

By the Committee on Governmental Oversight and Accountability;
and Senator Latvala

585-02544-14

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1 A bill to be entitled
2 An act relating to legal notices; amending s. 50.0211,
3 F.S.; requiring legal notices to be posted on a
4 newspaper's website on web pages with specified
5 titles; prohibiting charging a fee or requiring
6 registration for viewing online legal notices;
7 establishing the period for which legal notices are
8 required to be published on the statewide website;
9 requiring that legal notices be archived on the
10 statewide website for a specified period; deleting a
11 provision relating to harmless error; amending s.
12 50.061, F.S.; clarifying payment provisions; providing
13 an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 50.0211, Florida Statutes, is amended to
18 read:

19 50.0211 Internet website publication.—

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

23 (2) Each legal notice must be posted ~~placed~~ on the
24 newspaper's website on the same day that the printed notice
25 appears in the newspaper, at no additional charge, in a separate
26 web page titled "Legal Notices," "Legal Advertising," or
27 comparable identifying language. A link to the legal notices web
28 page shall be provided on the front page of the newspaper's
29 website that provides access to the legal notices ~~without~~

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30 ~~charge~~. If there is a specified size and placement required for
31 a printed legal notice, the size and placement of the notice on
32 the newspaper's website must ~~should~~ optimize its online
33 visibility in keeping with the print requirements. The
34 newspaper's web pages that contain legal notices must ~~shall~~
35 present the legal notices as the dominant and leading subject
36 matter of those pages. The newspaper's website must ~~shall~~
37 contain a search function to facilitate searching the legal
38 notices. A fee may not be charged, and registration may not be
39 required, for viewing or searching legal notices on a
40 newspaper's website if the legal notice is published in a
41 newspaper ~~This subsection shall take effect July 1, 2013.~~

42 (3) (a) If a legal notice is published in a newspaper, the
43 newspaper publishing the notice shall place the notice on the
44 statewide website established and maintained as an initiative of
45 the Florida Press Association as a repository for such notices
46 located at the following address: www.floridapublicnotices.com.

47 (b) A legal notice placed on the statewide website created
48 under this subsection must be:

- 49 1. Accessible and searchable by party name and case number.
50 2. Posted for a period of at least 90 consecutive days
51 after the first day of posting.

52 (c) The statewide website created under this subsection
53 shall maintain a searchable archive of all legal notices posted
54 on the publicly accessible website on or after October 1, 2014,
55 for 18 months after the first day of posting. Such searchable
56 archive shall be provided and accessible to the general public
57 without charge.

58 (4) Newspapers that publish legal notices shall, upon

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59 request, provide e-mail notification of new legal notices when
60 they are printed in the newspaper and added to the newspaper's
61 website. Such e-mail notification shall be provided without
62 charge, and notification for such an e-mail registry shall be
63 available on the front page of the legal notices section of the
64 newspaper's website. ~~This subsection shall take effect July 1,~~
65 ~~2013.~~

66 ~~(5) An error in the notice placed on the newspaper or~~
67 ~~statewide website shall be considered a harmless error and~~
68 ~~proper legal notice requirements shall be considered met if the~~
69 ~~notice published in the newspaper is correct.~~

70 Section 2. Subsections (2) and (3) of section 50.061,
71 Florida Statutes, are amended to read:

72 50.061 Amounts chargeable.—

73 (2) The charge for publishing each such official public
74 notice or legal advertisement shall be 70 cents per square inch
75 for the first insertion and 40 cents per square inch for each
76 subsequent insertion, except that government notices required to
77 be published more than once, the cost of which ~~whose cost~~ is
78 paid for by the government and not paid in advance by or allowed
79 to be recouped from private parties, may not be charged for the
80 second and successive insertions at a rate greater than 85
81 percent of the original rate.

82 (3) Where the regular established minimum commercial rate
83 per square inch of the newspaper publishing such official public
84 notices or legal advertisements is in excess of the rate herein
85 stipulated, said minimum commercial rate per square inch may be
86 charged for all such legal advertisements or official public
87 notices for each insertion, except that government notices

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88 required to be published more than once, the cost of which ~~whose~~
89 ~~cost~~ is paid for by the government and not paid in advance by or
90 allowed to be recouped from private parties, may not be charged
91 for the second and successive insertions at a rate greater than
92 85 percent of the original rate.

93 Section 3. This act shall take effect October 1, 2014.