

By Senator Bennett

21-00381-12

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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 a 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

21-00381-12

2012292

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 via a publicly accessible website;

53 amending s. 166.041, F.S.; providing for notice of

54 adoption of a municipal ordinance via a publicly

55 accessible website; providing clarifying provisions;

56 amending s. 170.05, F.S.; providing for publication on

57 a publicly accessible website of a resolution relating

58 to municipal public improvements financed by special

21-00381-12

2012292

59 assessments; amending s. 170.07, F.S.; providing for
60 publication on a publicly accessible website of notice
61 of hearing on municipal public improvements financed
62 by special assessments; amending s. 180.24, F.S.;
63 providing for advertisement via a publicly accessible
64 website of specified construction contracts for
65 utilities or extensions to a previously constructed
66 utility; amending s. 197.3632, F.S.; providing for
67 publication on a publicly accessible website of a
68 local government's notice of intent to use the uniform
69 method of collecting non-ad valorem assessments;
70 amending s. 200.065, F.S.; providing for advertisement
71 on a publicly accessible website of a taxing
72 authority's intent to adopt a millage rate and budget;
73 providing for advertisement on a publicly accessible
74 website of the intention of a specified multicounty
75 taxing authority to adopt a tentative budget and
76 millage rate; providing clarifying and conforming
77 provisions; providing for notice via a publicly
78 accessible website of correction of a specified error
79 contained in a notice of proposed property taxes
80 mailed to taxpayers; amending s. 255.0525, F.S.;
81 providing for advertisement via a publicly accessible
82 website for the solicitation of competitive bids or
83 proposals for construction projects of a county,
84 municipality, or other political subdivision which are
85 projected to exceed specified costs; amending s.
86 380.06, F.S.; providing for publication of an
87 advertisement on a publicly accessible website of a

21-00381-12

2012292

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

103
104 Be It Enacted by the Legislature of the State of Florida:

105
106 Section 1. Section 50.0311, Florida Statutes, is created to
107 read:

108 50.0311 Publication of advertisements and public notices on
109 a local government's publicly accessible website and government
110 access channels.-

111 (1) For purposes of notices and advertisements required by
112 statute to be published by a local government, the term
113 "publicly accessible website" means the official website of a
114 county or municipal government which is accessible via the
115 Internet.

116 (2) If specifically authorized by ordinance, a local

21-00381-12

2012292

117 government may use its website for legally required
118 advertisements and public notices if:

119 (a) A public library or other governmental facility that
120 provides free access to the Internet during regular business
121 hours exists within the jurisdictional boundaries of such county
122 or municipality;

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

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

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

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

21-00381-12

2012292

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

148 Section 2. Section 50.011, Florida Statutes, is amended to
149 read:

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

21-00381-12

2012292__

175 constitutes legal notice.

176 Section 3. Section 50.021, Florida Statutes, is amended to
 177 read:

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

189 Section 4. Section 50.051, Florida Statutes, is amended to
 190 read:

191 50.051 Proof of publication; form of uniform affidavit.—The
 192 printed form upon which all such affidavits establishing proof
 193 of publication in a newspaper are to be executed shall be
 194 substantially as follows:

195
 196 NAME OF NEWSPAPER

197
 198 Published (Weekly or Daily)

199
 200 (Town or City) (County) FLORIDA

201
 202 STATE OF FLORIDA

203

21-00381-12

2012292__

204 COUNTY OF

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

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

222
 223 Sworn to and subscribed before me this day of,
 224 ...(year)..., by, who is personally known to me or who has
 225 produced (type of identification) as identification.

226
 227 ...(Signature of Notary Public)...

228
 229 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

230
 231 ...(Notary Public)...

232 Section 5. Subsection (4) of section 50.061, Florida

21-00381-12

2012292

233 Statutes, is amended to read:

234 50.061 Amounts chargeable.—

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

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

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

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

21-00381-12

2012292__

262 125.66 Ordinances; enactment procedure; emergency
263 ordinances; rezoning or change of land use ordinances or
264 resolutions.-

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

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

21-00381-12

2012292__

291 or parcels of land shall be enacted pursuant to the following
292 procedure:

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

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

309 2. The required newspaper advertisements shall be at least
310 ~~no less than~~ 2 columns wide by 10 inches long in a standard size
311 or a tabloid size newspaper, and the headline in the
312 advertisement shall be in a type no smaller than 18 point. The
313 newspaper advertisement may ~~shall~~ not be placed in that portion
314 of the newspaper where legal notices and classified
315 advertisements appear. The newspaper advertisement shall be
316 placed in a newspaper of general paid circulation in the county
317 and of general interest and readership in the community pursuant
318 to chapter 50, not one of limited subject matter. It is the
319 legislative intent that, whenever possible, the newspaper

21-00381-12

2012292

320 advertisement shall appear in a newspaper that is published at
321 least 5 days a week unless the only newspaper in the community
322 is published less than 5 days a week. The newspaper
323 advertisement must ~~shall~~ be in substantially the following form:

325 NOTICE OF (TYPE OF) CHANGE

326
327 The ...(name of local governmental unit)... proposes to
328 adopt the following by ordinance or resolution:...(title of
329 ordinance or resolution)....

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

332
333 Except for amendments that ~~which~~ change the actual list of
334 permitted, conditional, or prohibited uses within a zoning
335 category, the advertisement shall contain a geographic location
336 map that ~~which~~ clearly indicates the area within the local
337 government covered by the proposed ordinance or resolution. The
338 map shall include major street names as a means of
339 identification of the general area.

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

347 Section 8. Paragraph (b) of subsection (3) of section
348 129.03, Florida Statutes, is amended to read:

21-00381-12

2012292__

349 129.03 Preparation and adoption of budget.-

350 (3) The county budget officer, after tentatively
351 ascertaining the proposed fiscal policies of the board for the
352 next fiscal year, shall prepare and present to the board a
353 tentative budget for the next fiscal year for each of the funds
354 provided in this chapter, including all estimated receipts,
355 taxes to be levied, and balances expected to be brought forward
356 and all estimated expenditures, reserves, and balances to be
357 carried over at the end of the year.

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

372 Section 9. Paragraph (f) of subsection (2) of section
373 129.06, Florida Statutes, is amended to read:

374 129.06 Execution and amendment of budget.-

375 (2) The board at any time within a fiscal year may amend a
376 budget for that year, and may within the first 60 days of a
377 fiscal year amend the budget for the prior fiscal year, as

21-00381-12

2012292

378 follows:

379 (f) Unless otherwise prohibited by law, if an amendment to
380 a budget is required for a purpose not specifically authorized
381 in paragraphs (a)-(e), the amendment may be authorized by
382 resolution or ordinance of the board of county commissioners
383 adopted following a public hearing.

384 1. ~~The public hearing must be advertised at least 2 days,~~
385 ~~but not more than 5 days, before the date of the hearing.~~ The
386 advertisement must appear on a publicly accessible website
387 maintained by the county or in a newspaper of paid general
388 circulation and must identify the name of the taxing authority,
389 the date, place, and time of the hearing, and the purpose of the
390 hearing. If advertised in the newspaper, the public hearing must
391 be advertised at least 2 days, but not more than 5 days, before
392 the date of the hearing. If advertised on a publicly accessible
393 website, the notice must be published daily during the 5 days
394 immediately preceding the hearing. The advertisement must also
395 identify each budgetary fund to be amended, the source of the
396 funds, the use of the funds, and the total amount of each fund's
397 appropriations.

398 2. If the board amends the budget pursuant to this
399 paragraph, the adopted amendment must be posted on the county's
400 official website within 5 days after adoption.

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

21-00381-12

2012292

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

21-00381-12

2012292__

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

21-00381-12

2012292

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

21-00381-12

2012292__

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 (11) of section
507 163.3184, Florida Statutes, is amended to read:

508 163.3184 Process for adoption of comprehensive plan or plan
509 amendment.—

510 (11) PUBLIC HEARINGS.—

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

514 1. The first public hearing shall be held at the
515 transmittal stage. It shall be held on a weekday at least 7 days
516 after the day that the first advertisement is published pursuant
517 to the requirements of chapter 125 or chapter 166 or after the
518 notice of the first public hearing is initially published on the
519 publicly accessible website.

520 2. The second public hearing shall be held at the adoption
521 stage. It shall be held on a weekday at least 5 days after the
522 day that the second advertisement is published pursuant to the

21-00381-12

2012292

523 requirements of chapter 125 or chapter 166 or after the notice
524 of the second public hearing is initially published on the
525 publicly accessible website.

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

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

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

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

551 1. In cases in which the proposed ordinance changes the

21-00381-12

2012292

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

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

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

21-00381-12

2012292__

581 least 10 days after the first hearing and shall be advertised at
582 least 5 days before ~~prior to~~ the public hearing.

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

599

600 NOTICE OF (TYPE OF) CHANGE

601

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

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

606

607 Except for amendments that ~~which~~ change the actual list of
608 permitted, conditional, or prohibited uses within a zoning
609 category, the advertisement must ~~shall~~ contain a geographic

21-00381-12

2012292__

610 location map that ~~which~~ clearly indicates the area covered by
611 the proposed ordinance. The map must ~~shall~~ include major street
612 names as a means of identification of the general area.

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

619 Section 15. Section 170.05, Florida Statutes, is amended to
620 read:

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

632 Section 16. Section 170.07, Florida Statutes, is amended to
633 read:

634 170.07 Publication of preliminary assessment roll.—Upon the
635 completion of the said preliminary assessment roll, the
636 governing authority of the municipality shall by resolution fix
637 a time and place at which the owners of the property to be
638 assessed or any other persons interested therein may appear

21-00381-12

2012292__

639 before ~~the said~~ governing authority and be heard as to the
640 propriety and advisability of making such improvements, as to
641 the cost thereof, as to the manner of payment therefor, and as
642 to the amount thereof to be assessed against each property so
643 improved. Thirty days' notice in writing of such time and place
644 shall be given to such property owners. The notice must ~~shall~~
645 include the amount of the assessment and shall be served by
646 mailing a copy to each of such property owners at his or her
647 last known address.7 The names and addresses of such property
648 owners shall ~~to~~ be obtained from the records of the property
649 appraiser or from such other sources as the city or town clerk
650 or engineer deems reliable, and proof of such mailing shall ~~to~~
651 be made by the affidavit of the clerk or deputy clerk of the
652 ~~said~~ municipality, or by the engineer, said proof to be filed
653 with the clerk; however, provided, ~~that~~ failure to mail the said
654 notice or notices does ~~shall~~ not invalidate any of the
655 proceedings hereunder. Notice of the time and place of such
656 hearing shall also be given by two publications a week apart in
657 a newspaper of general circulation in the said municipality or
658 by publication daily for 2 weeks on a publicly accessible
659 website maintained by the municipality, and if there is ~~be~~ no
660 website or newspaper published in the said municipality, the
661 governing authority of the said municipality shall cause the
662 ~~said~~ notice to be published in like manner in a newspaper of
663 general circulation published in the county in which the said
664 municipality is located, and; ~~provided that~~ the last publication
665 must ~~shall~~ be at least 1 week before ~~prior to~~ the date of the
666 hearing. The said notice must ~~shall~~ describe the streets or
667 other areas to be improved and advise all persons interested

21-00381-12

2012292__

668 that the description of each property to be assessed and the
669 amount to be assessed to each piece or parcel of property may be
670 ascertained at the office of the clerk of the municipality. Such
671 service by publication shall be verified by the affidavit of the
672 publisher and filed with the clerk of the ~~said~~ municipality.

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

675 180.24 Contracts for construction; bond; publication of
676 notice; bids.—

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

21-00381-12

2012292__

697 notice provisions in this section.

698 Section 18. Paragraph (a) of subsection (3) of section
699 197.3632, Florida Statutes, is amended to read:

700 197.3632 Uniform method for the levy, collection, and
701 enforcement of non-ad valorem assessments.-

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

21-00381-12

2012292

726 Section 19. Paragraph (d) of subsection (2), paragraph (g)
727 of subsection (3), subsection (12), and paragraph (a) of
728 subsection (14) of section 200.065, Florida Statutes, are
729 amended to read:

730 200.065 Method of fixing millage.—

731 (2) No millage shall be levied until a resolution or
732 ordinance has been approved by the governing board of the taxing
733 authority which resolution or ordinance must be approved by the
734 taxing authority according to the following procedure:

735 (d) Within 15 days after the meeting adopting the tentative
736 budget, the taxing authority shall advertise in a newspaper of
737 general circulation in the county as provided in subsection (3),
738 its intent to finally adopt a millage rate and budget or, in the
739 case of a county or municipality, may advertise on its publicly
740 accessible website its intent to finally adopt a millage rate
741 and budget, and shall maintain the notice on its website until
742 completion of the hearing. If advertised in a newspaper, a
743 public hearing to finalize the budget and adopt a millage rate
744 shall be held not less than 2 days nor more than 5 days after
745 the day that the advertisement is first published. During the
746 hearing, the governing body of the taxing authority shall amend
747 the adopted tentative budget as it sees fit, adopt a final
748 budget, and adopt a resolution or ordinance stating the millage
749 rate to be levied. The resolution or ordinance must ~~shall~~ state
750 the percent, if any, by which the millage rate to be levied
751 exceeds the rolled-back rate computed pursuant to subsection
752 (1), which shall be characterized as the percentage increase in
753 property taxes adopted by the governing body. The adoption of
754 the budget and the millage-levy resolution or ordinance shall be

21-00381-12

2012292

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

774 (3) The advertisement shall be no less than one-quarter
775 page in size of a standard size or a tabloid size newspaper, and
776 the headline in the advertisement shall be in a type no smaller
777 than 18 point. The advertisement may ~~shall~~ not be placed in that
778 portion of the newspaper where legal notices and classified
779 advertisements appear. The advertisement shall be published in a
780 newspaper of general paid circulation in the county or in a
781 geographically limited insert of such newspaper. The geographic
782 boundaries in which such insert is circulated shall include the
783 geographic boundaries of the taxing authority. It is the

21-00381-12

2012292__

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

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

21-00381-12

2012292

813 NOTICE OF TAX INCREASE

814

815 The ...(name of the taxing authority)... proposes to
816 increase its property tax levy by ...(percentage of increase
817 over rolled-back rate)... percent.

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

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

826 (a) No public hearing which is preceded by a mailed notice
827 occurs earlier than 10 days following the mailing of such
828 notice;

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

834 (c) The property appraiser coordinates such shortening of
835 time periods and gives written notice to all affected taxing
836 authorities; however, no taxing authority shall be denied its
837 right to the full time periods allowed in this section.

838 (14) (a) If the notice of proposed property taxes mailed to
839 taxpayers under this section contains an error, the property
840 appraiser, in lieu of mailing a corrected notice to all
841 taxpayers, may correct the error by mailing a short form of the

21-00381-12

2012292__

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

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

857 255.0525 Advertising for competitive bids or proposals.—

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

21-00381-12

2012292

871 other political subdivision construction project that is
872 projected to cost more than \$500,000 shall be publicly
873 advertised at least once in a newspaper of general circulation
874 in the county where the project is located at least 30 days
875 before ~~prior to~~ the established bid opening and at least 5 days
876 before ~~prior to~~ any scheduled prebid conference, or advertised
877 daily during the 30-day period immediately preceding the
878 established bid opening date and daily during the 5-day period
879 immediately preceding any scheduled prebid conference on a
880 publicly accessible website. Bids or proposals shall be received
881 and opened at the location, date, and time established in the
882 bid or proposal advertisement. In cases of emergency, the
883 procedures required in this section may be altered by the local
884 governmental entity in any manner that is reasonable under the
885 emergency circumstances.

886 Section 21. Paragraph (e) of subsection (25) of section
887 380.06, Florida Statutes, is amended to read:

888 380.06 Developments of regional impact.—

889 (25) AREAWIDE DEVELOPMENT OF REGIONAL IMPACT.—

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

21-00381-12

2012292

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

21-00381-12

2012292

929 development plan, the local governments shall hold a joint
930 public hearing. Such hearing shall address, at a minimum, the
931 need to resolve conflicting ordinances or comprehensive plans,
932 if any. The local government holding the joint hearing shall
933 comply with the following additional requirements:

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

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

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

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

945 403.7049 Determination of full cost for solid waste
946 management; local solid waste management fees.—

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

21-00381-12

2012292__

958 solid waste in the full cost information provided to residential
959 and nonresidential users of solid waste management services.

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

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

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

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

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

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

980 Section 23. Paragraph (a) of subsection (2) of section
981 403.973, Florida Statutes, is amended to read:

982 403.973 Expedited permitting; amendments to comprehensive
983 plans.—

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

985 (a) "Duly noticed" means publication on a publicly
986 accessible website maintained by the municipality or county

21-00381-12

2012292

987 having jurisdiction or in a newspaper of general circulation in
988 the municipality or county having ~~with~~ jurisdiction. If
989 published in a newspaper, the notice shall appear on at least 2
990 separate days, one of which shall be at least 7 days before the
991 meeting. If published on a publicly accessible website, the
992 notice shall appear daily during the 7 days immediately
993 preceding the meeting. The notice must ~~shall~~ state the date,
994 time, and place of the meeting scheduled to discuss or enact the
995 memorandum of agreement, and the places within the municipality
996 or county where such proposed memorandum of agreement may be
997 inspected by the public. The newspaper notice must be one-eighth
998 of a page in size and must be published in a portion of the
999 paper other than the legal notices section. The notice must
1000 ~~shall~~ also advise that interested parties may appear at the
1001 meeting and be heard with respect to the memorandum of
1002 agreement.

1003 Section 24. Paragraph (b) of subsection (4) of section
1004 420.9075, Florida Statutes, is amended to read:

1005 420.9075 Local housing assistance plans; partnerships.—

1006 (4) Each local housing assistance plan is governed by the
1007 following criteria and administrative procedures:

1008 (b) The county or eligible municipality or its
1009 administrative representative shall advertise the notice of
1010 funding availability in a newspaper of general circulation and
1011 periodicals serving ethnic and diverse neighborhoods, at least
1012 30 days before the beginning of the application period or daily
1013 during the 30 days immediately preceding the application period
1014 on a publicly accessible website maintained by the county or
1015 eligible municipality. If no funding is available due to a

21-00381-12

2012292__

1016 waiting list, no notice of funding availability is required.

1017 Section 25. This act shall take effect October 1, 2012.