

1 A bill to be entitled
2 An act relating to legal notices; creating s. 50.0211,
3 F.S.; requiring that, after a specified date, if a
4 legal notice is published in a newspaper, the
5 newspaper publishing the notice shall also place the
6 notice on a website maintained by the newspaper, at no
7 additional charge; providing requirements for size and
8 placement of such website publication; requiring free
9 access to such online publications; requiring that
10 legal notices published in newspapers also be
11 published on another specified website; requiring
12 that, after a specified date, newspapers that publish
13 legal notice must provide e-mail notification of new
14 legal notices; providing requirements for such notice;
15 providing that an error on a newspaper or statewide
16 website shall be considered a harmless error and legal
17 notice requirements shall be considered met if the
18 notice published in the newspaper is correct; amending
19 s. 50.041, F.S.; revising physical requirements for
20 proof of publication affidavits; authorizing
21 electronic affidavits that meet specified
22 requirements; amending s. 50.061, F.S.; limiting the
23 rate that may be charged for government notices
24 required to be published more than once in certain
25 circumstances; deleting provisions specifying rates
26 for legal notices based on county population; amending
27 ss. 125.66, 166.041, 190.005, and 200.065, F.S.;

28 requiring that website publication of certain legal

29 notices include maps that appear in the newspaper
30 advertisements; amending s. 17.325, F.S.; making it
31 optional for the Chief Financial Officer to advertise
32 the availability of the governmental efficiency
33 hotline; amending ss. 120.60 215.555, 253.52, 255.518,
34 and 380.0668, F.S.; deleting requirements that certain
35 legal notices be published in Leon County; amending s.
36 455.275, F.S.; deleting a requirement that certain
37 notices concerning professional licensees who cannot
38 be personally served be published in Leon County;
39 requiring that plain notice to the licensee to be
40 posted on the front page of the Department of Business
41 and Professional Regulation's website and provided to
42 certain news outlets; amending s. 473.3141, F.S.;;
43 deleting a requirement that notices concerning
44 discipline of certain certified public accountants be
45 published in Leon County; amending s. 527.23, F.S.;;
46 deleting requirements relating to the newspaper
47 publication of certain notices relating to marketing
48 orders for propane gas; providing for Internet
49 publication of such orders and for providing
50 information to certain news outlets; amending ss.
51 573.109 and 573.111, F.S.;; deleting requirements
52 relating to the newspaper publication of certain
53 notices relating to agricultural marketing orders;
54 providing for Internet publication of such orders and
55 for providing information to certain news outlets;
56 amending s. 631.59, F.S.;; deleting requirements for

CS/HB 937

2012

57 the newspaper publication of certain notices
58 concerning insolvent insurers; providing for notice by
59 e-mail or telephone; providing applicability;
60 providing effective date.

61
62 Be It Enacted by the Legislature of the State of Florida:

63
64 Section 1. Section 50.0211, Florida Statutes, is created
65 to read:

66 50.0211 Internet website publication.-

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

70 (2) Each legal notice must be placed on the newspaper's
71 website on the same day the notice appears in the newspaper, at
72 no additional charge. A link to legal notices shall be provided
73 on the front page of the newspaper's website that provides
74 access to the legal notices without charge. If there is a
75 specified size and placement required for a printed legal
76 notice, the size and placement of the notice on the newspaper's
77 website should optimize its online visibility in keeping with
78 the print requirements. The newspaper's web pages that contain
79 legal notices shall present the legal notices as the dominant
80 subject matter of those pages. The newspaper's website shall
81 contain a search function to facilitate searching the legal
82 notices. This subsection shall take effect July 1, 2013.

83 (3) If a legal notice is published in a newspaper, the
84 newspaper publishing the notice shall place the notice on the

85 website established and maintained as an initiative of the
 86 Florida Press Association as a repository for such notices
 87 located at the following address: www.floridapublicnotices.com.

88 (4) Newspapers that publish legal notices shall, upon
 89 request, provide e-mail notification of new legal notices when
 90 they are printed in the newspaper and added to the newspaper's
 91 website. Such e-mail notification shall be provided without
 92 charge and notification for such an e-mail registry shall be
 93 available on the front page of the legal notices section of the
 94 newspaper's website. This subsection shall take effect July 1,
 95 2013.

96 (5) An error in the notice placed on the newspaper or
 97 statewide website shall be considered a harmless error and
 98 proper legal notice requirements shall be considered met if the
 99 notice published in the newspaper is correct.

100 Section 2. Subsection (2) of section 50.041, Florida
 101 Statutes, is amended to read:

102 50.041 Proof of publication; uniform affidavits required.-

103 (2) Each such affidavit shall be printed upon white ~~bond~~
 104 ~~paper containing at least 25 percent rag material~~ and shall be 8
 105 1/2 inches in width and of convenient length, not less than 5
 106 1/2 inches. A white margin of not less than 2 1/2 inches shall
 107 be left at the right side of each affidavit form and upon or in
 108 this space shall be substantially pasted a clipping which shall
 109 be a true copy of the public notice or legal advertisement for
 110 which proof is executed. Alternatively, the affidavit may be
 111 provided in electronic rather than paper form, provided the
 112 notarization of the affidavit complies with the requirements of

CS/HB 937

2012

113 | s. 117.021.

114 | Section 3. Subsections (2) and (3) of section 50.061,
115 | Florida Statutes, are amended, and subsections (4) through (6)
116 | of that section are renumbered as subsections (5) through (7),
117 | respectively, to read:

118 | 50.061 Amounts chargeable.—

119 | (2) The charge for publishing each such official public
120 | notice or legal advertisement shall be 70 cents per square inch
121 | for the first insertion and 40 cents per square inch for each
122 | subsequent insertion, except that government notices required to
123 | be published more than once whose cost is paid for by the
124 | government and not paid in advance by or allowed to be recouped
125 | from private parties may not be charged for the second and
126 | successive insertions at a rate greater than 85 percent of the
127 | original rate.÷

128 | ~~(a) In all counties having a population of more than~~
129 | ~~304,000 according to the latest official decennial census, the~~
130 | ~~charge for publishing each such official public notice or legal~~
131 | ~~advertisement shall be 80 cents per square inch for the first~~
132 | ~~insertion and 60 cents per square inch for each subsequent~~
133 | ~~insertion.~~

134 | ~~(b) In all counties having a population of more than~~
135 | ~~450,000 according to the latest official decennial census, the~~
136 | ~~charge for publishing each such official public notice or legal~~
137 | ~~advertisement shall be 95 cents per square inch for the first~~
138 | ~~insertion and 75 cents per square inch for each subsequent~~
139 | ~~insertion.~~

140 | (3) Where the regular established minimum commercial rate

141 per square inch of the newspaper publishing such official public
 142 notices or legal advertisements is in excess of the rate herein
 143 stipulated, said minimum commercial rate per square inch may be
 144 charged for all such legal advertisements or official public
 145 notices for each insertion, except that government notices
 146 required to be published more than once whose cost is paid for
 147 by the government and not paid in advance by or allowed to be
 148 recouped from private parties may not be charged for the second
 149 and successive insertions at a rate greater than 85 percent of
 150 the original rate.

151 (4) A governmental agency publishing an official public
 152 notice or legal advertisement may procure publication by
 153 soliciting and accepting written bids from newspapers published
 154 in the county, in which case the specified charges in this
 155 section do not apply.

156 Section 4. Paragraph (b) of subsection (4) of section
 157 125.66, Florida Statutes, is amended to read:

158 125.66 Ordinances; enactment procedure; emergency
 159 ordinances; rezoning or change of land use ordinances or
 160 resolutions.—

161 (4) Ordinances or resolutions, initiated by other than the
 162 county, that change the actual zoning map designation of a
 163 parcel or parcels of land shall be enacted pursuant to
 164 subsection (2). Ordinances or resolutions that change the actual
 165 list of permitted, conditional, or prohibited uses within a
 166 zoning category, or ordinances or resolutions initiated by the
 167 county that change the actual zoning map designation of a parcel
 168 or parcels of land shall be enacted pursuant to the following

CS/HB 937

2012

169 procedure:

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

176 1. The board of county commissioners shall hold two
177 advertised public hearings on the proposed ordinance or
178 resolution. At least one hearing shall be held after 5 p.m. on a
179 weekday, unless the board of county commissioners, by a majority
180 plus one vote, elects to conduct that hearing at another time of
181 day. The first public hearing shall be held at least 7 days
182 after the day that the first advertisement is published. The
183 second hearing shall be held at least 10 days after the first
184 hearing and shall be advertised at least 5 days prior to the
185 public hearing.

186 2. The required advertisements shall be no less than 2
187 columns wide by 10 inches long in a standard size or a tabloid
188 size newspaper, and the headline in the advertisement shall be
189 in a type no smaller than 18 point. The advertisement shall not
190 be placed in that portion of the newspaper where legal notices
191 and classified advertisements appear. The advertisement shall be
192 placed in a newspaper of general paid circulation in the county
193 and of general interest and readership in the community pursuant
194 to chapter 50, not one of limited subject matter. It is the
195 legislative intent that, whenever possible, the advertisement
196 shall appear in a newspaper that is published at least 5 days a

CS/HB 937

2012

197 week unless the only newspaper in the community is published
 198 less than 5 days a week. The advertisement shall be in
 199 substantially the following form:

200
 201 NOTICE OF (TYPE OF) CHANGE
 202

203 The ...(name of local governmental unit)... proposes to
 204 adopt the following by ordinance or resolution:...(title of
 205 ordinance or resolution)....

206
 207 A public hearing on the ordinance or resolution will be
 208 held on ...(date and time)... at ...(meeting place)....

209
 210 Except for amendments which change the actual list of permitted,
 211 conditional, or prohibited uses within a zoning category, the
 212 advertisement shall contain a geographic location map which
 213 clearly indicates the area within the local government covered
 214 by the proposed ordinance or resolution. The map shall include
 215 major street names as a means of identification of the general
 216 area. In addition to being published in the newspaper, the map
 217 must be part of the online notice required pursuant to s.

218 50.0211.

219 3. In lieu of publishing the advertisements set out in
 220 this paragraph, the board of county commissioners may mail a
 221 notice to each person owning real property within the area
 222 covered by the ordinance or resolution. Such notice shall
 223 clearly explain the proposed ordinance or resolution and shall
 224 notify the person of the time, place, and location of both

225 public hearings on the proposed ordinance or resolution.

226 Section 5. Paragraph (c) of subsection (3) of section
 227 166.041, Florida Statutes, is amended to read:

228 166.041 Procedures for adoption of ordinances and
 229 resolutions.—

230 (3)

231 (c) Ordinances initiated by other than the municipality
 232 that change the actual zoning map designation of a parcel or
 233 parcels of land shall be enacted pursuant to paragraph (a).
 234 Ordinances that change the actual list of permitted,
 235 conditional, or prohibited uses within a zoning category, or
 236 ordinances initiated by the municipality that change the actual
 237 zoning map designation of a parcel or parcels of land shall be
 238 enacted pursuant to the following procedure:

239 1. In cases in which the proposed ordinance changes the
 240 actual zoning map designation for a parcel or parcels of land
 241 involving less than 10 contiguous acres, the governing body
 242 shall direct the clerk of the governing body to notify by mail
 243 each real property owner whose land the municipality will
 244 redesignate by enactment of the ordinance and whose address is
 245 known by reference to the latest ad valorem tax records. The
 246 notice shall state the substance of the proposed ordinance as it
 247 affects that property owner and shall set a time and place for
 248 one or more public hearings on such ordinance. Such notice shall
 249 be given at least 30 days prior to the date set for the public
 250 hearing, and a copy of the notice shall be kept available for
 251 public inspection during the regular business hours of the
 252 office of the clerk of the governing body. The governing body

CS/HB 937

2012

253 shall hold a public hearing on the proposed ordinance and may,
254 upon the conclusion of the hearing, immediately adopt the
255 ordinance.

256 2. In cases in which the proposed ordinance changes the
257 actual list of permitted, conditional, or prohibited uses within
258 a zoning category, or changes the actual zoning map designation
259 of a parcel or parcels of land involving 10 contiguous acres or
260 more, the governing body shall provide for public notice and
261 hearings as follows:

262 a. The local governing body shall hold two advertised
263 public hearings on the proposed ordinance. At least one hearing
264 shall be held after 5 p.m. on a weekday, unless the local
265 governing body, by a majority plus one vote, elects to conduct
266 that hearing at another time of day. The first public hearing
267 shall be held at least 7 days after the day that the first
268 advertisement is published. The second hearing shall be held at
269 least 10 days after the first hearing and shall be advertised at
270 least 5 days prior to the public hearing.

271 b. The required advertisements shall be no less than 2
272 columns wide by 10 inches long in a standard size or a tabloid
273 size newspaper, and the headline in the advertisement shall be
274 in a type no smaller than 18 point. The advertisement shall not
275 be placed in that portion of the newspaper where legal notices
276 and classified advertisements appear. The advertisement shall be
277 placed in a newspaper of general paid circulation in the
278 municipality and of general interest and readership in the
279 municipality, not one of limited subject matter, pursuant to
280 chapter 50. It is the legislative intent that, whenever

CS/HB 937

2012

281 possible, the advertisement appear in a newspaper that is
282 published at least 5 days a week unless the only newspaper in
283 the municipality is published less than 5 days a week. The
284 advertisement shall be in substantially the following form:

285

286 NOTICE OF (TYPE OF) CHANGE

287

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

290

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

293

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

298

299 The map shall include major street names as a means of
300 identification of the general area. In addition to being
301 published in the newspaper, the map must be part of the online
302 notice required pursuant to s. 50.0211.

303

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

CS/HB 937

2012

308 Section 6. Paragraph (d) of subsection (1) of section
309 190.005, Florida Statutes, is amended to read:

310 190.005 Establishment of district.—

311 (1) The exclusive and uniform method for the establishment
312 of a community development district with a size of 1,000 acres
313 or more shall be pursuant to a rule, adopted under chapter 120
314 by the Florida Land and Water Adjudicatory Commission, granting
315 a petition for the establishment of a community development
316 district.

317 (d) A local public hearing on the petition shall be
318 conducted by a hearing officer in conformance with the
319 applicable requirements and procedures of the Administrative
320 Procedure Act. The hearing shall include oral and written
321 comments on the petition pertinent to the factors specified in
322 paragraph (e). The hearing shall be held at an accessible
323 location in the county in which the community development
324 district is to be located. The petitioner shall cause a notice
325 of the hearing to be published in a newspaper at least once a
326 week for the 4 successive weeks immediately prior to the
327 hearing. Such notice shall give the time and place for the
328 hearing, a description of the area to be included in the
329 district, which description shall include a map showing clearly
330 the area to be covered by the district, and any other relevant
331 information which the establishing governing bodies may require.
332 The advertisement shall not be placed in that portion of the
333 newspaper where legal notices and classified advertisements
334 appear. The advertisement shall be published in a newspaper of
335 general paid circulation in the county and of general interest

CS/HB 937

2012

336 and readership in the community, not one of limited subject
337 matter, pursuant to chapter 50. Whenever possible, the
338 advertisement shall appear in a newspaper that is published at
339 least 5 days a week, unless the only newspaper in the community
340 is published fewer than 5 days a week. In addition to being
341 published in the newspaper, the map referenced above must be
342 part of the online advertisement required pursuant to s.
343 50.0211. All affected units of general-purpose local government
344 and the general public shall be given an opportunity to appear
345 at the hearing and present oral or written comments on the
346 petition.

347 Section 7. Paragraph (h) of subsection (3) of section
348 200.065, Florida Statutes, is amended to read:

349 200.065 Method of fixing millage.—

350 (3) The advertisement shall be no less than one-quarter
351 page in size of a standard size or a tabloid size newspaper, and
352 the headline in the advertisement shall be in a type no smaller
353 than 18 point. The advertisement shall not be placed in that
354 portion of the newspaper where legal notices and classified
355 advertisements appear. The advertisement shall be published in a
356 newspaper of general paid circulation in the county or in a
357 geographically limited insert of such newspaper. The geographic
358 boundaries in which such insert is circulated shall include the
359 geographic boundaries of the taxing authority. It is the
360 legislative intent that, whenever possible, the advertisement
361 appear in a newspaper that is published at least 5 days a week
362 unless the only newspaper in the county is published less than 5
363 days a week, or that the advertisement appear in a

CS/HB 937

2012

364 geographically limited insert of such newspaper which insert is
365 published throughout the taxing authority's jurisdiction at
366 least twice each week. It is further the legislative intent that
367 the newspaper selected be one of general interest and readership
368 in the community and not one of limited subject matter, pursuant
369 to chapter 50.

370 (h) In no event shall any taxing authority add to or
371 delete from the language of the advertisements as specified
372 herein unless expressly authorized by law, except that, if an
373 increase in ad valorem tax rates will affect only a portion of
374 the jurisdiction of a taxing authority, advertisements may
375 include a map or geographical description of the area to be
376 affected and the proposed use of the tax revenues under
377 consideration. In addition, if published in the newspaper, the
378 map must be part of the online advertisement required by s.
379 50.0211. The advertisements required herein shall not be
380 accompanied, preceded, or followed by other advertising or
381 notices which conflict with or modify the substantive content
382 prescribed herein.

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

385 17.325 Governmental efficiency hotline; duties of Chief
386 Financial Officer.—

387 (2) The Chief Financial Officer shall operate the hotline
388 24 hours a day. The Chief Financial Officer may ~~shall~~ advertise
389 the availability of the hotline in newspapers of general
390 circulation in this state and shall provide for the posting of
391 notices in conspicuous places in state agency offices, city

CS/HB 937

2012

392 halls, county courthouses, and places in which there is exposure
393 to significant numbers of the general public, including, but not
394 limited to, local convenience stores, shopping malls, shopping
395 centers, gasoline stations, or restaurants. The Chief Financial
396 Officer shall use the slogan "Tell us where we can 'Get Lean'"
397 for the hotline and in advertisements for the hotline.

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

400 120.60 Licensing.—

401 (5) No revocation, suspension, annulment, or withdrawal of
402 any license is lawful unless, prior to the entry of a final
403 order, the agency has served, by personal service or certified
404 mail, an administrative complaint which affords reasonable
405 notice to the licensee of facts or conduct which warrant the
406 intended action and unless the licensee has been given an
407 adequate opportunity to request a proceeding pursuant to ss.
408 120.569 and 120.57. When personal service cannot be made and the
409 certified mail notice is returned undelivered, the agency shall
410 cause a short, plain notice to the licensee to be published once
411 each week for 4 consecutive weeks in a newspaper published in
412 the county of the licensee's last known address as it appears on
413 the records of the agency. If no newspaper is published in that
414 county, the notice may be published in a newspaper of general
415 circulation in that county. ~~If the address is in some state
416 other than this state or in a foreign territory or country, the
417 notice may be published in Leon County.~~

418 Section 10. Paragraph (d) of subsection (6) of section
419 215.555, Florida Statutes, is amended to read:

420 215.555 Florida Hurricane Catastrophe Fund.—

421 (6) REVENUE BONDS.—

422 (d) Florida Hurricane Catastrophe Fund Finance
423 Corporation.—

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

426 a. The public benefits corporation created under this
427 paragraph will provide a mechanism necessary for the cost-
428 effective and efficient issuance of bonds. This mechanism will
429 eliminate unnecessary costs in the bond issuance process,
430 thereby increasing the amounts available to pay reimbursement
431 for losses to property sustained as a result of hurricane
432 damage.

433 b. The purpose of such bonds is to fund reimbursements
434 through the Florida Hurricane Catastrophe Fund to pay for the
435 costs of construction, reconstruction, repair, restoration, and
436 other costs associated with damage to properties of
437 policyholders of covered policies due to the occurrence of a
438 hurricane.

439 c. The efficacy of the financing mechanism will be
440 enhanced by the corporation's ownership of the assessments, by
441 the insulation of the assessments from possible bankruptcy
442 proceedings, and by covenants of the state with the
443 corporation's bondholders.

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

447 b. The corporation shall operate under a five-member board

448 of directors consisting of the Governor or a designee, the Chief
 449 Financial Officer or a designee, the Attorney General or a
 450 designee, the director of the Division of Bond Finance of the
 451 State Board of Administration, and the senior employee of the
 452 State Board of Administration responsible for operations of the
 453 Florida Hurricane Catastrophe Fund.

454 c. The corporation has all of the powers of corporations
 455 under chapter 607 and under chapter 617, subject only to the
 456 provisions of this subsection.

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

460 e. The corporation may invest in any of the investments
 461 authorized under s. 215.47.

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

466 3.a. In actions under chapter 75 to validate any bonds
 467 issued by the corporation, the notice required by s. 75.06 shall
 468 be published ~~only in Leon County and~~ in two newspapers of
 469 general circulation in the state, and the complaint and order of
 470 the court shall be served only on the State Attorney of the
 471 Second Judicial Circuit.

472 b. The state hereby covenants with holders of bonds of the
 473 corporation that the state will not repeal or abrogate the power
 474 of the board to direct the Office of Insurance Regulation to
 475 levy the assessments and to collect the proceeds of the revenues

476 pledged to the payment of such bonds as long as any such bonds
477 remain outstanding unless adequate provision has been made for
478 the payment of such bonds pursuant to the documents authorizing
479 the issuance of such bonds.

480 4. The bonds of the corporation are not a debt of the
481 state or of any political subdivision, and neither the state nor
482 any political subdivision is liable on such bonds. The
483 corporation does not have the power to pledge the credit, the
484 revenues, or the taxing power of the state or of any political
485 subdivision. The credit, revenues, or taxing power of the state
486 or of any political subdivision shall not be deemed to be
487 pledged to the payment of any bonds of the corporation.

488 5.a. The property, revenues, and other assets of the
489 corporation; the transactions and operations of the corporation
490 and the income from such transactions and operations; and all
491 bonds issued under this paragraph and interest on such bonds are
492 exempt from taxation by the state and any political subdivision,
493 including the intangibles tax under chapter 199 and the income
494 tax under chapter 220. This exemption does not apply to any tax
495 imposed by chapter 220 on interest, income, or profits on debt
496 obligations owned by corporations other than the Florida
497 Hurricane Catastrophe Fund Finance Corporation.

498 b. All bonds of the corporation shall be and constitute
499 legal investments without limitation for all public bodies of
500 this state; for all banks, trust companies, savings banks,
501 savings associations, savings and loan associations, and
502 investment companies; for all administrators, executors,
503 trustees, and other fiduciaries; for all insurance companies and

504 associations and other persons carrying on an insurance
 505 business; and for all other persons who are now or may hereafter
 506 be authorized to invest in bonds or other obligations of the
 507 state and shall be and constitute eligible securities to be
 508 deposited as collateral for the security of any state, county,
 509 municipal, or other public funds. This sub-subparagraph shall be
 510 considered as additional and supplemental authority and shall
 511 not be limited without specific reference to this sub-
 512 subparagraph.

513 6. The corporation and its corporate existence shall
 514 continue until terminated by law; however, no such law shall
 515 take effect as long as the corporation has bonds outstanding
 516 unless adequate provision has been made for the payment of such
 517 bonds pursuant to the documents authorizing the issuance of such
 518 bonds. Upon termination of the existence of the corporation, all
 519 of its rights and properties in excess of its obligations shall
 520 pass to and be vested in the state.

521 Section 11. Section 253.52, Florida Statutes, is amended
 522 to read:

523 253.52 Placing oil and gas leases on market by board.—
 524 Whenever in the opinion of the Board of Trustees of the Internal
 525 Improvement Trust Fund there shall be a demand for the purchase
 526 of oil and gas leases on any area, tract, or parcel of the land
 527 so owned, controlled, or managed, by any state board,
 528 department, or agency, then the board shall place such oil and
 529 gas lease or leases on the market in such blocks, tracts, or
 530 parcels as it may designate. The lease or leases shall only be
 531 made after notice by publication thereof has been made not less

CS/HB 937

2012

532 than once a week for 4 consecutive weeks in a newspaper of
533 general circulation ~~published in Leon County, and in a similar~~
534 ~~newspaper for a similar period of time~~ published in the vicinity
535 of the lands offered to be leased, the last publication ~~in both~~
536 ~~newspapers~~ to be not less than 5 days in advance of the sale
537 date. Such notice shall be to the effect that a lease or leases
538 will be offered for sale at such date and time as may be named
539 in said notice and shall describe the land upon which such
540 lease, or leases, will be offered. This notice may be combined
541 with the notice required pursuant to s. 253.115. Before any
542 lease of any block, tract, or parcel of land, submerged, or
543 unsubmerged, within a radius of 3 miles of the boundaries of any
544 incorporated city, or town, or within such radius of any bathing
545 beach, or beaches, outside thereof, such board, department, or
546 agency, shall through one or more of its members hold a public
547 hearing, after notice thereof by publication once in a newspaper
548 of general circulation published at least 1 week prior to said
549 hearing in the vicinity of the land, or lands, offered to be
550 leased, of the offer to lease the same, calling upon all
551 interested persons to attend said hearing where they would be
552 given the opportunity to be heard, all of which shall be
553 considered by the board prior to the execution of any lease or
554 leases to said land, and the board may withdraw said land, or
555 any part thereof, from the market, and refuse to execute such
556 lease or leases if after such hearing, or otherwise, it
557 considers such execution contrary to the public welfare. Before
558 advertising any land for lease the form of the lease or leases
559 to be offered for sale, not inconsistent with law, or the

560 provisions of this section, shall be prescribed by the board and
 561 a copy, or copies, thereof, shall be available to the general
 562 public at the office of the Board of Trustees of the Internal
 563 Improvement Trust Fund and the advertisements of such sale shall
 564 so state.

565 Section 12. Paragraph (b) of subsection (4) of section
 566 255.518, Florida Statutes, is amended to read:

567 255.518 Obligations; purpose, terms, approval,
 568 limitations.—

569 (4)

570 (b) In actions to validate such obligations pursuant to
 571 chapter 75, the complaint shall be filed in the Circuit Court of
 572 Leon County, the notice required by s. 75.06, shall be published
 573 ~~only in Leon County~~ and in two newspapers of general circulation
 574 in the state, and the complaint and order of the court shall be
 575 served only on the state attorney of the Second Judicial
 576 Circuit.

577 Section 13. Paragraph (b) of subsection (4) of section
 578 380.0668, Florida Statutes, is amended to read:

579 380.0668 Bonds; purpose, terms, approval, limitations.—

580 (4)

581 (b) In actions to validate such bonds pursuant to chapter
 582 75, the complaint shall be filed in the Circuit Court of Leon
 583 County, the notice required by s. 75.06 shall be published in
 584 newspapers of general circulation in ~~Leon County~~ and the county
 585 in which the area or areas of critical state concern involved
 586 are located, and the complaint and order of the court shall be
 587 served on the state attorney of the Second Judicial Circuit and

CS/HB 937

2012

588 the circuit in which the area or areas of critical state concern
 589 involved are located.

590 Section 14. Paragraph (b) of subsection (3) of section
 591 455.275, Florida Statutes, is amended to read:

592 455.275 Address of record.—

593 (3)

594 (b) If service, as provided in paragraph (a), does not
 595 provide the department with proof of service, the department
 596 shall call the last known telephone number of record and cause a
 597 short, plain notice to the licensee to be posted on the front
 598 page of the department's website and shall send notice via e-
 599 mail to all newspapers of general circulation and all news
 600 departments of broadcast network affiliates in the county of the
 601 licensee's last known address of record ~~published once each week~~
 602 ~~for 4 consecutive weeks in a newspaper published in the county~~
 603 ~~of the licensee's last known address of record. If a newspaper~~
 604 ~~is not published in the county, the administrative complaint may~~
 605 ~~be published in a newspaper of general circulation in the~~
 606 ~~county. If the licensee's last known address is located in~~
 607 ~~another state or in a foreign jurisdiction, the administrative~~
 608 ~~complaint may be published in Leon County pursuant to s.~~
 609 ~~120.60(5).~~

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

612 473.3141 Certified public accountants licensed in other
 613 states.—

614 (5) Disciplinary action against an individual or firm that
 615 practices pursuant to this section is not valid unless, prior to

CS/HB 937

2012

616 the entry of a final order, the agency has served, by personal
 617 service pursuant to this chapter or chapter 48 or by certified
 618 mail, an administrative complaint that provides reasonable
 619 notice to the individual or firm of facts or conduct that
 620 warrants the intended action and unless the individual or firm
 621 has been given an adequate opportunity to request a proceeding
 622 pursuant to ss. 120.569 and 120.57. ~~When personal service cannot~~
 623 ~~be made and the certified mail notice is returned undelivered,~~
 624 ~~the agency shall have a short, plain notice to the individual or~~
 625 ~~firm with practice privileges published once a week for 4~~
 626 ~~consecutive weeks in a newspaper published in Leon County,~~
 627 ~~Florida. The newspaper shall meet the requirements prescribed by~~
 628 ~~law for such purposes.~~

629 Section 16. Paragraph (b) of subsection (5) of section
 630 527.23, Florida Statutes, is amended to read:

631 527.23 Marketing orders; referendum requirements;
 632 assessments.—

633 (5)

634 (b) It is the duty of the producers or dealers of propane
 635 gas who vote in each referendum to send their marked ballots to
 636 the department, which shall have the ballots counted by
 637 qualified and impartial personnel in its office, and the
 638 department shall, within 10 days after the closing date for
 639 submitting ballots in any referendum, certify in writing and
 640 publish the results of such referendum on the front page of
 641 their website and shall send notice via e-mail to all
 642 publications of general circulation and all news departments of
 643 broadcast network affiliates located within the state ~~in a~~

644 ~~newspaper of general circulation in the state and in such other~~
 645 ~~newspapers as the department prescribes.~~

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

648 573.109 Procedure for referendum.—

649 (2) It shall be the duty of the producers or handlers
 650 affected who vote in each referendum to send their marked
 651 ballots to the department, which shall have the ballots counted
 652 by qualified and impartial personnel in its office, and the
 653 department shall, within 10 days after the closing date for
 654 submitting ballots in any referendum, certify in writing and
 655 publish the results of such referendum on the front page of
 656 their website and shall send notice via e-mail to all
 657 publications of general circulation and all news departments of
 658 broadcast network affiliates located within the state ~~in a~~
 659 ~~newspaper of general circulation in the state and in such other~~
 660 ~~newspapers as the department may prescribe.~~

661 Section 18. Section 573.111, Florida Statutes, is amended
 662 to read:

663 573.111 Notice of effective date of marketing order.—
 664 Before the issuance of any marketing order, or any suspension,
 665 amendment, or termination thereof, a notice shall be posted on a
 666 public bulletin board to be maintained by the department in the
 667 Division of Marketing and Development of the department in the
 668 Nathan Mayo Building, Tallahassee, Leon County, and a copy of
 669 the notice shall be posted on the department website ~~published~~
 670 ~~in a newspaper of general circulation in the state and in such~~
 671 ~~other newspaper or newspapers as the department may prescribe.~~

672 ~~The notices published in the newspaper or newspapers shall be~~
 673 ~~sent by first class mail, by the department to those newspapers~~
 674 ~~designated by it,~~ the same date that the notice is posted on the
 675 bulletin board ~~with instructions to publish the same as a legal~~
 676 ~~advertisement the first date after receipt of the notice as such~~
 677 ~~newspaper's policy for publishing legal advertisements provides.~~
 678 No marketing order, or any suspension, amendment, or termination
 679 thereof, shall become effective until the termination of a
 680 period of 5 days from the date of posting and publication.

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

683 631.59 Duties and powers of department and office.—

684 (2) The department may require that the association notify
 685 the insureds of the insolvent insurer and any other interested
 686 parties of the determination of insolvency and of their rights
 687 under this part. Such notification shall be by mail at their
 688 last known addresses, when available, but if sufficient
 689 information for notification by mail is not available, notice by
 690 e-mail or telephone ~~publication in a newspaper of general~~
 691 ~~circulation~~ shall be sufficient.

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