



1                                   A bill to be entitled  
2           An act relating to the Department of Transportation;  
3           creating s. 316.0898, F.S.; requiring the department,  
4           in consultation with the Department of Highway Safety  
5           and Motor Vehicles, to develop the Florida Smart City  
6           Challenge Grant Program; providing requirements for  
7           grant applicants; establishing goals for the grant  
8           program; requiring the Department of Transportation to  
9           develop specified criteria for receipt of grants and a  
10          plan for promotion of the grant program; authorizing  
11          the department to contract with a third party for  
12          certain purposes; requiring the department to submit  
13          certain information to the Governor and Legislature;  
14          providing for future repeal; amending s. 316.545,  
15          F.S.; providing for assessment and calculation of a  
16          fine for unlawful weight and load of a vehicle fueled  
17          by natural gas; requiring written certification of  
18          certain weight information; providing gross vehicle  
19          weight requirements; providing an exception; amending  
20          s. 335.074, F.S.; requiring inspection of certain  
21          bridges at intervals required by the Federal Highway  
22          Administration; amending s. 337.11, F.S.; revising the  
23          amount for which the department may enter into certain  
24          construction and maintenance contracts; amending s.  
25          337.401, F.S.; authorizing the department and certain



26 | local governmental entities to prescribe and enforce  
27 | rules or regulations regarding the placing and  
28 | maintaining of certain voice or data communications  
29 | services lines or wireless facilities on certain  
30 | rights-of-way; amending s. 338.227, F.S.; providing  
31 | requirements for the validation of turnpike revenue  
32 | bonds and related complaints; requiring the department  
33 | to undertake an economic feasibility study relating to  
34 | the acquisition of the Garcon Point Bridge; requiring  
35 | a report to the Governor and Legislature; amending s.  
36 | 339.135, F.S.; waiving requirements for approval of  
37 | certain work program amendments by the Legislative  
38 | Budget Commission under certain conditions; amending  
39 | s. 339.2405, F.S.; deleting provisions relating to the  
40 | Florida Highway Beautification Council; transferring  
41 | certain powers and duties of the council to the  
42 | department; amending s. 343.52, F.S.; defining the  
43 | term "department"; amending s. 343.53, F.S.;  
44 | conforming a cross-reference; amending s. 343.54,  
45 | F.S.; prohibiting the South Florida Regional  
46 | Transportation Authority from entering into certain  
47 | contracts or agreements without department approval of  
48 | the authority's expenditures; amending s. 343.58,  
49 | F.S.; providing that certain funds provided to the  
50 | authority constitute state financial assistance;



51 requiring a written agreement for provision of such  
52 funds; authorizing the department to advance a certain  
53 amount of funds under certain circumstances; requiring  
54 the department to submit to the Governor and  
55 Legislature a review of the boundaries and  
56 headquarters of department districts and a study on  
57 the expenses associated with creating an additional  
58 district; authorizing the Secretary of Transportation  
59 to enroll the state in federal pilot programs or  
60 projects for the collection and study of certain data;  
61 amending s. 215.82, F.S.; conforming provisions to  
62 changes made by the act; providing an effective date.

63  
64 Be It Enacted by the Legislature of the State of Florida:

65  
66 Section 1. Section 316.0898, Florida Statutes, is created  
67 to read:

68 316.0898 Florida Smart City Challenge Grant Program.-

69 (1) The Department of Transportation, in consultation with  
70 the Department of Highway Safety and Motor Vehicles, shall,  
71 subject to appropriation, develop the Florida Smart City  
72 Challenge Grant Program and establish grant award requirements  
73 for municipalities or regions for the purpose of receiving grant  
74 awards. Grant applicants must demonstrate and document the  
75 adoption of emerging technologies and their impact on the



76 transportation system and must address at least the following  
77 focus areas:

78 (a) Autonomous vehicles.

79 (b) Connected vehicles.

80 (c) Sensor-based infrastructure.

81 (d) Collecting and using data.

82 (e) Electric vehicles, including charging stations.

83 (f) Developing strategic models and partnerships.

84 (2) The goals of the grant program include, but are not  
85 limited to:

86 (a) Identifying transportation challenges and identifying  
87 how emerging technologies can address those challenges.

88 (b) Determining the emerging technologies and strategies  
89 that have the potential to provide the most significant impacts.

90 (c) Encouraging municipalities to take significant steps  
91 to integrate emerging technologies into their day-to-day  
92 operations.

93 (d) Identifying the barriers to implementing the grant  
94 program and communicating those barriers to the Legislature and  
95 appropriate agencies and organizations.

96 (e) Leveraging the initial grant to attract additional  
97 public and private investments.

98 (f) Increasing the state's competitiveness in the pursuit  
99 of grants from the United States Department of Transportation,  
100 the United States Department of Energy, and other federal



101 agencies.

102 (g) Committing to the continued operation of programs  
103 implemented in connection with the grant.

104 (h) Serving as a model for municipalities nationwide.

105 (i) Documenting the costs and impacts of the grant program  
106 and lessons learned during implementation.

107 (j) Identifying solutions that will demonstrate local or  
108 regional economic impact.

109 (3) The Department of Transportation shall develop  
110 eligibility, application, and selection criteria for the receipt  
111 of grants and a plan for the promotion of the grant program to  
112 municipalities or regions of this state as an opportunity to  
113 compete for grant funding, including the award of grants to a  
114 single recipient and secondary grants to specific projects of  
115 merit within other applications. The Department of  
116 Transportation may contract with a third party that demonstrates  
117 knowledge and expertise in the focuses and goals of this section  
118 to provide guidance in the development of the requirements of  
119 this section.

120 (4) On or before January 1, 2018, the Department of  
121 Transportation shall submit the grant program guidelines and  
122 plans for promotion of the grant program to the Governor, the  
123 President of the Senate, and the Speaker of the House of  
124 Representatives.

125 (5) This section expires July 1, 2018.



126 Section 2. Paragraphs (c) and (d) of subsection (3) of  
127 section 316.545, Florida Statutes, are redesignated as  
128 paragraphs (d) and (e), respectively, and a new paragraph (c) is  
129 added to that subsection to read:

130 316.545 Weight and load unlawful; special fuel and motor  
131 fuel tax enforcement; inspection; penalty; review.—

132 (3)

133 (c)1. For a vehicle fueled by natural gas, the fine is  
134 calculated by reducing the actual gross vehicle weight by the  
135 certified weight difference between the natural gas tank and  
136 fueling system and a comparable diesel tank and fueling system.  
137 Upon request by any weight inspector or law enforcement officer,  
138 the vehicle operator must present written certification that  
139 identifies the weight of the natural gas tank and fueling system  
140 and the difference in weight of a comparable diesel tank and  
141 fueling system. The written certification must originate from  
142 the vehicle manufacturer or the installer of the natural gas  
143 tank and fueling system.

144 2. The actual gross vehicle weight for vehicles fueled by  
145 natural gas may not exceed 82,000 pounds, excluding the weight  
146 allowed for idle-reduction technology under paragraph (b).

147 3. This paragraph does not apply to those vehicles  
148 described in s. 316.535(6).

149 Section 3. Subsection (2) of section 335.074, Florida  
150 Statutes, is amended to read:



151 335.074 Safety inspection of bridges.—

152 (2) At regular intervals as required by the Federal  
153 Highway Administration ~~not to exceed 2 years~~, each bridge on a  
154 public transportation facility shall be inspected for structural  
155 soundness and safety for the passage of traffic on such bridge.  
156 The thoroughness with which bridges are to be inspected shall  
157 depend on such factors as age, traffic characteristics, state of  
158 maintenance, and known deficiencies. The governmental entity  
159 responsible for ~~having~~ maintenance of ~~responsibility for~~ any  
160 such bridge is ~~shall be~~ responsible for having inspections  
161 performed and reports prepared in accordance with this section  
162 ~~the provisions contained herein~~.

163 Section 4. Paragraph (c) of subsection (6) of section  
164 337.11, Florida Statutes, is amended to read:

165 337.11 Contracting authority of department; bids;  
166 emergency repairs, supplemental agreements, and change orders;  
167 combined design and construction contracts; progress payments;  
168 records; requirements of vehicle registration.—

169 (6)

170 (c) When the department determines that it is in the best  
171 interest of the public for reasons of public concern, economy,  
172 improved operations, or safety, and only when circumstances  
173 dictate rapid completion of the work, the department may, up to  
174 the amount of \$250,000 ~~\$120,000~~, enter into contracts for  
175 construction and maintenance without advertising and receiving



176 competitive bids. The department may enter into such contracts  
177 only upon a determination that the work is necessary for one of  
178 the following reasons:

179 1. To ensure timely completion of projects or avoidance of  
180 undue delay for other projects;

181 2. To accomplish minor repairs or construction and  
182 maintenance activities for which time is of the essence and for  
183 which significant cost savings would occur; or

184 3. To accomplish nonemergency work necessary to ensure  
185 avoidance of adverse conditions that affect the safe and  
186 efficient flow of traffic.

187

188 The department shall make a good faith effort to obtain two or  
189 more quotes, if available, from qualified contractors before  
190 entering into any contract. The department shall give  
191 consideration to disadvantaged business enterprise  
192 participation. However, when the work exists within the limits  
193 of an existing contract, the department shall make a good faith  
194 effort to negotiate and enter into a contract with the prime  
195 contractor on the existing contract.

196 Section 5. Paragraph (a) of subsection (1) of section  
197 337.401, Florida Statutes, is amended to read:

198 337.401 Use of right-of-way for utilities subject to  
199 regulation; permit; fees.-

200 (1) (a) The department and local governmental entities,



201 referred to in this section and in ss. 337.402, 337.403, and  
202 337.404 as the "authority," that have jurisdiction and control  
203 of public roads or publicly owned rail corridors are authorized  
204 to prescribe and enforce reasonable rules or regulations with  
205 reference to the placing and maintaining across, on, or within  
206 the right-of-way limits of any road or publicly owned rail  
207 corridors under their respective jurisdictions any electric  
208 transmission, ~~voice telephone~~, telegraph, data, or other  
209 communications services lines or wireless facilities; pole  
210 lines; poles; railways; ditches; sewers; water, heat, or gas  
211 mains; pipelines; fences; gasoline tanks and pumps; or other  
212 structures referred to in this section and in ss. 337.402,  
213 337.403, and 337.404 as the "utility." The department may enter  
214 into a permit-delegation agreement with a governmental entity if  
215 issuance of a permit is based on requirements that the  
216 department finds will ensure the safety and integrity of  
217 facilities of the Department of Transportation; however, the  
218 permit-delegation agreement does not apply to facilities of  
219 electric utilities as defined in s. 366.02(2).

220 Section 6. Subsection (5) is added to section 338.227,  
221 Florida Statutes, to read:

222 338.227 Turnpike revenue bonds.—

223 (5) Notwithstanding s. 215.82, bonds issued pursuant to  
224 this section are not required to be validated pursuant to  
225 chapter 75 but may be validated at the option of the Division of



226 Bond Finance. A complaint about such validation must be filed in  
227 the circuit court of the county in which the seat of state  
228 government is situated. The notice required to be published by  
229 s. 75.06 must be published only in the county in which the  
230 complaint is filed. The complaint and order of the circuit court  
231 must be served only on the state attorney of the circuit in  
232 which the action is pending.

233 Section 7. The Department of Transportation shall  
234 undertake an economic feasibility study relating to the  
235 acquisition of the Garcon Point Bridge. The department shall  
236 submit the completed study to the Governor, the President of the  
237 Senate, and the Speaker of the House of Representatives by  
238 January 1, 2018.

239 Section 8. Paragraph (e) of subsection (7) of section  
240 339.135, Florida Statutes, is amended to read:

241 339.135 Work program; legislative budget request;  
242 definitions; preparation, adoption, execution, and amendment.—

243 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

244 (e) Notwithstanding paragraphs (d), ~~and~~ (g), and (h) and  
245 ss. 216.177(2) and 216.351, the secretary may request the  
246 Executive Office of the Governor to amend the adopted work  
247 program when an emergency exists, as defined in s. 252.34, and  
248 the emergency relates to the repair or rehabilitation of any  
249 state transportation facility. The Executive Office of the  
250 Governor may approve the amendment to the adopted work program



251 and amend that portion of the department's approved budget if a  
252 delay incident to the notification requirements in paragraph (d)  
253 would be detrimental to the interests of the state. However, the  
254 department shall immediately notify the parties specified in  
255 paragraph (d) and provide such parties written justification for  
256 the emergency action within 7 days after approval by the  
257 Executive Office of the Governor of the amendment to the adopted  
258 work program and the department's budget. The adopted work  
259 program may not be amended under this subsection without  
260 certification by the comptroller of the department that there  
261 are sufficient funds available pursuant to the 36-month cash  
262 forecast and applicable statutes.

263 Section 9. Section 339.2405, Florida Statutes, is amended  
264 to read:

265 339.2405 Florida highway beautification grants Council.—

266 (1) The department shall ~~There is created within the~~  
267 ~~Department of Transportation the Florida Highway Beautification~~  
268 ~~Council. It shall consist of seven members appointed by the~~  
269 ~~Governor. All appointed members must be residents of this state.~~  
270 ~~One member must be a licensed landscape architect, one member~~  
271 ~~must be a representative of the Florida Federation of Garden~~  
272 ~~Clubs, Inc., one member must be a representative of the Florida~~  
273 ~~Nurserymen and Growers Association, one member must be a~~  
274 ~~representative of the department as designated by the head of~~  
275 ~~the department, one member must be a representative of the~~



276 ~~Department of Agriculture and Consumer Services, and two members~~  
277 ~~must be private citizens. The members of the council shall serve~~  
278 ~~at the pleasure of the Governor.~~

279 ~~(2) Each chair shall be selected by the council members~~  
280 ~~and shall serve a 2-year term.~~

281 ~~(3) The council shall meet no less than semiannually at~~  
282 ~~the call of the chair or, in the chair's absence or incapacity,~~  
283 ~~at the call of the head of the department. Four members shall~~  
284 ~~constitute a quorum for the purpose of exercising all of the~~  
285 ~~powers of the council. A vote of the majority of the members~~  
286 ~~present shall be sufficient for all actions of the council.~~

287 ~~(4) The council members shall serve without pay but shall~~  
288 ~~be entitled to per diem and travel expenses pursuant to s.~~  
289 ~~112.061.~~

290 ~~(5) A member of the council may not participate in any~~  
291 ~~discussion or decision to recommend grants to any qualified~~  
292 ~~local government with which the member is associated as a member~~  
293 ~~of the governing body or as an employee or with which the member~~  
294 ~~has entered into a contractual arrangement.~~

295 ~~(6) The council may prescribe, amend, and repeal bylaws~~  
296 ~~governing the manner in which the business of the council is~~  
297 ~~conducted.~~

298 ~~(7) (a) The duties of the council shall be to:~~

299 ~~(a)1.~~ Provide information to local governments and local  
300 highway beautification councils regarding the state highway



301 beautification grants program.

302 (b)2. Accept grant requests from local governments.

303 (c)3. Review grant requests for compliance with department  
304 ~~council~~ rules.

305 (d)4. Establish rules for evaluating and prioritizing the  
306 grant requests. The rules must include, but are not limited to,  
307 an examination of each grant's aesthetic value, cost-  
308 effectiveness, level of local support, feasibility of  
309 installation and maintenance, and compliance with state and  
310 federal regulations. Rules adopted by the department council  
311 which it uses to evaluate grant applications must take into  
312 consideration the contributions made by the highway  
313 beautification project in preventing litter.

314 (e)5. Maintain a prioritized list of approved grant  
315 requests. The list must include recommended funding levels for  
316 each request and, if staged implementation is appropriate,  
317 provide funding requirements for each stage ~~shall be provided.~~

318 ~~6. Assess the feasibility of planting and maintaining~~  
319 ~~indigenous wildflowers and plants, instead of sod groundcovers,~~  
320 ~~along the rights-of-way of state roads and highways. In making~~  
321 ~~such assessment, the council shall utilize data from other~~  
322 ~~states which include indigenous wildflower and plant species in~~  
323 ~~their highway vegetative management systems.~~

324 ~~(b) The council may, at the request of the head of the~~  
325 ~~department, review and make recommendations on any other highway~~



326 ~~beautification matters relating to the State Highway System.~~

327 ~~(8) The head of the department shall provide from existing~~  
328 ~~personnel such staff support services to the council as are~~  
329 ~~necessary to enable the council to fulfill its duties and~~  
330 ~~responsibilities.~~

331 (2) ~~(9)~~ Local highway beautification councils may be  
332 created by local governmental entities or by the Legislature.  
333 Before ~~Prior to~~ being submitted to the department ~~council~~, a  
334 grant request must be approved by the local government or  
335 governments of the area in which the project is located.

336 (3) ~~(10)~~ The head of the department, ~~after receiving~~  
337 ~~recommendations from the council,~~ shall award grants to local  
338 governmental entities that have submitted grant requests for  
339 beautification of roads on the State Highway System and which  
340 requests are on the ~~council's~~ approved list. The grants shall be  
341 awarded in the order they appear on the ~~council's~~ prioritized  
342 list and in accordance with available funding.

343 (4) ~~(11)~~ State highway beautification grants may be  
344 requested only for projects to beautify through landscaping  
345 roads on the State Highway System. The grant request shall  
346 identify all costs associated with the project, including  
347 sprinkler systems, plant materials, equipment, and labor. A  
348 grant shall provide for the costs of purchase and installation  
349 of a sprinkler system and, the cost of plant materials and  
350 fertilizer, and may provide for the costs for labor associated



351 with the installation of the plantings. Each local government  
352 that receives a grant shall be responsible for any costs for  
353 water, for the maintenance of the sprinkler system, for the  
354 maintenance of the landscaped areas in accordance with a  
355 maintenance agreement with the department, and, except as  
356 otherwise provided in the grant, for any costs for labor  
357 associated with the installation of the plantings. The  
358 department may provide, by contract, services to maintain such  
359 landscaping at a level not to exceed the cost of routine  
360 maintenance of an equivalent unlandscaped area.

361 ~~(12) The council shall annually submit to the head of the~~  
362 ~~Department of Transportation a proposal recommending the level~~  
363 ~~of grant funding.~~

364 Section 10. Section 343.52, Florida Statutes, is amended  
365 to read:

366 343.52 Definitions.—As used in this part, the term:

367 (1)~~(3)~~ "Area served" means Miami-Dade, Broward, and Palm  
368 Beach Counties. However, this area may be expanded by mutual  
369 consent of the authority and the board of county commissioners  
370 of Monroe County. The authority may not expand into any  
371 additional counties without the department's prior written  
372 approval.

373 (2)~~(1)~~ "Authority" means the South Florida Regional  
374 Transportation Authority.

375 (3)~~(2)~~ "Board" means the governing body of the authority.



376           (4) "Department" means the Department of Transportation.

377           (5)~~(7)~~ "Feeder transit services" means a transit system  
378 that transports passengers to or from stations within or across  
379 counties.

380           (6) "Member" means the individuals constituting the board.

381           (7)~~(5)~~ "Transit facilities" means property, avenues of  
382 access, equipment, or buildings built and installed in Miami-  
383 Dade, Broward, and Palm Beach Counties which are required to  
384 support a transit system.

385           (8)~~(4)~~ "Transit system" means a system used for the  
386 transportation of people and goods by means of, without  
387 limitation, a street railway, an elevated railway having a fixed  
388 guideway, a commuter railroad, a subway, motor vehicles, or  
389 motor buses, and includes a complete system of tracks, stations,  
390 and rolling stock necessary to effectuate passenger service to  
391 or from the surrounding regional municipalities.

392           Section 11. Paragraph (d) of subsection (2) of section  
393 343.53, Florida Statutes, is amended to read:

394           343.53 South Florida Regional Transportation Authority.—

395           (2) The governing board of the authority shall consist of  
396 10 voting members, as follows:

397           (d) If the authority's service area is expanded pursuant  
398 to s. 343.54(6) ~~343.54(5)~~, the county containing the new service  
399 area shall have two members appointed to the board as follows:

400           1. The county commission of the county shall elect a



401 commissioner as that commission's representative on the board.  
402 The commissioner must be a member of the county commission when  
403 elected and for the full extent of his or her term.

404 2. The Governor shall appoint a citizen member to the  
405 board who is not a member of the county commission but who is a  
406 resident and a qualified elector of that county.

407 Section 12. Subsections (4) and (5) of section 343.54,  
408 Florida Statutes, are renumbered as subsections (5) and (6),  
409 respectively, and a new subsection (4) is added to that section  
410 to read:

411 343.54 Powers and duties.—

412 (4) Notwithstanding any other provision of this part, the  
413 authority may not enter into, extend, or renew any contract or  
414 other agreement that may be funded, in whole or in part, with  
415 funds provided by the department without the prior review and  
416 written approval by the department of the authority's proposed  
417 expenditures.

418 Section 13. Paragraph (c) of subsection (4) of section  
419 343.58, Florida Statutes, is amended to read:

420 343.58 County funding for the South Florida Regional  
421 Transportation Authority.—

422 (4) Notwithstanding any other provision of law to the  
423 contrary and effective July 1, 2010, until as provided in  
424 paragraph (d), the department shall transfer annually from the  
425 State Transportation Trust Fund to the South Florida Regional



426 Transportation Authority the amounts specified in subparagraph  
427 (a)1. or subparagraph (a)2.

428 (c)1. Funds provided to the authority by the department  
429 under this subsection constitute state financial assistance  
430 provided to a nonstate entity to carry out a state project  
431 subject to ss. 215.97 and 215.971. The department shall provide  
432 the funds in accordance with the terms of a written agreement to  
433 be entered into between the authority and the department, which  
434 shall provide for department review, approval, and audit of  
435 authority expenditure of such funds and shall include such other  
436 provisions as are required by applicable law. The department is  
437 specifically authorized to agree to advance the authority 25  
438 percent of the total funds provided under this subsection for a  
439 state fiscal year at the beginning of each state fiscal year,  
440 with monthly payments over the fiscal year on a reimbursement  
441 basis as supported by invoices and such additional documentation  
442 and information as the department may reasonably require and a  
443 reconciliation of the advance against remaining invoices in the  
444 last quarter of the fiscal year ~~may not be committed by the~~  
445 ~~authority without the approval of the department, which may not~~  
446 ~~be unreasonably withheld. At least 90 days before advertising~~  
447 ~~any procurement or renewing any existing contract that will rely~~  
448 ~~on state funds for payment, the authority shall notify the~~  
449 ~~department of the proposed procurement or renewal and the~~  
450 ~~proposed terms thereof. If the department, within 60 days after~~



451 ~~receipt of notice, objects in writing to the proposed~~  
452 ~~procurement or renewal, specifying its reasons for objection,~~  
453 ~~the authority may not proceed with the proposed procurement or~~  
454 ~~renewal. Failure of the department to object in writing within~~  
455 ~~60 days after notice shall be deemed consent. This requirement~~  
456 ~~does not impair or cause the authority to cancel contracts that~~  
457 ~~exist as of June 30, 2012.~~

458 2. To enable the department to evaluate the authority's  
459 proposed uses of state funds, the authority shall annually  
460 provide the department with its proposed budget for the  
461 following authority fiscal year and shall promptly provide the  
462 department with any additional documentation or information  
463 required by the department for its evaluation of the proposed  
464 uses of the state funds.

465 Section 14. On or before October 31, 2017, the Department  
466 of Transportation shall submit to the Governor, the President of  
467 the Senate, and the Speaker of the House of Representatives a  
468 report providing a comprehensive review of the boundaries and  
469 headquarters of each of the department's districts. Along with  
470 its report, the department shall provide a study on the expenses  
471 associated with creating an additional district with the  
472 department's Fort Myers urban office as the district  
473 headquarters.

474 Section 15. The Secretary of Transportation may enroll the  
475 State of Florida in any federal pilot program or project for the



476 collection and study of data for the review of federal or state  
477 roadway safety, infrastructure sustainability, congestion  
478 mitigation, transportation system efficiency, autonomous vehicle  
479 technology, or capacity challenges.

480 Section 16. Subsection (2) of section 215.82, Florida  
481 Statutes, is amended to read:

482 215.82 Validation; when required.—

483 (2) Any bonds issued pursuant to this act which are  
484 validated shall be validated in the manner provided by chapter  
485 75. In actions to validate bonds to be issued in the name of the  
486 State Board of Education under s. 9(a) and (d), Art. XII of the  
487 State Constitution and bonds to be issued pursuant to chapter  
488 259, the Land Conservation Program, the complaint shall be filed  
489 in the circuit court of the county where the seat of state  
490 government is situated, the notice required to be published by  
491 s. 75.06 shall be published only in the county where the  
492 complaint is filed, and the complaint and order of the circuit  
493 court shall be served only on the state attorney of the circuit  
494 in which the action is pending. In any action to validate bonds  
495 issued pursuant to s. 1010.62 or issued pursuant to s. 9(a)(1),  
496 Art. XII of the State Constitution or issued pursuant to s.  
497 215.605 ~~or s. 338.227~~, the complaint shall be filed in the  
498 circuit court of the county where the seat of state government  
499 is situated, the notice required to be published by s. 75.06  
500 shall be published in a newspaper of general circulation in the



CS/CS/CS/HB 865, Engrossed 1

2017

501 county where the complaint is filed and in two other newspapers  
502 of general circulation in the state, and the complaint and order  
503 of the circuit court shall be served only on the state attorney  
504 of the circuit in which the action is pending; provided,  
505 however, that if publication of notice pursuant to this section  
506 would require publication in more newspapers than would  
507 publication pursuant to s. 75.06, such publication shall be made  
508 pursuant to s. 75.06.

509 Section 17. This act shall take effect July 1, 2017.