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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2012	.	
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The Committee on Community Affairs (Bennett) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 50.0211, Florida Statutes, is created to  
read:

50.0211 Internet website publication.-

(1) This section applies to legal notices that must be  
published in accordance with this chapter unless otherwise  
specified.

(2) Each legal notice must be placed on the newspaper's  
website on the same day the notice appears in the newspaper. A



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13 link to legal notices shall be provided on the front page of the  
14 newspaper's website that provides access to the legal notices  
15 without charge. If there is a specified size and placement  
16 required for a printed legal notice, the size and placement of  
17 the notice on the newspaper's website must optimize its online  
18 visibility in keeping with the print requirements. The  
19 newspaper's web pages that contain legal notices shall present  
20 the legal notices as the dominant subject matter of those pages.  
21 The newspaper's website shall contain a search function to  
22 facilitate searching the legal notices. This subsection shall  
23 take effect July 1, 2013.

24 (3) If a legal notice is published in a newspaper, the  
25 newspaper publishing the notice shall place the notice on the  
26 website established and maintained as an initiative of the  
27 Florida Press Association as a repository for such notices  
28 located at the following address: [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

29 (4) Newspapers that publish legal notices shall, upon  
30 request, provide e-mail notification of new legal notices when  
31 they are printed in the newspaper and added to the newspaper's  
32 website. Such e-mail notification shall be provided without  
33 charge and notification for such an e-mail registry shall be  
34 available on the front page of the legal notices section of the  
35 newspaper's website. This subsection shall take effect July 1,  
36 2013.

37 (5) An error in the notice placed on the newspaper or  
38 statewide website shall be considered a harmless error and  
39 proper legal notice requirements shall be considered met if the  
40 notice published in the newspaper is correct.

41 Section 2. Subsection (2) of section 50.041, Florida



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42 Statutes, is amended to read:

43 50.041 Proof of publication; uniform affidavits required.—

44 (2) Each such affidavit shall be printed upon white ~~bond~~  
45 paper ~~containing at least 25 percent rag material~~ and shall be 8  
46 1/2 inches in width and of convenient length, not less than 5  
47 1/2 inches. A white margin of not less than 2 1/2 inches shall  
48 be left at the right side of each affidavit form and upon or in  
49 this space shall be substantially pasted a clipping which shall  
50 be a true copy of the public notice or legal advertisement for  
51 which proof is executed. Alternatively, the affidavit may be  
52 provided in electronic rather than paper form, provided the  
53 notarization of the affidavit complies with the requirements of  
54 s. 117.021.

55 Section 3. Subsection (2) of section 50.061, Florida  
56 Statutes, is amended to read:

57 50.061 Amounts chargeable.—

58 (2) The charge for publishing each such official public  
59 notice or legal advertisement shall be 70 cents per square inch  
60 for the first insertion and 40 cents per square inch for each  
61 subsequent insertion, except that government notices required to  
62 be published more than once whose cost is paid for by the  
63 government and not paid in advance by or allowed to be recouped  
64 from private parties may not be charged for the second and  
65 successive insertions at a rate greater than 85 percent of the  
66 original rate.†

67 ~~(a) In all counties having a population of more than~~  
68 ~~304,000 according to the latest official decennial census, the~~  
69 ~~charge for publishing each such official public notice or legal~~  
70 ~~advertisement shall be 80 cents per square inch for the first~~



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71 ~~insertion and 60 cents per square inch for each subsequent~~  
72 ~~insertion.~~

73 ~~(b) In all counties having a population of more than~~  
74 ~~450,000 according to the latest official decennial census, the~~  
75 ~~charge for publishing each such official public notice or legal~~  
76 ~~advertisement shall be 95 cents per square inch for the first~~  
77 ~~insertion and 75 cents per square inch for each subsequent~~  
78 ~~insertion.~~

79 Section 4. Paragraph (b) of subsection (4) of section  
80 125.66, Florida Statutes, is amended to read:

81 125.66 Ordinances; enactment procedure; emergency  
82 ordinances; rezoning or change of land use ordinances or  
83 resolutions.-

84 (4) Ordinances or resolutions, initiated by other than the  
85 county, that change the actual zoning map designation of a  
86 parcel or parcels of land shall be enacted pursuant to  
87 subsection (2). Ordinances or resolutions that change the actual  
88 list of permitted, conditional, or prohibited uses within a  
89 zoning category, or ordinances or resolutions initiated by the  
90 county that change the actual zoning map designation of a parcel  
91 or parcels of land shall be enacted pursuant to the following  
92 procedure:

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

99 1. The board of county commissioners shall hold two



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100 advertised public hearings on the proposed ordinance or  
101 resolution. At least one hearing shall be held after 5 p.m. on a  
102 weekday, unless the board of county commissioners, by a majority  
103 plus one vote, elects to conduct that hearing at another time of  
104 day. The first public hearing shall be held at least 7 days  
105 after the day that the first advertisement is published. The  
106 second hearing shall be held at least 10 days after the first  
107 hearing and shall be advertised at least 5 days prior to the  
108 public hearing.

109       2. The required advertisements shall be no less than 2  
110 columns wide by 10 inches long in a standard size or a tabloid  
111 size newspaper, and the headline in the advertisement shall be  
112 in a type no smaller than 18 point. The advertisement shall not  
113 be placed in that portion of the newspaper where legal notices  
114 and classified advertisements appear. The advertisement shall be  
115 placed in a newspaper of general paid circulation in the county  
116 and of general interest and readership in the community pursuant  
117 to chapter 50, not one of limited subject matter. It is the  
118 legislative intent that, whenever possible, the advertisement  
119 shall appear in a newspaper that is published at least 5 days a  
120 week unless the only newspaper in the community is published  
121 less than 5 days a week. The advertisement shall be in  
122 substantially the following form:

123  
124                                   NOTICE OF (TYPE OF) CHANGE  
125

126       The ...(name of local governmental unit)... proposes to  
127 adopt the following by ordinance or resolution:...(title of  
128 ordinance or resolution)....



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

131  
132 Except for amendments which change the actual list of permitted,  
133 conditional, or prohibited uses within a zoning category, the  
134 advertisement shall contain a geographic location map which  
135 clearly indicates the area within the local government covered  
136 by the proposed ordinance or resolution. The map shall include  
137 major street names as a means of identification of the general  
138 area. In addition to being published in the newspaper, the map  
139 must be part of the online notice required pursuant to s.  
140 50.0211.

141           3. In lieu of publishing the advertisements set out in this  
142 paragraph, the board of county commissioners may mail a notice  
143 to each person owning real property within the area covered by  
144 the ordinance or resolution. Such notice shall clearly explain  
145 the proposed ordinance or resolution and shall notify the person  
146 of the time, place, and location of both public hearings on the  
147 proposed ordinance or resolution.

148           Section 5. Paragraph (c) of subsection (3) of section  
149 166.041, Florida Statutes, is amended to read:

150           166.041 Procedures for adoption of ordinances and  
151 resolutions.-

152           (3)

153           (c) Ordinances initiated by other than the municipality  
154 that change the actual zoning map designation of a parcel or  
155 parcels of land shall be enacted pursuant to paragraph (a).  
156 Ordinances that change the actual list of permitted,  
157 conditional, or prohibited uses within a zoning category, or



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158 ordinances initiated by the municipality that change the actual  
159 zoning map designation of a parcel or parcels of land shall be  
160 enacted pursuant to the following procedure:

161 1. In cases in which the proposed ordinance changes the  
162 actual zoning map designation for a parcel or parcels of land  
163 involving less than 10 contiguous acres, the governing body  
164 shall direct the clerk of the governing body to notify by mail  
165 each real property owner whose land the municipality will  
166 redesignate by enactment of the ordinance and whose address is  
167 known by reference to the latest ad valorem tax records. The  
168 notice shall state the substance of the proposed ordinance as it  
169 affects that property owner and shall set a time and place for  
170 one or more public hearings on such ordinance. Such notice shall  
171 be given at least 30 days prior to the date set for the public  
172 hearing, and a copy of the notice shall be kept available for  
173 public inspection during the regular business hours of the  
174 office of the clerk of the governing body. The governing body  
175 shall hold a public hearing on the proposed ordinance and may,  
176 upon the conclusion of the hearing, immediately adopt the  
177 ordinance.

178 2. In cases in which the proposed ordinance changes the  
179 actual list of permitted, conditional, or prohibited uses within  
180 a zoning category, or changes the actual zoning map designation  
181 of a parcel or parcels of land involving 10 contiguous acres or  
182 more, the governing body shall provide for public notice and  
183 hearings as follows:

184 a. The local governing body shall hold two advertised  
185 public hearings on the proposed ordinance. At least one hearing  
186 shall be held after 5 p.m. on a weekday, unless the local



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187 governing body, by a majority plus one vote, elects to conduct  
188 that hearing at another time of day. The first public hearing  
189 shall be held at least 7 days after the day that the first  
190 advertisement is published. The second hearing shall be held at  
191 least 10 days after the first hearing and shall be advertised at  
192 least 5 days prior to the public hearing.

193 b. The required advertisements shall be no less than 2  
194 columns wide by 10 inches long in a standard size or a tabloid  
195 size newspaper, and the headline in the advertisement shall be  
196 in a type no smaller than 18 point. The advertisement shall not  
197 be placed in that portion of the newspaper where legal notices  
198 and classified advertisements appear. The advertisement shall be  
199 placed in a newspaper of general paid circulation in the  
200 municipality and of general interest and readership in the  
201 municipality, not one of limited subject matter, pursuant to  
202 chapter 50. It is the legislative intent that, whenever  
203 possible, the advertisement appear in a newspaper that is  
204 published at least 5 days a week unless the only newspaper in  
205 the municipality is published less than 5 days a week. The  
206 advertisement shall be in substantially the following form:

207  
208 NOTICE OF (TYPE OF) CHANGE  
209

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

212 A public hearing on the ordinance will be held on ...(date  
213 and time)... at ...(meeting place)....  
214

215 Except for amendments which change the actual list of permitted,





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216 conditional, or prohibited uses within a zoning category, the  
217 advertisement shall contain a geographic location map which  
218 clearly indicates the area covered by the proposed ordinance.  
219 The map shall include major street names as a means of  
220 identification of the general area. In addition to being  
221 published in the newspaper, the map must be part of the online  
222 notice required pursuant to s. 50.0211.

223 c. In lieu of publishing the advertisement set out in this  
224 paragraph, the municipality may mail a notice to each person  
225 owning real property within the area covered by the ordinance.  
226 Such notice shall clearly explain the proposed ordinance and  
227 shall notify the person of the time, place, and location of any  
228 public hearing on the proposed ordinance.

229 Section 6. Paragraph (d) of subsection (1) of section  
230 190.005, Florida Statutes, is amended to read:

231 190.005 Establishment of district.—

232 (1) The exclusive and uniform method for the establishment  
233 of a community development district with a size of 1,000 acres  
234 or more shall be pursuant to a rule, adopted under chapter 120  
235 by the Florida Land and Water Adjudicatory Commission, granting  
236 a petition for the establishment of a community development  
237 district.

238 (d) A local public hearing on the petition shall be  
239 conducted by a hearing officer in conformance with the  
240 applicable requirements and procedures of the Administrative  
241 Procedure Act. The hearing shall include oral and written  
242 comments on the petition pertinent to the factors specified in  
243 paragraph (e). The hearing shall be held at an accessible  
244 location in the county in which the community development



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245 district is to be located. The petitioner shall cause a notice  
246 of the hearing to be published in a newspaper at least once a  
247 week for the 4 successive weeks immediately prior to the  
248 hearing. Such notice shall give the time and place for the  
249 hearing, a description of the area to be included in the  
250 district, which description shall include a map showing clearly  
251 the area to be covered by the district, and any other relevant  
252 information which the establishing governing bodies may require.  
253 The advertisement shall not be placed in that portion of the  
254 newspaper where legal notices and classified advertisements  
255 appear. The advertisement shall be published in a newspaper of  
256 general paid circulation in the county and of general interest  
257 and readership in the community, not one of limited subject  
258 matter, pursuant to chapter 50. Whenever possible, the  
259 advertisement shall appear in a newspaper that is published at  
260 least 5 days a week, unless the only newspaper in the community  
261 is published fewer than 5 days a week. In addition to being  
262 published in the newspaper, the map referenced in this paragraph  
263 must be part of the online advertisement required pursuant to s.  
264 50.0211. All affected units of general-purpose local government  
265 and the general public shall be given an opportunity to appear  
266 at the hearing and present oral or written comments on the  
267 petition.

268 Section 7. Paragraph (h) of subsection (3) of section  
269 200.065, Florida Statutes, is amended to read:

270 200.065 Method of fixing millage.—

271 (3) The advertisement shall be no less than one-quarter  
272 page in size of a standard size or a tabloid size newspaper, and  
273 the headline in the advertisement shall be in a type no smaller



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274 than 18 point. The advertisement shall not be placed in that  
275 portion of the newspaper where legal notices and classified  
276 advertisements appear. The advertisement shall be published in a  
277 newspaper of general paid circulation in the county or in a  
278 geographically limited insert of such newspaper. The geographic  
279 boundaries in which such insert is circulated shall include the  
280 geographic boundaries of the taxing authority. It is the  
281 legislative intent that, whenever possible, the advertisement  
282 appear in a newspaper that is published at least 5 days a week  
283 unless the only newspaper in the county is published less than 5  
284 days a week, or that the advertisement appear in a  
285 geographically limited insert of such newspaper which insert is  
286 published throughout the taxing authority's jurisdiction at  
287 least twice each week. It is further the legislative intent that  
288 the newspaper selected be one of general interest and readership  
289 in the community and not one of limited subject matter, pursuant  
290 to chapter 50.

291 (h) In no event shall any taxing authority add to or delete  
292 from the language of the advertisements as specified herein  
293 unless expressly authorized by law, except that, if an increase  
294 in ad valorem tax rates will affect only a portion of the  
295 jurisdiction of a taxing authority, advertisements may include a  
296 map or geographical description of the area to be affected and  
297 the proposed use of the tax revenues under consideration. In  
298 addition, if published in the newspaper, the map must be part of  
299 the online advertisement required by s. 50.0211. The  
300 advertisements required herein shall not be accompanied,  
301 preceded, or followed by other advertising or notices which  
302 conflict with or modify the substantive content prescribed



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303 herein.

304 Section 8. Subsection (2) of section 17.325, Florida  
305 Statutes, is amended to read:

306 17.325 Governmental efficiency hotline; duties of Chief  
307 Financial Officer.—

308 (2) The Chief Financial Officer shall operate the hotline  
309 24 hours a day. The Chief Financial Officer may ~~shall~~ advertise  
310 the availability of the hotline in newspapers of general  
311 circulation in this state and shall provide for the posting of  
312 notices in conspicuous places in state agency offices, city  
313 halls, county courthouses, and places in which there is exposure  
314 to significant numbers of the general public, including, but not  
315 limited to, local convenience stores, shopping malls, shopping  
316 centers, gasoline stations, or restaurants. The Chief Financial  
317 Officer shall use the slogan "Tell us where we can 'Get Lean'"  
318 for the hotline and in advertisements for the hotline.

319 Section 9. Subsection (5) of section 120.60, Florida  
320 Statutes, is amended to read:

321 120.60 Licensing.—

322 (5) No revocation, suspension, annulment, or withdrawal of  
323 any license is lawful unless, prior to the entry of a final  
324 order, the agency has served, by personal service or certified  
325 mail, an administrative complaint which affords reasonable  
326 notice to the licensee of facts or conduct which warrant the  
327 intended action and unless the licensee has been given an  
328 adequate opportunity to request a proceeding pursuant to ss.  
329 120.569 and 120.57. When personal service cannot be made and the  
330 certified mail notice is returned undelivered, the agency shall  
331 cause a short, plain notice to the licensee to be published once



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332 each week for 4 consecutive weeks in a newspaper published in  
333 the county of the licensee's last known address as it appears on  
334 the records of the agency. If no newspaper is published in that  
335 county, the notice may be published in a newspaper of general  
336 circulation in that county. ~~If the address is in some state  
337 other than this state or in a foreign territory or country, the  
338 notice may be published in Leon County.~~

339 Section 10. Paragraph (d) of subsection (6) of section  
340 215.555, Florida Statutes, is amended to read:

341 215.555 Florida Hurricane Catastrophe Fund.—

342 (6) REVENUE BONDS.—

343 (d) *Florida Hurricane Catastrophe Fund Finance*  
344 *Corporation.*—

345 1. In addition to the findings and declarations in  
346 subsection (1), the Legislature also finds and declares that:

347 a. The public benefits corporation created under this  
348 paragraph will provide a mechanism necessary for the cost-  
349 effective and efficient issuance of bonds. This mechanism will  
350 eliminate unnecessary costs in the bond issuance process,  
351 thereby increasing the amounts available to pay reimbursement  
352 for losses to property sustained as a result of hurricane  
353 damage.

354 b. The purpose of such bonds is to fund reimbursements  
355 through the Florida Hurricane Catastrophe Fund to pay for the  
356 costs of construction, reconstruction, repair, restoration, and  
357 other costs associated with damage to properties of  
358 policyholders of covered policies due to the occurrence of a  
359 hurricane.

360 c. The efficacy of the financing mechanism will be enhanced



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361 by the corporation's ownership of the assessments, by the  
362 insulation of the assessments from possible bankruptcy  
363 proceedings, and by covenants of the state with the  
364 corporation's bondholders.

365 2.a. There is created a public benefits corporation, which  
366 is an instrumentality of the state, to be known as the Florida  
367 Hurricane Catastrophe Fund Finance Corporation.

368 b. The corporation shall operate under a five-member board  
369 of directors consisting of the Governor or a designee, the Chief  
370 Financial Officer or a designee, the Attorney General or a  
371 designee, the director of the Division of Bond Finance of the  
372 State Board of Administration, and the senior employee of the  
373 State Board of Administration responsible for operations of the  
374 Florida Hurricane Catastrophe Fund.

375 c. The corporation has all of the powers of corporations  
376 under chapter 607 and under chapter 617, subject only to the  
377 provisions of this subsection.

378 d. The corporation may issue bonds and engage in such other  
379 financial transactions as are necessary to provide sufficient  
380 funds to achieve the purposes of this section.

381 e. The corporation may invest in any of the investments  
382 authorized under s. 215.47.

383 f. There shall be no liability on the part of, and no cause  
384 of action shall arise against, any board members or employees of  
385 the corporation for any actions taken by them in the performance  
386 of their duties under this paragraph.

387 3.a. In actions under chapter 75 to validate any bonds  
388 issued by the corporation, the notice required by s. 75.06 shall  
389 be published ~~only in Leon County and~~ in two newspapers of



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390 general circulation in the state, and the complaint and order of  
391 the court shall be served only on the State Attorney of the  
392 Second Judicial Circuit.

393 b. The state hereby covenants with holders of bonds of the  
394 corporation that the state will not repeal or abrogate the power  
395 of the board to direct the Office of Insurance Regulation to  
396 levy the assessments and to collect the proceeds of the revenues  
397 pledged to the payment of such bonds as long as any such bonds  
398 remain outstanding unless adequate provision has been made for  
399 the payment of such bonds pursuant to the documents authorizing  
400 the issuance of such bonds.

401 4. The bonds of the corporation are not a debt of the state  
402 or of any political subdivision, and neither the state nor any  
403 political subdivision is liable on such bonds. The corporation  
404 does not have the power to pledge the credit, the revenues, or  
405 the taxing power of the state or of any political subdivision.  
406 The credit, revenues, or taxing power of the state or of any  
407 political subdivision shall not be deemed to be pledged to the  
408 payment of any bonds of the corporation.

409 5.a. The property, revenues, and other assets of the  
410 corporation; the transactions and operations of the corporation  
411 and the income from such transactions and operations; and all  
412 bonds issued under this paragraph and interest on such bonds are  
413 exempt from taxation by the state and any political subdivision,  
414 including the intangibles tax under chapter 199 and the income  
415 tax under chapter 220. This exemption does not apply to any tax  
416 imposed by chapter 220 on interest, income, or profits on debt  
417 obligations owned by corporations other than the Florida  
418 Hurricane Catastrophe Fund Finance Corporation.



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419           b. All bonds of the corporation shall be and constitute  
420 legal investments without limitation for all public bodies of  
421 this state; for all banks, trust companies, savings banks,  
422 savings associations, savings and loan associations, and  
423 investment companies; for all administrators, executors,  
424 trustees, and other fiduciaries; for all insurance companies and  
425 associations and other persons carrying on an insurance  
426 business; and for all other persons who are now or may hereafter  
427 be authorized to invest in bonds or other obligations of the  
428 state and shall be and constitute eligible securities to be  
429 deposited as collateral for the security of any state, county,  
430 municipal, or other public funds. This sub-subparagraph shall be  
431 considered as additional and supplemental authority and shall  
432 not be limited without specific reference to this sub-  
433 subparagraph.

434           6. The corporation and its corporate existence shall  
435 continue until terminated by law; however, no such law shall  
436 take effect as long as the corporation has bonds outstanding  
437 unless adequate provision has been made for the payment of such  
438 bonds pursuant to the documents authorizing the issuance of such  
439 bonds. Upon termination of the existence of the corporation, all  
440 of its rights and properties in excess of its obligations shall  
441 pass to and be vested in the state.

442           Section 11. Section 253.52, Florida Statutes, is amended to  
443 read:

444           253.52 Placing oil and gas leases on market by board.—  
445 Whenever in the opinion of the Board of Trustees of the Internal  
446 Improvement Trust Fund there shall be a demand for the purchase  
447 of oil and gas leases on any area, tract, or parcel of the land





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448 so owned, controlled, or managed, by any state board,  
449 department, or agency, then the board shall place such oil and  
450 gas lease or leases on the market in such blocks, tracts, or  
451 parcels as it may designate. The lease or leases shall only be  
452 made after notice by publication thereof has been made not less  
453 than once a week for 4 consecutive weeks in a newspaper of  
454 general circulation ~~published in Leon County, and in a similar~~  
455 ~~newspaper for a similar period of time~~ published in the vicinity  
456 of the lands offered to be leased, the last publication ~~in both~~  
457 ~~newspapers~~ to be not less than 5 days in advance of the sale  
458 date. Such notice shall be to the effect that a lease or leases  
459 will be offered for sale at such date and time as may be named  
460 in said notice and shall describe the land upon which such  
461 lease, or leases, will be offered. This notice may be combined  
462 with the notice required pursuant to s. 253.115. Before any  
463 lease of any block, tract, or parcel of land, submerged, or  
464 unsubmerged, within a radius of 3 miles of the boundaries of any  
465 incorporated city, or town, or within such radius of any bathing  
466 beach, or beaches, outside thereof, such board, department, or  
467 agency, shall through one or more of its members hold a public  
468 hearing, after notice thereof by publication once in a newspaper  
469 of general circulation published at least 1 week prior to said  
470 hearing in the vicinity of the land, or lands, offered to be  
471 leased, of the offer to lease the same, calling upon all  
472 interested persons to attend said hearing where they would be  
473 given the opportunity to be heard, all of which shall be  
474 considered by the board prior to the execution of any lease or  
475 leases to said land, and the board may withdraw said land, or  
476 any part thereof, from the market, and refuse to execute such



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477 lease or leases if after such hearing, or otherwise, it  
478 considers such execution contrary to the public welfare. Before  
479 advertising any land for lease the form of the lease or leases  
480 to be offered for sale, not inconsistent with law, or the  
481 provisions of this section, shall be prescribed by the board and  
482 a copy, or copies, thereof, shall be available to the general  
483 public at the office of the Board of Trustees of the Internal  
484 Improvement Trust Fund and the advertisements of such sale shall  
485 so state.

486 Section 12. Paragraph (b) of subsection (4) of section  
487 255.518, Florida Statutes, is amended to read:

488 255.518 Obligations; purpose, terms, approval,  
489 limitations.-

490 (4)

491 (b) In actions to validate such obligations pursuant to  
492 chapter 75, the complaint shall be filed in the Circuit Court of  
493 Leon County, the notice required by s. 75.06, shall be published  
494 ~~only in Leon County and~~ in two newspapers of general circulation  
495 in the state, and the complaint and order of the court shall be  
496 served only on the state attorney of the Second Judicial  
497 Circuit.

498 Section 13. Paragraph (b) of subsection (4) of section  
499 380.0668, Florida Statutes, is amended to read:

500 380.0668 Bonds; purpose, terms, approval, limitations.-

501 (4)

502 (b) In actions to validate such bonds pursuant to chapter  
503 75, the complaint shall be filed in the Circuit Court of Leon  
504 County, the notice required by s. 75.06 shall be published in  
505 newspapers of general circulation in ~~Leon County and~~ the county



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506 in which the area or areas of critical state concern involved  
507 are located, and the complaint and order of the court shall be  
508 served on the state attorney of the Second Judicial Circuit and  
509 the circuit in which the area or areas of critical state concern  
510 involved are located.

511 Section 14. Paragraph (b) of subsection (3) of section  
512 455.275, Florida Statutes, is amended to read:

513 455.275 Address of record.—

514 (3)

515 (b) If service, as provided in paragraph (a), does not  
516 provide the department with proof of service, the department  
517 shall call the last known telephone number of record and cause a  
518 short, plain notice to the licensee to be posted on the front  
519 page of the department's website and shall send notice via e-  
520 mail to all newspapers of general circulation and all news  
521 departments of broadcast network affiliates in the county of the  
522 licensee's last known address of record published once each week  
523 ~~for 4 consecutive weeks in a newspaper published in the county~~  
524 ~~of the licensee's last known address of record. If a newspaper~~  
525 ~~is not published in the county, the administrative complaint may~~  
526 ~~be published in a newspaper of general circulation in the~~  
527 ~~county. If the licensee's last known address is located in~~  
528 ~~another state or in a foreign jurisdiction, the administrative~~  
529 ~~complaint may be published in Leon County pursuant to s.~~  
530 ~~120.60(5).~~

531 Section 15. Subsection (5) of section 473.3141, Florida  
532 Statutes, is amended to read:

533 473.3141 Certified public accountants licensed in other  
534 states.—



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535 (5) Disciplinary action against an individual or firm that  
536 practices pursuant to this section is not valid unless, prior to  
537 the entry of a final order, the agency has served, by personal  
538 service pursuant to this chapter or chapter 48 or by certified  
539 mail, an administrative complaint that provides reasonable  
540 notice to the individual or firm of facts or conduct that  
541 warrants the intended action and unless the individual or firm  
542 has been given an adequate opportunity to request a proceeding  
543 pursuant to ss. 120.569 and 120.57. ~~When personal service cannot~~  
544 ~~be made and the certified mail notice is returned undelivered,~~  
545 ~~the agency shall have a short, plain notice to the individual or~~  
546 ~~firm with practice privileges published once a week for 4~~  
547 ~~consecutive weeks in a newspaper published in Leon County,~~  
548 ~~Florida. The newspaper shall meet the requirements prescribed by~~  
549 ~~law for such purposes.~~

550 Section 16. Paragraph (b) of subsection (5) of section  
551 527.23, Florida Statutes, is amended to read:

552 527.23 Marketing orders; referendum requirements;  
553 assessments.-

554 (5)

555 (b) It is the duty of the producers or dealers of propane  
556 gas who vote in each referendum to send their marked ballots to  
557 the department, which shall have the ballots counted by  
558 qualified and impartial personnel in its office, and the  
559 department shall, within 10 days after the closing date for  
560 submitting ballots in any referendum, certify in writing and  
561 publish the results of such referendum on the front page of its  
562 website and shall send notice via e-mail to all publications of  
563 general circulation and all news departments of broadcast



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564 ~~network affiliates located within the state in a newspaper of~~  
565 ~~general circulation in the state and in such other newspapers as~~  
566 ~~the department prescribes.~~

567 Section 17. Subsection (2) of section 573.109, Florida  
568 Statutes, is amended to read:

569 573.109 Procedure for referendum.—

570 (2) It shall be the duty of the producers or handlers  
571 affected who vote in each referendum to send their marked  
572 ballots to the department, which shall have the ballots counted  
573 by qualified and impartial personnel in its office, and the  
574 department shall, within 10 days after the closing date for  
575 submitting ballots in any referendum, certify in writing and  
576 publish the results of such referendum on the front page of its  
577 website and shall send notice via e-mail to all publications of  
578 general circulation and all news departments of broadcast  
579 network affiliates located within the state ~~in a newspaper of~~  
580 ~~general circulation in the state and in such other newspapers as~~  
581 ~~the department may prescribe.~~

582 Section 18. Section 573.111, Florida Statutes, is amended  
583 to read:

584 573.111 Notice of effective date of marketing order.—Before  
585 the issuance of any marketing order, or any suspension,  
586 amendment, or termination thereof, a notice shall be posted on a  
587 public bulletin board to be maintained by the department in the  
588 Division of Marketing and Development of the department in the  
589 Nathan Mayo Building, Tallahassee, Leon County, and a copy of  
590 the notice shall be posted on the department's website ~~published~~  
591 ~~in a newspaper of general circulation in the state and in such~~  
592 ~~other newspaper or newspapers as the department may prescribe.~~



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593 ~~The notices published in the newspaper or newspapers shall be~~  
594 ~~sent by first-class mail, by the department to those newspapers~~  
595 ~~designated by it, the same date that the notice is posted on the~~  
596 ~~bulletin board with instructions to publish the same as a legal~~  
597 ~~advertisement the first date after receipt of the notice as such~~  
598 ~~newspaper's policy for publishing legal advertisements provides.~~  
599 No marketing order, or any suspension, amendment, or termination  
600 thereof, shall become effective until the termination of a  
601 period of 5 days from the date of posting and publication.

602 Section 19. Subsection (2) of section 631.59, Florida  
603 Statutes, is amended to read:

604 631.59 Duties and powers of department and office.—

605 (2) The department may require that the association notify  
606 the insureds of the insolvent insurer and any other interested  
607 parties of the determination of insolvency and of their rights  
608 under this part. Such notification shall be by mail at their  
609 last known addresses, when available, but if sufficient  
610 information for notification by mail is not available, notice by  
611 e-mail or telephone ~~publication in a newspaper of general~~  
612 ~~circulation~~ shall be sufficient.

613 Section 20. Except as otherwise expressly provided in this  
614 act, this act shall take effect July 1, 2012, and shall apply to  
615 legal notices that must be published on or after that date.

616  
617 ===== T I T L E A M E N D M E N T =====

618 And the title is amended as follows:

619 Delete everything before the enacting clause  
620 and insert:

621 A bill to be entitled



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622 An act relating to legal notices; creating s. 50.0211,  
623 F.S.; requiring that, after a specified date, if a  
624 legal notice is published in a newspaper, the  
625 newspaper publishing the notice shall also place the  
626 notice on a website maintained by the newspaper;  
627 providing requirements for size and placement of such  
628 website publication; requiring free access to such  
629 online publications; requiring that legal notices  
630 published in newspapers also be published on another  
631 specified website; requiring that, after a specified  
632 date, newspapers that publish legal notice provide e-  
633 mail notification of new legal notices; providing  
634 requirements for such notice; providing that an error  
635 on a newspaper or statewide website is considered a  
636 harmless error and legal notice requirements are  
637 considered met if the notice published in the  
638 newspaper is correct; amending s. 50.041, F.S.;  
639 revising physical requirements for proof of  
640 publication affidavits; authorizing electronic  
641 affidavits that meet specified requirements; amending  
642 s. 50.061, F.S.; limiting the rate that may be charged  
643 for government notices required to be published more  
644 than once in certain circumstances; deleting  
645 provisions specifying rates for legal notices based on  
646 county population; amending ss. 125.66, 166.041,  
647 190.005, and 200.065, F.S.; requiring that website  
648 publication of certain legal notices include maps that  
649 appear in the newspaper advertisements; amending s.  
650 17.325, F.S.; making it optional for the Chief



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651 Financial Officer to advertise the availability of the  
652 governmental efficiency hotline; amending ss. 120.60  
653 215.555, 253.52, 255.518, and 380.0668, F.S.; deleting  
654 requirements that certain legal notices be published  
655 in Leon County; amending s. 455.275, F.S.; deleting a  
656 requirement that certain notices concerning  
657 professional licensees who cannot be personally served  
658 be published in Leon County; requiring that plain  
659 notice to the licensee be posted on the front page of  
660 the Department of Business and Professional  
661 Regulation's website and be provided to certain news  
662 outlets; amending s. 473.3141, F.S.; deleting a  
663 requirement that notices concerning the discipline of  
664 certain certified public accountants be published in  
665 Leon County; amending s. 527.23, F.S.; deleting  
666 requirements relating to the newspaper publication of  
667 certain notices relating to marketing orders for  
668 propane gas; requiring that such orders be published  
669 on the Internet and that information be provided to  
670 certain news outlets; amending ss. 573.109 and  
671 573.111, F.S.; deleting requirements relating to the  
672 newspaper publication of certain notices relating to  
673 agricultural marketing orders; requiring that such  
674 orders be published on the Internet and that  
675 information be provided to certain news outlets;  
676 amending s. 631.59, F.S.; deleting requirements for  
677 the newspaper publication of certain notices  
678 concerning insolvent insurers; providing for notice by  
679 e-mail or telephone; providing for applicability;





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680

providing effective dates.