days after the meeting adopting the tentative  
741 budget, the taxing authority shall advertise in a newspaper of  
742 general circulation in the county as provided in subsection (3),  
743 its intent to finally adopt a millage rate and budget or, in the  
744 case of a county or municipality, may advertise on its publicly  
745 accessible website its intent to finally adopt a millage rate  
746 and budget, and shall maintain the notice on its website until  
747 completion of the hearing. If advertised in a newspaper, a  
748 public hearing to finalize the budget and adopt a millage rate  
749 shall be held not less than 2 days nor more than 5 days after  
750 the day that the advertisement is first published. During the  
751 hearing, the governing body of the taxing authority shall amend  
752 the adopted tentative budget as it sees fit, adopt a final  
753 budget, and adopt a resolution or ordinance stating the millage  
754 rate to be levied. The resolution or ordinance shall state the

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755 percent, if any, by which the millage rate to be levied exceeds  
756 the rolled-back rate computed pursuant to subsection (1), which  
757 shall be characterized as the percentage increase in property  
758 taxes adopted by the governing body. The adoption of the budget  
759 and the millage-levy resolution or ordinance shall be by  
760 separate votes. For each taxing authority levying millage, the  
761 name of the taxing authority, the rolled-back rate, the  
762 percentage increase, and the millage rate to be levied shall be  
763 publicly announced before ~~prior to~~ the adoption of the millage-  
764 levy resolution or ordinance. ~~In no event may~~ The millage rate  
765 adopted pursuant to this paragraph may not exceed the millage  
766 rate tentatively adopted pursuant to paragraph (c). If the rate  
767 tentatively adopted pursuant to paragraph (c) exceeds the  
768 proposed rate provided to the property appraiser pursuant to  
769 paragraph (b), or as subsequently adjusted pursuant to  
770 subsection (11), each taxpayer within the jurisdiction of the  
771 taxing authority shall be sent notice by first-class mail of his  
772 or her taxes under the tentatively adopted millage rate and his  
773 or her taxes under the previously proposed rate. The notice must  
774 be prepared by the property appraiser, at the expense of the  
775 taxing authority, and must generally conform to the requirements  
776 of s. 200.069. If such additional notice is necessary, its  
777 mailing must precede the hearing held pursuant to this paragraph  
778 by not less than 10 days and not more than 15 days.

779 (3) The advertisement shall be no less than one-quarter  
780 page in size of a standard size or a tabloid size newspaper, and  
781 the headline in the advertisement shall be in a type no smaller  
782 than 18 point. The advertisement shall not be placed in that  
783 portion of the newspaper where legal notices and classified

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784 advertisements appear. The advertisement shall be published in a  
785 newspaper of general paid circulation in the county or in a  
786 geographically limited insert of such newspaper. The geographic  
787 boundaries in which such insert is circulated shall include the  
788 geographic boundaries of the taxing authority. It is the  
789 legislative intent that, whenever possible, the advertisement  
790 appear in a newspaper that is published at least 5 days a week  
791 unless the only newspaper in the county is published less than 5  
792 days a week, or that the advertisement appear in a  
793 geographically limited insert of such newspaper which insert is  
794 published throughout the taxing authority's jurisdiction at  
795 least twice each week. It is further the legislative intent that  
796 the newspaper selected be one of general interest and readership  
797 in the community and not one of limited subject matter, pursuant  
798 to chapter 50.

799 (g) If ~~In the event that~~ the mailing of the notice of  
800 proposed property taxes is delayed beyond September 3 in a  
801 county, any multicounty taxing authority which levies ad valorem  
802 taxes within that county shall advertise its intention to adopt  
803 a tentative budget and millage rate on a publicly accessible  
804 website maintained by the taxing authority or in a newspaper of  
805 paid general circulation within that county, as provided in this  
806 subsection, and shall hold the hearing required pursuant to  
807 paragraph (2)(c). If advertised in the newspaper, the hearing  
808 shall be held not less than 2 days or more than 5 days  
809 thereafter, and not later than September 18. If advertised on  
810 the website, the hearing shall be held not less than 2 days  
811 after initial publication of the advertisement on the website  
812 and not later than September 18, and shall remain on the website

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813 until the date of the hearing. The advertisement shall be in the  
814 following form, unless the proposed millage rate is less than or  
815 equal to the rolled-back rate, computed pursuant to subsection  
816 (1), in which case the advertisement shall be as provided in  
817 paragraph (e):

## NOTICE OF TAX INCREASE

818  
819  
820 The ...(name of the taxing authority)... proposes to  
821 increase its property tax levy by ...(percentage of increase  
822 over rolled-back rate)... percent.

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

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

831 (b) Any public hearing preceded by a newspaper  
832 advertisement is held not less than 2 days or more than 5 days  
833 following publication of such advertisement and any public  
834 hearing preceded by advertisement on a website advertisement is  
835 held not less than 2 days after initial publication; and

836 (14) (a) If the notice of proposed property taxes mailed to  
837 taxpayers under this section contains an error, the property  
838 appraiser, in lieu of mailing a corrected notice to all  
839 taxpayers, may correct the error by mailing a short form of the  
840 notice to those taxpayers affected by the error and its  
841 correction. The notice shall be prepared by the property

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842 appraiser at the expense of the taxing authority which caused  
843 the error or at the property appraiser's expense if he or she  
844 caused the error. The form of the notice must be approved by the  
845 executive director of the Department of Revenue or the executive  
846 director's designee. If the error involves only the date and  
847 time of the public hearings required by this section, the  
848 property appraiser, with the permission of the taxing authority  
849 affected by the error, may correct the error by advertising the  
850 corrected information on a publicly accessible website  
851 maintained by the taxing authority or in a newspaper of general  
852 circulation in the county as provided in subsection (3).

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

855 255.0525 Advertising for competitive bids or proposals.—

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

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871 advertised at least once in a newspaper of general circulation  
872 in the county where the project is located at least 30 days  
873 before ~~prior to~~ the established bid opening and at least 5 days  
874 before ~~prior to~~ any scheduled prebid conference, or advertised  
875 daily during the 30-day period immediately preceding the  
876 established bid opening date and daily during the 5-day period  
877 immediately preceding any scheduled prebid conference on a  
878 publicly accessible website. Bids or proposals shall be received  
879 and opened at the location, date, and time established in the  
880 bid or proposal advertisement. In cases of emergency, the  
881 procedures required in this section may be altered by the local  
882 governmental entity in any manner that is reasonable under the  
883 emergency circumstances.

884 Section 21. Paragraph (e) of subsection (25) of section  
885 380.06, Florida Statutes, is amended to read:

886 380.06 Developments of regional impact.—

887 (25) AREAWIDE DEVELOPMENT OF REGIONAL IMPACT.—

888 (e) The local government shall schedule a public hearing  
889 within 60 days after receipt of the petition. The public hearing  
890 shall be advertised at least 30 days before ~~prior to~~ the  
891 hearing. In addition to the public hearing notice by the local  
892 government, the petitioner, except when the petitioner is a  
893 local government, shall provide actual notice to each person  
894 owning land within the proposed areawide development plan at  
895 least 30 days before ~~prior to~~ the hearing. If the petitioner is  
896 a local government, or local governments pursuant to an  
897 interlocal agreement, notice of the public hearing shall be  
898 provided by the publication of an advertisement on a publicly  
899 accessible website maintained by the county or municipality

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900 responsible for publication or in a newspaper of general  
901 circulation that meets the requirements of this paragraph. The  
902 newspaper advertisement must be no less than one-quarter page in  
903 a standard size or tabloid size newspaper, and the headline in  
904 the newspaper advertisement must be in type no smaller than 18  
905 point. The newspaper advertisement may ~~shall~~ not be published in  
906 that portion of the newspaper where legal notices and classified  
907 advertisements appear. The advertisement must be published on a  
908 publicly accessible website maintained by the county or  
909 municipality responsible for publication or in a newspaper of  
910 general paid circulation in the county and of general interest  
911 and readership in the community, not one of limited subject  
912 matter, pursuant to chapter 50. Whenever possible, the newspaper  
913 advertisement must appear in a newspaper that is published at  
914 least 5 days a week, unless the only newspaper in the community  
915 is published less than 5 days a week. The advertisement must be  
916 in substantially the form used to advertise amendments to  
917 comprehensive plans pursuant to s. 163.3184. The local  
918 government shall specifically notify in writing the regional  
919 planning agency and the state land planning agency at least 30  
920 days before ~~prior to~~ the public hearing. At the public hearing,  
921 all interested parties may testify and submit evidence regarding  
922 the petitioner's qualifications, the need for and benefits of an  
923 areawide development of regional impact, and such other issues  
924 relevant to a full consideration of the petition. If more than  
925 one local government has jurisdiction over the defined planning  
926 area in an areawide development plan, the local governments  
927 shall hold a joint public hearing. Such hearing shall address,  
928 at a minimum, the need to resolve conflicting ordinances or



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929 comprehensive plans, if any. The local government holding the  
930 joint hearing shall comply with the following additional  
931 requirements:

932 1. The notice of the hearing shall be published at least 60  
933 days in advance of the hearing and shall specify where the  
934 petition may be reviewed.

935 2. The notice shall be given to the state land planning  
936 agency, to the applicable regional planning agency, and to such  
937 other persons as may have been designated by the state land  
938 planning agency as entitled to receive such notices.

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

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

943 403.7049 Determination of full cost for solid waste  
944 management; local solid waste management fees.—

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

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

960 1. By mailing a copy of the full cost information to each  
961 residential and nonresidential user of solid waste management  
962 service within the solid waste management service area of the  
963 county or municipality;

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

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

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

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

978 Section 23. Paragraph (a) of subsection (2) of section  
979 403.973, Florida Statutes, is amended to read:

980 403.973 Expedited permitting; amendments to comprehensive  
981 plans.—

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

983 (a) "Duly noticed" means publication on a publicly  
984 accessible website maintained by the municipality or county  
985 having jurisdiction or in a newspaper of general circulation in  
986 the municipality or county having ~~with~~ jurisdiction. If

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987 published in a newspaper, the notice shall appear on at least 2  
988 separate days, one of which shall be at least 7 days before the  
989 meeting. If published on a publicly accessible website, the  
990 notice shall appear daily during the 7 days immediately  
991 preceding the meeting. The notice shall state the date, time,  
992 and place of the meeting scheduled to discuss or enact the  
993 memorandum of agreement, and the places within the municipality  
994 or county where such proposed memorandum of agreement may be  
995 inspected by the public. The newspaper notice must be one-eighth  
996 of a page in size and must be published in a portion of the  
997 paper other than the legal notices section. The notice shall  
998 also advise that interested parties may appear at the meeting  
999 and be heard with respect to the memorandum of agreement.

1000 Section 24. Paragraph (b) of subsection (4) of section  
1001 420.9075, Florida Statutes, is amended to read:

1002 420.9075 Local housing assistance plans; partnerships.—

1003 (4) Each local housing assistance plan is governed by the  
1004 following criteria and administrative procedures:

1005 (b) The county or eligible municipality or its  
1006 administrative representative shall advertise the notice of  
1007 funding availability in a newspaper of general circulation and  
1008 periodicals serving ethnic and diverse neighborhoods, at least  
1009 30 days before the beginning of the application period or daily  
1010 during the 30 days immediately preceding the application period  
1011 on a publicly accessible website maintained by the county or  
1012 eligible municipality. If no funding is available due to a  
1013 waiting list, no notice of funding availability is required.

1014 Section 25. This act shall take effect October 1, 2011.