

26 83.806, F.S.; providing that an advertisement of a
 27 sale or disposition of property may be published on
 28 certain websites for a specified time period; amending
 29 ss. 11.02, 45.031, 121.0511, 121.055, 125.66, 162.12,
 30 166.041, 189.015, 190.005, 190.046, 194.037, 197.402,
 31 200.065, 338.223, 348.0308, 348.635, 348.7605,
 32 373.0397, 373.146, 403.722, 712.06, 849.38, 865.09,
 33 and 932.704; conforming provisions to changes made by
 34 the act; providing an effective date.

35

36 Be It Enacted by the Legislature of the State of Florida:

37

38 Section 1. Section 50.011, Florida Statutes, is amended to
 39 read:

40 50.011 Publication of ~~Where and in what language~~ legal
 41 notices ~~to be published.~~ Whenever by statute an official or
 42 legal advertisement or a publication, or notice in a newspaper
 43 or governmental agency website has been or is directed or
 44 permitted in the nature of or in lieu of process, or for
 45 constructive service, or in initiating, assuming, reviewing,
 46 exercising or enforcing jurisdiction or power, or for any
 47 purpose, including all legal notices and advertisements of
 48 sheriffs and tax collectors, the contemporaneous and continuous
 49 intent and meaning of such legislation all and singular,
 50 existing or repealed, is and has been and is hereby declared to

51 | be and to have been, and the rule of interpretation is and has
 52 | been the following:

53 | (1) A publication in a newspaper printed and published
 54 | periodically at least once a week ~~or oftener~~, containing at
 55 | least 25 percent of its words in the English language, entered
 56 | or qualified to be admitted and entered as periodicals matter at
 57 | a post office in the county where published, ~~for sale to the~~
 58 | ~~public generally~~, available to the public generally for the
 59 | publication of official or other notices and customarily
 60 | containing information of a public character or of interest or
 61 | of value to the residents or owners of property in the county
 62 | where published, or of interest or of value to the general
 63 | public; or

64 | (2) On a publicly accessible website pursuant to s.
 65 | 50.0311.

66 | Section 2. Section 50.021, Florida Statutes, is amended to
 67 | read:

68 | 50.021 Publication when no newspaper in county.—When any
 69 | law, or order or decree of court, directs ~~shall direct~~
 70 | advertisements to be made in a ~~any~~ county and there is ~~be~~ no
 71 | newspaper published in the ~~said~~ county, the advertisement may be
 72 | posted on a publicly accessible website as provided in s.
 73 | 50.0311 or made by posting three copies thereof in three
 74 | different places in the ~~said~~ county, one of which shall be at
 75 | the front door of the courthouse, and by publication in the

76 | nearest county in which a newspaper is published.

77 | Section 3. Subsections (2) and (3) of section 50.0211,
78 | Florida Statutes, are amended to read:

79 | 50.0211 Internet website publication.—

80 | (2) If a governmental agency publishes a legal notice in a
81 | newspaper, each legal notice must be posted on the newspaper's
82 | website on the same day that the printed notice appears in the
83 | newspaper, at no additional charge, in a separate web page
84 | titled "Legal Notices," "Legal Advertising," or comparable
85 | identifying language. A link to the legal notices web page shall
86 | be provided on the front page of the newspaper's website that
87 | provides access to the legal notices. If there is a specified
88 | size and placement required for a printed legal notice, the size
89 | and placement of the notice on the newspaper's website must
90 | optimize its online visibility in keeping with the print
91 | requirements. The newspaper's web pages that contain legal
92 | notices must present the legal notices as the dominant and
93 | leading subject matter of those pages. The newspaper's website
94 | must contain a search function to facilitate searching the legal
95 | notices. A fee may not be charged, and registration may not be
96 | required, for viewing or searching legal notices on a
97 | newspaper's website if the legal notice is published in a
98 | newspaper.

99 | (3) (a) If a legal notice is published in a newspaper, the
100 | newspaper publishing the notice shall place the notice on the

101 statewide website established and maintained as an initiative of
102 the Florida Press Association as a repository for such notices
103 located at the following address: www.floridapublicnotices.com.

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

106 1. Accessible and searchable by party name and case
107 number.

108 2. Posted for a period of at least 90 consecutive days
109 after the first day of posting.

110 (c) The statewide website created under this subsection
111 shall maintain a searchable archive of all legal notices posted
112 on the publicly accessible website ~~on or after October 1, 2014,~~
113 for 18 months after the first day of posting. Such searchable
114 archive shall be provided and accessible to the general public
115 without charge.

116 Section 4. Section 50.031, Florida Statutes, is amended to
117 read:

118 50.031 Newspapers in which legal notices and process may
119 be published.—If a governmental agency publishes a legal notice
120 in a newspaper, no notice or publication required to be
121 published ~~in a newspaper~~ in the nature of or in lieu of process
122 of any kind, nature, character or description provided for under
123 any law of the state, whether heretofore or hereafter enacted,
124 and whether pertaining to constructive service, or the
125 initiating, assuming, reviewing, exercising or enforcing

126 jurisdiction or power, by any court in this state, or any notice
127 of sale of property, real or personal, for taxes, state, county
128 or municipal, or sheriff's, guardian's or administrator's or any
129 sale made pursuant to any judicial order, decree or statute or
130 any other publication or notice pertaining to any affairs of the
131 state, or any county, municipality or other political
132 subdivision thereof, shall be deemed to have been published in
133 accordance with the statutes providing for such publication,
134 unless the same shall have been published for the prescribed
135 period of time required for such publication, in a newspaper
136 which at the time of such publication shall have been in
137 existence for 1 year and shall have been entered as periodicals
138 matter at a post office in the county where published, or in a
139 newspaper which is a direct successor of a newspaper which
140 together have been so published; provided, however, that nothing
141 herein contained shall apply where in any county there shall be
142 no newspaper in existence which shall have been published for
143 the length of time above prescribed. No legal publication of any
144 kind, nature or description, as herein defined, shall be valid
145 or binding or held to be in compliance with the statutes
146 providing for such publication unless the same shall have been
147 published in accordance with the provisions of this section or
148 s. 50.0311. Proof of such publication shall be made by uniform
149 affidavit.

150 Section 5. Section 50.0311, Florida Statutes, is created

151 to read:

152 50.0311 Publication of advertisements and public notices
153 on a publicly accessible website and governmental access
154 channels.-

155 (1) For purposes of this chapter, "governmental agency"
156 means a county, municipality, school board, or other unit of
157 local government or political subdivision in this state.

158 (2) For purposes of notices and advertisements required
159 under s. 50.11, the term "publicly accessible website" means a
160 governmental agency's official website or other private website
161 designated by the governmental agency for the posting of legal
162 notices and advertisements that is accessible via the Internet.
163 All advertisements and public notices published on a website as
164 provided in this chapter must be in searchable form.

165 (3) "Fiscally constrained county" means a county within a
166 rural area of opportunity as designated by the Governor pursuant
167 to s. 288.0656 or a county for which the value of a mill will
168 raise no more than \$5 million in revenue, based on the certified
169 school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,
170 from the previous July 1.

171 (4) A governmental agency in a county that is not a
172 fiscally constrained county may use a publicly accessible
173 website to publish legally required advertisements and public
174 notices if the cost of publishing advertisements and public
175 notices on a website is less than the cost of publishing

176 advertisements and public notices in a newspaper.

177 (5) A governmental agency in a fiscally constrained county
178 may use a publicly accessible website to publish legally
179 required advertisements and public notices only if the
180 governmental agency, after a public hearing which has been
181 noticed in a newspaper as provided in this chapter, makes a
182 determination of the following:

183 (a) Publishing advertisements and public notices on a
184 publicly accessible website is in the public interest.

185 (b) The cost of publishing advertisements and public
186 notices on a publicly accessible website is less than the cost
187 of publishing advertisements and public notices in a newspaper.

188 (c) The residents of the county have sufficient access to
189 the Internet by broadband service as defined in s. 364.02(2) or
190 any other means such that publishing advertisements and public
191 notices on a publicly accessible website will not unreasonably
192 restrict public access.

193 (6) A governmental agency that uses a publicly accessible
194 website to publish legally required advertisements and public
195 notices shall provide notice at least once per year in a
196 newspaper of general circulation or another publication that is
197 mailed or delivered to all residents and property owners
198 throughout the government's jurisdiction, indicating that
199 property owners and residents may receive legally required
200 advertisements and public notices from the government agency by

201 first-class mail or e-mail upon registering their name and
202 address or e-mail address with the governmental agency. The
203 governmental agency shall maintain a registry of names,
204 addresses, and e-mail addresses of property owners and residents
205 who request in writing that they receive legally required
206 advertisements and public notices from the governmental agency
207 by first-class mail or e-mail.

208 (7) A link to advertisements and public notices published
209 on a publicly accessible website shall be conspicuously placed
210 on the website's homepage or accessible through a direct link
211 from the homepage. Each advertisement or public notice shall
212 indicate the date on which the advertisement or public notice
213 was first published on the publicly accessible website.

214 (8) A governmental agency that has a governmental access
215 channel authorized under s. 610.109 may also include on its
216 governmental access channel a summary of all advertisements and
217 public notices that are posted on its publicly accessible
218 website.

219 Section 6. Section 50.041, Florida Statutes, is amended to
220 read:

221 50.041 Proof of publication; uniform affidavits required.—

222 (1) All affidavits ~~of publishers of newspapers (or their~~
223 ~~official representatives)~~ made for the purpose of establishing
224 proof of publication of public notices or legal advertisements
225 shall be uniform throughout the state.

226 (2) Each such affidavit shall be printed upon white paper
 227 and shall be 8 1/2 inches in width and of convenient length, not
 228 less than 5 1/2 inches. A white margin of not less than 2 1/2
 229 inches shall be left at the right side of each affidavit form
 230 and upon or in this space shall be substantially pasted a
 231 clipping which shall be a true copy of the public notice or
 232 legal advertisement for which proof is executed. Alternatively,
 233 the affidavit may be provided in electronic rather than paper
 234 form, provided the notarization of the affidavit complies with
 235 the requirements of s. 117.021.

236 (3) ~~In all counties having a population in excess of~~
 237 ~~450,000 according to the latest official decennial census, in~~
 238 ~~addition to the charges which are now or may hereafter be~~
 239 ~~established by law for the publication of every official notice~~
 240 ~~or legal advertisement,~~ There may be a charge not to exceed \$2
 241 levied for the preparation and execution of each such proof of
 242 publication or ~~publisher's~~ affidavit.

243 Section 7. Section 50.051, Florida Statutes, is amended to
 244 read:

245 50.051 Proof of publication; form of uniform affidavit.—
 246 The printed form upon which all such affidavits establishing
 247 proof of publication are to be executed shall be substantially
 248 as follows:

249 NAME OF COUNTY ~~NEWSPAPER~~
 250 ~~Published (Weekly or Daily)~~

251 ~~(Town or City)~~ ~~(County)~~ FLORIDA
 252 STATE OF FLORIDA
 253 COUNTY OF:
 254 Before the undersigned authority personally appeared,
 255 who on oath says that he or she is of ~~the, a~~
 256 ~~newspaper published at in~~ County, Florida; that the
 257 attached copy of advertisement, being a in the matter of
 258 in the Court, was published on the publicly accessible
 259 website of the governmental agency or in a ~~said~~ newspaper. ~~in~~
 260 ~~the issues of~~
 261 Affiant further says that the website or newspaper complies
 262 with all legal requirements for publication in chapter 50,
 263 Florida Statutes. ~~said is a newspaper published at, in~~
 264 ~~said County, Florida, and that the said newspaper has~~
 265 ~~heretofore been continuously published in said County,~~
 266 ~~Florida, each and has been entered as periodicals matter at~~
 267 ~~the post office in, in said County, Florida, for a~~
 268 ~~period of 1 year next preceding the first publication of the~~
 269 ~~attached copy of advertisement; and affiant further says that he~~
 270 ~~or she has neither paid nor promised any person, firm or~~
 271 ~~corporation any discount, rebate, commission or refund for the~~
 272 ~~purpose of securing this advertisement for publication in the~~
 273 ~~said newspaper.~~
 274 Sworn to and subscribed before me this day of,
 275 ... (year) ..., by, who is personally known to me or who has

276 | produced (type of identification) as identification.
 277 | ... (Signature of Notary Public) ...
 278 | ... (Print, Type, or Stamp Commissioned Name of Notary Public) ...
 279 | ... (Notary Public) ...

280 | Section 8. Section 50.0711, Florida Statutes, is amended
 281 | to read:

282 | 50.0711 Court docket fund; service charges; publications.—

283 | (1) The clerk of the court in each county may establish a
 284 | court docket fund for the purpose of paying the cost of
 285 | publication of the fact of the filing of any civil case in the
 286 | circuit court of the county by the style and of the calendar
 287 | relating to such cases. This court docket fund shall be funded
 288 | by \$1 mandatory court cost for all civil actions, suits, or
 289 | proceedings filed in the circuit court of the county. The clerk
 290 | shall maintain such funds separate and apart, and the proceeds
 291 | from this court cost shall not be diverted to any other fund or
 292 | for any purpose other than that established in this section. The
 293 | clerk of the court shall dispense the fund to the designated
 294 | publicly accessible website publisher or record newspaper in the
 295 | county on a quarterly basis.

296 | (2) If a judicial circuit publishes legal notices in a
 297 | newspaper, a newspaper qualified under the terms of s. 50.011
 298 | shall be designated as the record newspaper for such publication
 299 | by an order of the majority of the judges in the judicial
 300 | circuit in which such county is located, and such order shall be

301 filed and recorded with the clerk of the circuit court for such
 302 county. The designated record newspaper may be changed at the
 303 end of any fiscal year of the county by a majority vote of the
 304 judges of the judicial circuit of the county ordering such
 305 change 30 days prior to the end of the fiscal year, notice of
 306 which order shall be given to the previously designated record
 307 newspaper.

308 (3) The publicly accessible website publisher or
 309 publishers of any designated record newspapers receiving payment
 310 from this court docket fund shall publish, without additional
 311 charge, the fact of the filing of any civil case, suit, or
 312 action filed in such county in the circuit. Such publication
 313 shall be in accordance with a schedule agreed upon between the
 314 website publisher or record newspaper and the clerk of the court
 315 in such county.

316 (4) The publicly accessible website publisher or
 317 publishers of any designated record newspapers receiving
 318 revenues from the court docket fund established in subsection
 319 (1) shall, without charge, accept legal advertisements for the
 320 purpose of service of process by publication under s. 49.011(4),
 321 (10), and (11) when such publication is required of persons
 322 authorized to proceed as indigent persons under s. 57.081.

323 Section 9. Subsection (4) of section 83.806, Florida
 324 Statutes, is amended to read:

325 83.806 Enforcement of lien.—An owner's lien as provided in

326 s. 83.805 may be satisfied as follows:

327 (4) After the expiration of the time given in the notice,
328 an advertisement of the sale or other disposition shall be
329 published once a week for 2 consecutive weeks in a newspaper of
330 general circulation in the area where the self-service storage
331 facility or self-contained storage unit is located or published
332 continuously for 14 consecutive days on a public website that
333 customarily conducts personal property auctions.

334 (a) A lien sale may be conducted on a public website that
335 customarily conducts personal property auctions. The facility or
336 unit owner is not required to hold a license to post property
337 for online sale. Inasmuch as any sale may involve property of
338 more than one tenant, a single advertisement may be used to
339 dispose of property at any one sale.

340 (b) The advertisement shall include:

341 1. A brief and general description of what is believed to
342 constitute the personal property contained in the storage unit,
343 as provided in paragraph (2) (b).

344 2. The address of the self-service storage facility or the
345 address where the self-contained storage unit is located and the
346 name of the tenant.

347 3. The time, place, and manner of the sale or other
348 disposition. The sale or other disposition shall take place at
349 least 15 days after the first publication.

350 (c) If there is no newspaper of general circulation in the

351 area where the self-service storage facility or self-contained
352 storage unit is located, the advertisement shall be posted at
353 least 10 days before the date of the sale or other disposition
354 in at least three conspicuous places in the neighborhood where
355 the self-service storage facility or self-contained storage unit
356 is located or published continuously for 14 consecutive days on
357 a public website that customarily conducts personal property
358 auctions.

359 Section 10. Section 11.02, Florida Statutes, is amended to
360 read:

361 11.02 Notice of special or local legislation or certain
362 relief acts.—The notice required to obtain special or local
363 legislation or any relief act specified in s. 11.065 shall be by
364 publishing the identical notice ~~in each county involved in some~~
365 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~
366 circulated throughout the county or counties where the matter or
367 thing to be affected by such legislation shall be situated one
368 time at least 30 days before introduction of the proposed law
369 into the Legislature or, if the notice is not posted on a
370 publicly accessible website as provided in chapter 50 and there
371 being no newspaper circulated throughout or published in the
372 county, by posting for at least 30 days at not less than three
373 public places in the county or each of the counties, one of
374 which places shall be at the courthouse in the county or
375 counties where the matter or thing to be affected by such

376 | legislation shall be situated. Notice of special or local
377 | legislation shall state the substance of the contemplated law,
378 | as required by s. 10, Art. III of the State Constitution. Notice
379 | of any relief act specified in s. 11.065 shall state the name of
380 | the claimant, the nature of the injury or loss for which the
381 | claim is made, and the amount of the claim against the affected
382 | municipality's revenue-sharing trust fund.

383 | Section 11. Subsection (2) of section 45.031, Florida
384 | Statutes, is amended to read:

385 | 45.031 Judicial sales procedure.—In any sale of real or
386 | personal property under an order or judgment, the procedures
387 | provided in this section and ss. 45.0315-45.035 may be followed
388 | as an alternative to any other sale procedure if so ordered by
389 | the court.

390 | (2) PUBLICATION OF SALE.—Notice of sale shall be published
391 | on a publicly accessible website for at least 2 consecutive
392 | weeks before the sale or once a week for 2 consecutive weeks in
393 | a newspaper of general circulation, as provided ~~defined~~ in
394 | chapter 50, published in the county where the sale is to be
395 | held. The second publication by newspaper shall be at least 5
396 | days before the sale. The notice shall contain:

- 397 | (a) A description of the property to be sold.
398 | (b) The time and place of sale.
399 | (c) A statement that the sale will be made pursuant to the
400 | order or final judgment.

- 401 (d) The caption of the action.
- 402 (e) The name of the clerk making the sale.
- 403 (f) A statement that any person claiming an interest in
 404 the surplus from the sale, if any, other than the property owner
 405 as of the date of the lis pendens must file a claim before the
 406 clerk reports the surplus as unclaimed.

407

408 The court, in its discretion, may enlarge the time of the sale.
 409 Notice of the changed time of sale shall be published as
 410 provided herein.

411 Section 12. Subsection (2) of section 121.0511, Florida
 412 Statutes, is amended to read:

413 121.0511 Revocation of election and alternative plan.—The
 414 governing body of any municipality or independent special
 415 district that has elected to participate in the Florida
 416 Retirement System may revoke its election in accordance with the
 417 following procedure:

418 (2) At least 7 days, but not more than 15 days, before the
 419 hearing, notice of intent to revoke, specifying the time and
 420 place of the hearing, must be published as provided in chapter
 421 50 in a newspaper of general circulation in the area affected,
 422 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the
 423 notice must be submitted to the Department of Management
 424 Services.

425 Section 13. Paragraphs (b) and (h) of subsection (1) of

426 section 121.055, Florida Statutes, are amended to read:

427 121.055 Senior Management Service Class.—There is hereby
428 established a separate class of membership within the Florida
429 Retirement System to be known as the "Senior Management Service
430 Class," which shall become effective February 1, 1987.

431 (1)

432 (b)1. Except as provided in subparagraph 2., effective
433 January 1, 1990, participation in the Senior Management Service
434 Class is compulsory for the president of each community college,
435 the manager of each participating municipality or county, and
436 all appointed district school superintendents. Effective January
437 1, 1994, additional positions may be designated for inclusion in
438 the Senior Management Service Class if:

439 a. Positions to be included in the class are designated by
440 the local agency employer. Notice of intent to designate
441 positions for inclusion in the class must be published for at
442 least 2 consecutive weeks if published on a publicly accessible
443 website or once a week for 2 consecutive weeks in a newspaper of
444 general circulation published in the county or counties
445 affected~~7~~ as provided in chapter 50.

446 b. Up to 10 nonelective full-time positions may be
447 designated for each local agency employer reporting to the
448 department; for local agencies with 100 or more regularly
449 established positions, additional nonelective full-time
450 positions may be designated, not to exceed 1 percent of the

451 regularly established positions within the agency.

452 c. Each position added to the class must be a managerial
453 or policymaking position filled by an employee who is not
454 subject to continuing contract and serves at the pleasure of the
455 local agency employer without civil service protection, and who:

456 (I) Heads an organizational unit; or

457 (II) Has responsibility to effect or recommend personnel,
458 budget, expenditure, or policy decisions in his or her areas of
459 responsibility.

460 2. In lieu of participation in the Senior Management
461 Service Class, members of the Senior Management Service Class,
462 pursuant to subparagraph 1., may withdraw from the Florida
463 Retirement System altogether. The decision to withdraw from the
464 system is irrevocable as long as the employee holds the
465 position. Any service creditable under the Senior Management
466 Service Class shall be retained after the member withdraws from
467 the system; however, additional service credit in the Senior
468 Management Service Class may not be earned after such
469 withdrawal. Such members are not eligible to participate in the
470 Senior Management Service Optional Annuity Program.

471 3. Effective January 1, 2006, through June 30, 2006, an
472 employee who has withdrawn from the Florida Retirement System
473 under subparagraph 2. has one opportunity to elect to
474 participate in the pension plan or the investment plan.

475 a. If the employee elects to participate in the investment

476 plan, membership shall be prospective, and the applicable
477 provisions of s. 121.4501(4) govern the election.

478 b. If the employee elects to participate in the pension
479 plan, the employee shall, upon payment to the system trust fund
480 of the amount calculated under sub-sub-subparagraph (I), receive
481 service credit for prior service based upon the time during
482 which the employee had withdrawn from the system.

483 (I) The cost for such credit shall be an amount
484 representing the actuarial accrued liability for the affected
485 period of service. The cost shall be calculated using the
486 discount rate and other relevant actuarial assumptions that were
487 used to value the pension plan liabilities in the most recent
488 actuarial valuation. The calculation must include any service
489 already maintained under the pension plan in addition to the
490 period of withdrawal. The actuarial accrued liability
491 attributable to any service already maintained under the pension
492 plan shall be applied as a credit to the total cost resulting
493 from the calculation. The division must ensure that the transfer
494 sum is prepared using a formula and methodology certified by an
495 actuary.

496 (II) The employee must transfer a sum representing the net
497 cost owed for the actuarial accrued liability in sub-sub-
498 subparagraph (I) immediately following the time of such
499 movement, determined assuming that attained service equals the
500 sum of service in the pension plan and the period of withdrawal.

501 (h)1. Except as provided in subparagraph 3., effective
502 January 1, 1994, participation in the Senior Management Service
503 Class shall be compulsory for the State Courts Administrator and
504 the Deputy State Courts Administrators, the Clerk of the Supreme
505 Court, the Marshal of the Supreme Court, the Executive Director
506 of the Justice Administrative Commission, the capital collateral
507 regional counsel, the clerks of the district courts of appeals,
508 the marshals of the district courts of appeals, and the trial
509 court administrator and the Chief Deputy Court Administrator in
510 each judicial circuit. Effective January 1, 1994, additional
511 positions in the offices of the state attorney and public
512 defender in each judicial circuit may be designated for
513 inclusion in the Senior Management Service Class of the Florida
514 Retirement System, provided that:

515 a. Positions to be included in the class shall be
516 designated by the state attorney or public defender, as
517 appropriate. Notice of intent to designate positions for
518 inclusion in the class shall be published for at least 2
519 consecutive weeks if published on a publicly accessible website
520 or once a week for 2 consecutive weeks in a newspaper of general
521 circulation published in the county or counties affected, as
522 provided in chapter 50.

523 b. One nonelective full-time position may be designated
524 for each state attorney and public defender reporting to the
525 Department of Management Services; for agencies with 200 or more

526 regularly established positions under the state attorney or
527 public defender, additional nonelective full-time positions may
528 be designated, not to exceed 0.5 percent of the regularly
529 established positions within the agency.

530 c. Each position added to the class must be a managerial
531 or policymaking position filled by an employee who serves at the
532 pleasure of the state attorney or public defender without civil
533 service protection, and who:

534 (I) Heads an organizational unit; or

535 (II) Has responsibility to effect or recommend personnel,
536 budget, expenditure, or policy decisions in his or her areas of
537 responsibility.

538 2. Participation in this class shall be compulsory, except
539 as provided in subparagraph 3., for any judicial employee who
540 holds a position designated for coverage in the Senior
541 Management Service Class, and such participation shall continue
542 until the employee terminates employment in a covered position.
543 Effective January 1, 2001, participation in this class is
544 compulsory for assistant state attorneys, assistant statewide
545 prosecutors, assistant public defenders, and assistant capital
546 collateral regional counsel. Effective January 1, 2002,
547 participation in this class is compulsory for assistant
548 attorneys general.

549 3. In lieu of participation in the Senior Management
550 Service Class, such members, excluding assistant state

551 attorneys, assistant public defenders, assistant statewide
552 prosecutors, assistant attorneys general, and assistant capital
553 collateral regional counsel, may participate in the Senior
554 Management Service Optional Annuity Program as established in
555 subsection (6).

556 Section 14. Paragraph (a) of subsection (2) and paragraph
557 (b) of subsection (4) of section 125.66, Florida Statutes, are
558 amended to read:

559 125.66 Ordinances; enactment procedure; emergency
560 ordinances; rezoning or change of land use ordinances or
561 resolutions.—

562 (2) (a) The regular enactment procedure shall be as
563 follows: The board of county commissioners at any regular or
564 special meeting may enact or amend any ordinance, except as
565 provided in subsection (4), if notice of intent to consider such
566 ordinance is given at least 10 days prior to said meeting by
567 publication as provided in chapter 50 ~~in a newspaper of general~~
568 ~~circulation in the county~~. A copy of such notice shall be kept
569 available for public inspection during the regular business
570 hours of the office of the clerk of the board of county
571 commissioners. The notice of proposed enactment shall state the
572 date, time, and place of the meeting; the title or titles of
573 proposed ordinances; and the place or places within the county
574 where such proposed ordinances may be inspected by the public.
575 The notice shall also advise that interested parties may appear

576 at the meeting and be heard with respect to the proposed
577 ordinance.

578 (4) Ordinances or resolutions, initiated by other than the
579 county, that change the actual zoning map designation of a
580 parcel or parcels of land shall be enacted pursuant to
581 subsection (2). Ordinances or resolutions that change the actual
582 list of permitted, conditional, or prohibited uses within a
583 zoning category, or ordinances or resolutions initiated by the
584 county that change the actual zoning map designation of a parcel
585 or parcels of land shall be enacted pursuant to the following
586 procedure:

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

593 1. The board of county commissioners shall hold two
594 advertised public hearings on the proposed ordinance or
595 resolution. At least one hearing shall be held after 5 p.m. on a
596 weekday, unless the board of county commissioners, by a majority
597 plus one vote, elects to conduct that hearing at another time of
598 day. The first public hearing shall be held at least 7 days
599 after the day that the first advertisement is published. The
600 second hearing shall be held at least 10 days after the first

601 hearing and shall be advertised at least 5 days prior to the
 602 public hearing.

603 2. If published in a newspaper, the required
 604 advertisements shall be no less than 2 columns wide by 10 inches
 605 long in a standard size or a tabloid size newspaper, and the
 606 headline in the advertisement shall be in a type no smaller than
 607 18 point. The advertisement shall not be placed in that portion
 608 of the newspaper where legal notices and classified
 609 advertisements appear. The advertisement shall be placed in a
 610 newspaper ~~of general paid circulation~~ in the county and of
 611 general interest and readership in the community pursuant to
 612 chapter 50, not one of limited subject matter. It is the
 613 legislative intent that, whenever possible, the advertisement
 614 shall appear in a newspaper that is published at least weekly 5
 615 ~~days a week~~ unless the only newspaper in the community is
 616 published less than weekly 5 ~~days a week~~. The advertisement
 617 shall be in substantially the following form:

618 NOTICE OF (TYPE OF) CHANGE

619 The ...(name of local governmental unit)... proposes to
 620 adopt the following by ordinance or resolution:...(title of
 621 ordinance or resolution)....

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

624 Except for amendments which change the actual list of permitted,
 625 conditional, or prohibited uses within a zoning category, the

626 advertisement shall contain a geographic location map which
627 clearly indicates the area within the local government covered
628 by the proposed ordinance or resolution. The map shall include
629 major street names as a means of identification of the general
630 area. In addition to being published on a publicly accessible
631 website or in the newspaper, the map must be part of the online
632 notice required pursuant to s. 50.0211 or s. 50.0311.

633 3. In lieu of publishing the advertisements set out in
634 this paragraph, the board of county commissioners may mail a
635 notice to each person owning real property within the area
636 covered by the ordinance or resolution. Such notice shall
637 clearly explain the proposed ordinance or resolution and shall
638 notify the person of the time, place, and location of both
639 public hearings on the proposed ordinance or resolution.

640 Section 15. Paragraph (a) of subsection (2) of section
641 162.12, Florida Statutes, is amended to read:

642 162.12 Notices.—

643 (2) In addition to providing notice as set forth in
644 subsection (1), at the option of the code enforcement board or
645 the local government, notice may be served by publication or
646 posting, as follows:

647 (a)1. Such notice shall be published for 4 consecutive
648 weeks on a publicly accessible website as provided in chapter 50
649 or once during each week for 4 consecutive weeks (four
650 publications being sufficient) in a newspaper of general

651 circulation in the county where the code enforcement board is
652 located. The newspaper shall meet such requirements as are
653 prescribed under chapter 50 for legal and official
654 advertisements.

655 2. Proof of publication shall be made as provided in ss.
656 50.041 and 50.051.

657 Section 16. Paragraph (c) of subsection (3) of section
658 166.041, Florida Statutes, is amended to read:

659 166.041 Procedures for adoption of ordinances and
660 resolutions.—

661 (3)

662 (c) Ordinances initiated by other than the municipality
663 that change the actual zoning map designation of a parcel or
664 parcels of land shall be enacted pursuant to paragraph (a).
665 Ordinances that change the actual list of permitted,
666 conditional, or prohibited uses within a zoning category, or
667 ordinances initiated by the municipality that change the actual
668 zoning map designation of a parcel or parcels of land shall be
669 enacted pursuant to the following procedure:

670 1. In cases in which the proposed ordinance changes the
671 actual zoning map designation for a parcel or parcels of land
672 involving less than 10 contiguous acres, the governing body
673 shall direct the clerk of the governing body to notify by mail
674 each real property owner whose land the municipality will
675 redesignate by enactment of the ordinance and whose address is

676 known by reference to the latest ad valorem tax records. The
677 notice shall state the substance of the proposed ordinance as it
678 affects that property owner and shall set a time and place for
679 one or more public hearings on such ordinance. Such notice shall
680 be given at least 30 days prior to the date set for the public
681 hearing, and a copy of the notice shall be kept available for
682 public inspection during the regular business hours of the
683 office of the clerk of the governing body. The governing body
684 shall hold a public hearing on the proposed ordinance and may,
685 upon the conclusion of the hearing, immediately adopt the
686 ordinance.

687 2. In cases in which the proposed ordinance changes the
688 actual list of permitted, conditional, or prohibited uses within
689 a zoning category, or changes the actual zoning map designation
690 of a parcel or parcels of land involving 10 contiguous acres or
691 more, the governing body shall provide for public notice and
692 hearings as follows:

693 a. The local governing body shall hold two advertised
694 public hearings on the proposed ordinance. At least one hearing
695 shall be held after 5 p.m. on a weekday, unless the local
696 governing body, by a majority plus one vote, elects to conduct
697 that hearing at another time of day. The first public hearing
698 shall be held at least 7 days after the day that the first
699 advertisement is published. The second hearing shall be held at
700 least 10 days after the first hearing and shall be advertised at

701 least 5 days prior to the public hearing.

702 b. If published in a newspaper, the required
703 advertisements shall be no less than 2 columns wide by 10 inches
704 long in a standard size or a tabloid size newspaper, and the
705 headline in the advertisement shall be in a type no smaller than
706 18 point. The advertisement shall not be placed in that portion
707 of the newspaper where legal notices and classified
708 advertisements appear. The advertisement shall be placed in a
709 newspaper ~~of general paid circulation~~ in the municipality and of
710 general interest and readership in the municipality, not one of
711 limited subject matter, pursuant to chapter 50. It is the
712 legislative intent that, whenever possible, the advertisement
713 appear in a newspaper that is published at least weekly ~~5 days a~~
714 ~~week~~ unless the only newspaper in the municipality is published
715 less than weekly ~~5 days a week~~. The advertisement shall be in
716 substantially the following form:

717 NOTICE OF (TYPE OF) CHANGE

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

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

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

726 The map shall include major street names as a means of
 727 identification of the general area. If ~~In addition to being~~
 728 published in the newspaper, the map must also be part of the
 729 online notice required pursuant to s. 50.0211 or s. 50.0311.

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

736 Section 17. Subsection (1) of section 189.015, Florida
 737 Statutes, is amended to read:

738 189.015 Meetings; notice; required reports.—

739 (1) The governing body of each special district shall file
 740 quarterly, semiannually, or annually a schedule of its regular
 741 meetings with the local governing authority or authorities. The
 742 schedule shall include the date, time, and location of each
 743 scheduled meeting. The schedule shall be published quarterly,
 744 semiannually, or annually ~~in a newspaper of general paid~~
 745 ~~circulation~~ in the manner required in this subsection. The
 746 governing body of an independent special district shall
 747 advertise the day, time, place, and purpose of any meeting other
 748 than a regular meeting or any recessed and reconvened meeting of
 749 the governing body, at least 7 days before such meeting as
 750 provided in chapter 50, ~~in a newspaper of general paid~~

751 ~~circulation in the county or counties in which the special~~
752 ~~district is located,~~ unless a bona fide emergency situation
753 exists, in which case a meeting to deal with the emergency may
754 be held as necessary, with reasonable notice, so long as it is
755 subsequently ratified by the governing body. No approval of the
756 annual budget shall be granted at an emergency meeting. The
757 notice shall be posted as provided in ~~advertisement shall be~~
758 ~~placed in that portion of the newspaper where legal notices and~~
759 ~~classified advertisements appear. The advertisement shall appear~~
760 ~~in a newspaper that is published at least 5 days a week, unless~~
761 ~~the only newspaper in the county is published fewer than 5 days~~
762 ~~a week. The newspaper selected must be one of general interest~~
763 ~~and readership in the community and not one of limited subject~~
764 ~~matter, pursuant to chapter 50. Any other provision of law to~~
765 the contrary notwithstanding, and except in the case of
766 emergency meetings, water management districts may provide
767 reasonable notice of public meetings held to evaluate responses
768 to solicitations issued by the water management district, by
769 publication as provided in chapter 50 on a publicly accessible
770 website or in a newspaper ~~of general paid circulation~~ in the
771 county where the principal office of the water management
772 district is located, or in the county or counties where the
773 public work will be performed, no less than 7 days before such
774 meeting.

775 Section 18. Paragraph (d) of subsection (1) of section

776 190.005, Florida Statutes, is amended to read:

777 190.005 Establishment of district.—

778 (1) The exclusive and uniform method for the establishment
779 of a community development district with a size of 2,500 acres
780 or more shall be pursuant to a rule, adopted under chapter 120
781 by the Florida Land and Water Adjudicatory Commission, granting
782 a petition for the establishment of a community development
783 district.

784 (d) A local public hearing on the petition shall be
785 conducted by a hearing officer in conformance with the
786 applicable requirements and procedures of the Administrative
787 Procedure Act. The hearing shall include oral and written
788 comments on the petition pertinent to the factors specified in
789 paragraph (e). The hearing shall be held at an accessible
790 location in the county in which the community development
791 district is to be located. The petitioner shall cause a notice
792 of the hearing to be published for 4 successive weeks on a
793 publicly accessible website or in a newspaper at least once a
794 week for the 4 successive weeks immediately prior to the hearing
795 as provided in chapter 50. Such notice shall give the time and
796 place for the hearing, a description of the area to be included
797 in the district, which description shall include a map showing
798 clearly the area to be covered by the district, and any other
799 relevant information which the establishing governing bodies may
800 require. If published in a newspaper, the advertisement shall

801 not be placed in that portion of the newspaper where legal
802 notices and classified advertisements appear. The advertisement
803 shall be published in a newspaper ~~of general paid circulation~~ in
804 the county and of general interest and readership in the
805 community, not one of limited subject matter, pursuant to
806 chapter 50. Whenever possible, the advertisement shall appear in
807 a newspaper that is published at least weekly ~~5 days a week~~,
808 unless the only newspaper in the community is published less
809 than weekly ~~fewer than 5 days a week~~. ~~If In addition to being~~
810 published in the newspaper, the map referenced above must also
811 be part of the online advertisement required pursuant to s.
812 50.0211 or s. 50.0311. All affected units of general-purpose
813 local government and the general public shall be given an
814 opportunity to appear at the hearing and present oral or written
815 comments on the petition.

816 Section 19. Paragraph (h) of subsection (1) of section
817 190.046, Florida Statutes, is amended to read:

818 190.046 Termination, contraction, or expansion of
819 district.—

820 (1) A landowner or the board may petition to contract or
821 expand the boundaries of a community development district in the
822 following manner:

823 (h) For a petition to establish a new community
824 development district of less than 2,500 acres on land located
825 solely in one county or one municipality, sufficiently

826 contiguous lands located within the county or municipality which
827 the petitioner anticipates adding to the boundaries of the
828 district within 10 years after the effective date of the
829 ordinance establishing the district may also be identified. If
830 such sufficiently contiguous land is identified, the petition
831 must include a legal description of each additional parcel
832 within the sufficiently contiguous land, the current owner of
833 the parcel, the acreage of the parcel, and the current land use
834 designation of the parcel. At least 14 days before the hearing
835 required under s. 190.005(2)(b), the petitioner must give the
836 current owner of each such parcel notice of filing the petition
837 to establish the district, the date and time of the public
838 hearing on the petition, and the name and address of the
839 petitioner. A parcel may not be included in the district without
840 the written consent of the owner of the parcel.

841 1. After establishment of the district, a person may
842 petition the county or municipality to amend the boundaries of
843 the district to include a previously identified parcel that was
844 a proposed addition to the district before its establishment. A
845 filing fee may not be charged for this petition. Each such
846 petition must include:

847 a. A legal description by metes and bounds of the parcel
848 to be added;

849 b. A new legal description by metes and bounds of the
850 district;

851 c. Written consent of all owners of the parcel to be
852 added;

853 d. A map of the district including the parcel to be added;

854 e. A description of the development proposed on the
855 additional parcel; and

856 f. A copy of the original petition identifying the parcel
857 to be added.

858 2. Before filing with the county or municipality, the
859 person must provide the petition to the district and to the
860 owner of the proposed additional parcel, if the owner is not the
861 petitioner.

862 3. Once the petition is determined sufficient and
863 complete, the county or municipality must process the addition
864 of the parcel to the district as an amendment to the ordinance
865 that establishes the district. The county or municipality may
866 process all petitions to amend the ordinance for parcels
867 identified in the original petition, even if, by adding such
868 parcels, the district exceeds 2,500 acres.

869 4. The petitioner shall cause to be published in a
870 newspaper of general circulation in the proposed district a
871 notice of the intent to amend the ordinance that establishes the
872 district. The notice must be in addition to any notice required
873 for adoption of the ordinance amendment. Such notice must be
874 published as provided in chapter 50 at least 10 days before the
875 scheduled hearing on the ordinance amendment ~~and may be~~

876 ~~published in the section of the newspaper reserved for legal~~
877 ~~notices.~~ The notice must include a general description of the
878 land to be added to the district and the date and time of the
879 scheduled hearing to amend the ordinance. The petitioner shall
880 deliver, including by mail or hand delivery, the notice of the
881 hearing on the ordinance amendment to the owner of the parcel
882 and to the district at least 14 days before the scheduled
883 hearing.

884 5. The amendment of a district by the addition of a parcel
885 pursuant to this paragraph does not alter the transition from
886 landowner voting to qualified elector voting pursuant to s.
887 190.006, even if the total size of the district after the
888 addition of the parcel exceeds 5,000 acres. Upon adoption of the
889 ordinance expanding the district, the petitioner must cause to
890 be recorded a notice of boundary amendment which reflects the
891 new boundaries of the district.

892 6. This paragraph is intended to facilitate the orderly
893 addition of lands to a district under certain circumstances and
894 does not preclude the addition of lands to any district using
895 the procedures in the other provisions of this section.

896 Section 20. Subsection (1) of section 194.037, Florida
897 Statutes, is amended to read:

898 194.037 Disclosure of tax impact.—

899 (1) After hearing all petitions, complaints, appeals, and
900 disputes, the clerk shall make public notice of the findings and

901 results of the board as provided in chapter 50. If published in
902 a newspaper, the notice must be in at least a quarter-page size
903 advertisement of a standard size or tabloid size newspaper, and
904 the headline shall be in a type no smaller than 18 point. The
905 advertisement shall not be placed in that portion of the
906 newspaper where legal notices and classified advertisements
907 appear. The advertisement shall be published in a newspaper ~~of~~
908 ~~general paid circulation~~ in the county. The newspaper selected
909 shall be one of general interest and readership in the
910 community, and not one of limited subject matter, pursuant to
911 chapter 50. For all advertisements published pursuant to this
912 section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT
913 BOARD. The public notice shall list the members of the value
914 adjustment board and the taxing authorities to which they are
915 elected. The form shall show, in columnar form, for each of the
916 property classes listed under subsection (2), the following
917 information, with appropriate column totals:

918 (a) In the first column, the number of parcels for which
919 the board granted exemptions that had been denied or that had
920 not been acted upon by the property appraiser.

921 (b) In the second column, the number of parcels for which
922 petitions were filed concerning a property tax exemption.

923 (c) In the third column, the number of parcels for which
924 the board considered the petition and reduced the assessment
925 from that made by the property appraiser on the initial

926 assessment roll.

927 (d) In the fourth column, the number of parcels for which
 928 petitions were filed but not considered by the board because
 929 such petitions were withdrawn or settled prior to the board's
 930 consideration.

931 (e) In the fifth column, the number of parcels for which
 932 petitions were filed requesting a change in assessed value,
 933 including requested changes in assessment classification.

934 (f) In the sixth column, the net change in taxable value
 935 from the assessor's initial roll which results from board
 936 decisions.

937 (g) In the seventh column, the net shift in taxes to
 938 parcels not granted relief by the board. The shift shall be
 939 computed as the amount shown in column 6 multiplied by the
 940 applicable millage rates adopted by the taxing authorities in
 941 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
 942 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
 943 Constitution, but without adjustment as authorized pursuant to
 944 s. 200.065(6). If for any taxing authority the hearing has not
 945 been completed at the time the notice required herein is
 946 prepared, the millage rate used shall be that adopted in the
 947 hearing held pursuant to s. 200.065(2)(c).

948 Section 21. Subsection (1) of section 197.402, Florida
 949 Statutes, is amended to read:

950 197.402 Advertisement of real or personal property with

951 delinquent taxes.—

952 (1) If advertisements are required, the board of county
 953 commissioners shall make such notice ~~select the newspaper~~ as
 954 provided in chapter 50. The tax collector shall pay all
 955 ~~newspaper~~ charges, and the proportionate cost of the
 956 advertisements shall be added to the delinquent taxes collected.

957 Section 22. Subsection (3) of section 200.065, Florida
 958 Statutes, is amended to read:

959 200.065 Method of fixing millage.—

960 (3) The advertisement shall be published as provided in
 961 chapter 50. If the advertisement is published by newspaper, the
 962 advertisement must be no less than one-quarter page in size of a
 963 standard size or a tabloid size newspaper, and the headline in
 964 the advertisement shall be in a type no smaller than 18 point.
 965 The advertisement shall not be placed in that portion of the
 966 newspaper where legal notices and classified advertisements
 967 appear. The advertisement shall be published in a newspaper ~~of~~
 968 ~~general paid circulation~~ in the county or in a geographically
 969 limited insert of such newspaper. The geographic boundaries in
 970 which such insert is circulated shall include the geographic
 971 boundaries of the taxing authority. It is the legislative intent
 972 that, whenever possible, the advertisement appear in a newspaper
 973 that is published at least weekly ~~5 days a week~~ unless the only
 974 newspaper in the county is published less than weekly ~~5 days a~~
 975 ~~week~~, or that the advertisement appear in a geographically

976 | limited insert of such newspaper which insert is published
 977 | throughout the taxing authority's jurisdiction at least twice
 978 | each week. It is further the legislative intent that the
 979 | newspaper selected be one of general interest and readership in
 980 | the community and not one of limited subject matter, pursuant to
 981 | chapter 50.

982 | (a) For taxing authorities other than school districts
 983 | which have tentatively adopted a millage rate in excess of 100
 984 | percent of the rolled-back rate computed pursuant to subsection
 985 | (1), the advertisement shall be in the following form:

986 | NOTICE OF PROPOSED TAX INCREASE

987 | The ...(name of the taxing authority)... has tentatively
 988 | adopted a measure to increase its property tax levy.

989 | Last year's property tax levy:

990 | A. Initially proposed tax levy.....\$XX,XXX,XXX

991 | B. Less tax reductions due to Value Adjustment Board and
 992 | other assessment changes.....(\$XX,XXX,XXX)

993 | C. Actual property tax levy.....\$XX,XXX,XXX

994 | This year's proposed tax levy.....\$XX,XXX,XXX

995 | All concerned citizens are invited to attend a public
 996 | hearing on the tax increase to be held on ...(date and time)...
 997 | at ...(meeting place)....

998 | A FINAL DECISION on the proposed tax increase and the
 999 | budget will be made at this hearing.

1000 | (b) In all instances in which the provisions of paragraph

1001 (a) are inapplicable for taxing authorities other than school
 1002 districts, the advertisement shall be in the following form:

1003 NOTICE OF BUDGET HEARING

1004 The ...(name of taxing authority)... has tentatively
 1005 adopted a budget for ...(fiscal year).... A public hearing to
 1006 make a FINAL DECISION on the budget AND TAXES will be held on
 1007 ...(date and time)... at ...(meeting place)....

1008 (c) For school districts which have proposed a millage
 1009 rate in excess of 100 percent of the rolled-back rate computed
 1010 pursuant to subsection (1) and which propose to levy nonvoted
 1011 millage in excess of the minimum amount required pursuant to s.
 1012 1011.60(6), the advertisement shall be in the following form:

1013 NOTICE OF PROPOSED TAX INCREASE

1014 The ...(name of school district)... will soon consider a
 1015 measure to increase its property tax levy.

1016 Last year's property tax levy:

1017 A. Initially proposed tax levy.....\$XX,XXX,XXX

1018 B. Less tax reductions due to Value Adjustment Board and
 1019 other assessment changes..... (\$XX,XXX,XXX)

1020 C. Actual property tax levy.....\$XX,XXX,XXX

1021 This year's proposed tax levy.....\$XX,XXX,XXX

1022 A portion of the tax levy is required under state law in
 1023 order for the school board to receive \$...(amount A)... in state
 1024 education grants. The required portion has ...(increased or
 1025 decreased)... by ...(amount B)... percent and represents

1026 | approximately ...(amount C)... of the total proposed taxes.

1027 | The remainder of the taxes is proposed solely at the
1028 | discretion of the school board.

1029 | All concerned citizens are invited to a public hearing on
1030 | the tax increase to be held on ...(date and time)... at
1031 | ...(meeting place)....

1032 | A DECISION on the proposed tax increase and the budget will
1033 | be made at this hearing.

1034 | 1. AMOUNT A shall be an estimate, provided by the
1035 | Department of Education, of the amount to be received in the
1036 | current fiscal year by the district from state appropriations
1037 | for the Florida Education Finance Program.

1038 | 2. AMOUNT B shall be the percent increase over the rolled-
1039 | back rate necessary to levy only the required local effort in
1040 | the current fiscal year, computed as though in the preceding
1041 | fiscal year only the required local effort was levied.

1042 | 3. AMOUNT C shall be the quotient of required local-effort
1043 | millage divided by the total proposed nonvoted millage, rounded
1044 | to the nearest tenth and stated in words; however, the stated
1045 | amount shall not exceed nine-tenths.

1046 | (d) For school districts which have proposed a millage
1047 | rate in excess of 100 percent of the rolled-back rate computed
1048 | pursuant to subsection (1) and which propose to levy as nonvoted
1049 | millage only the minimum amount required pursuant to s.

1050 | 1011.60(6), the advertisement shall be the same as provided in

1051 paragraph (c), except that the second and third paragraphs shall
 1052 be replaced with the following paragraph:

1053 This increase is required under state law in order for the
 1054 school board to receive \$...(amount A)... in state education
 1055 grants.

1056 (e) In all instances in which the provisions of paragraphs
 1057 (c) and (d) are inapplicable for school districts, the
 1058 advertisement shall be in the following form:

1059 NOTICE OF BUDGET HEARING

1060 The ...(name of school district)... will soon consider a
 1061 budget for ...(fiscal year).... A public hearing to make a
 1062 DECISION on the budget AND TAXES will be held on ...(date and
 1063 time)... at ...(meeting place)....

1064 (f) In lieu of publishing the notice set out in this
 1065 subsection, the taxing authority may mail a copy of the notice
 1066 to each elector residing within the jurisdiction of the taxing
 1067 authority.

1068 (g) In the event that the mailing of the notice of
 1069 proposed property taxes is delayed beyond September 3 in a
 1070 county, any multicounty taxing authority which levies ad valorem
 1071 taxes within that county shall advertise its intention to adopt
 1072 a tentative budget and millage rate in a newspaper of paid
 1073 general circulation within that county, as provided in this
 1074 subsection, and shall hold the hearing required pursuant to
 1075 paragraph (2) (c) not less than 2 days or more than 5 days

1076 thereafter, and not later than September 18. The advertisement
 1077 shall be in the following form, unless the proposed millage rate
 1078 is less than or equal to the rolled-back rate, computed pursuant
 1079 to subsection (1), in which case the advertisement shall be as
 1080 provided in paragraph (e):

1081 NOTICE OF TAX INCREASE

1082 The ...(name of the taxing authority)... proposes to
 1083 increase its property tax levy by ...(percentage of increase
 1084 over rolled-back rate)... percent.

1085 All concerned citizens are invited to attend a public
 1086 hearing on the proposed tax increase to be held on ...(date and
 1087 time)... at ...(meeting place)....

1088 (h) In no event shall any taxing authority add to or
 1089 delete from the language of the advertisements as specified
 1090 herein unless expressly authorized by law, except that, if an
 1091 increase in ad valorem tax rates will affect only a portion of
 1092 the jurisdiction of a taxing authority, advertisements may
 1093 include a map or geographical description of the area to be
 1094 affected and the proposed use of the tax revenues under
 1095 consideration. In addition, if published in the newspaper, the
 1096 map must be part of the online advertisement required by s.
 1097 50.0211 or s. 50.0311. The advertisements required herein shall
 1098 not be accompanied, preceded, or followed by other advertising
 1099 or notices which conflict with or modify the substantive content
 1100 prescribed herein.

1101 (i) The advertisements required pursuant to paragraphs (b)
 1102 and (e) need not be one-quarter page in size or have a headline
 1103 in type no smaller than 18 point.

1104 (j) The amounts to be published as percentages of increase
 1105 over the rolled-back rate pursuant to this subsection shall be
 1106 based on aggregate millage rates and shall exclude voted millage
 1107 levies unless expressly provided otherwise in this subsection.

1108 (k) Any taxing authority which will levy an ad valorem tax
 1109 for an upcoming budget year but does not levy an ad valorem tax
 1110 currently shall, in the advertisement specified in paragraph
 1111 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
 1112 phrase "increase its property tax levy by ...(percentage of
 1113 increase over rolled-back rate)... percent" with the phrase
 1114 "impose a new property tax levy of \$...(amount)... per \$1,000
 1115 value."

1116 (l) Any advertisement required pursuant to this section
 1117 shall be accompanied by an adjacent notice meeting the budget
 1118 summary requirements of s. 129.03(3)(b). Except for those taxing
 1119 authorities proposing to levy ad valorem taxes for the first
 1120 time, the following statement shall appear in the budget summary
 1121 in boldfaced type immediately following the heading, if the
 1122 applicable percentage is greater than zero:

1123 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
 1124 taxing authority)... ARE ...(percent rounded to one decimal
 1125 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

1126 For purposes of this paragraph, "proposed operating budget
 1127 expenditures" or "operating expenditures" means all moneys of
 1128 the local government, including dependent special districts,
 1129 that:

1130 1. Were or could be expended during the applicable fiscal
 1131 year, or

1132 2. Were or could be retained as a balance for future
 1133 spending in the fiscal year.

1134

1135 Provided, however, those moneys held in or used in trust,
 1136 agency, or internal service funds, and expenditures of bond
 1137 proceeds for capital outlay or for advanced refunded debt
 1138 principal, shall be excluded.

1139 Section 23. Paragraph (c) of subsection (1) of section
 1140 338.223, Florida Statutes, is amended to read:

1141 338.223 Proposed turnpike projects.—

1142 (1)

1143 (c) Prior to requesting legislative approval of a proposed
 1144 turnpike project, the environmental feasibility of the proposed
 1145 project shall be reviewed by the Department of Environmental
 1146 Protection. The department shall submit its Project Development
 1147 and Environmental Report to the Department of Environmental
 1148 Protection, along with a draft copy of a public notice. Within
 1149 14 days of receipt of the draft public notice, the Department of
 1150 Environmental Protection shall return the draft public notice to

1151 the Department of Transportation with an approval of the
1152 language or modifications to the language. Upon receipt of the
1153 approved or modified draft, or if no comments are provided
1154 within 14 days, the Department of Transportation shall publish
1155 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1156 30-day public comment period. If published in a newspaper, the
1157 headline of the required notice shall be in a type no smaller
1158 than 18 point, ~~The notice~~ shall be placed in that portion of
1159 the newspaper where legal notices appear, and ~~The notice~~ shall
1160 be published in a newspaper of general circulation in the county
1161 or counties of general interest and readership in the community
1162 as provided in s. 50.031, not one of limited subject matter.
1163 Whenever possible, the notice shall appear in a newspaper that
1164 is published at least weekly ~~5 days a week~~. All The notices
1165 ~~notice~~ published pursuant to this section shall include, at a
1166 minimum ~~but is not limited to~~, the following information:

1167 1. The purpose of the notice is to provide for a 30-day
1168 period for written public comments on the environmental impacts
1169 of a proposed turnpike project.

1170 2. The name and description of the project, along with a
1171 geographic location map clearly indicating the area where the
1172 proposed project will be located.

1173 3. The address where such comments must be sent and the
1174 date such comments are due.

1175

1176 After a review of the department's report and any public
1177 comments, the Department of Environmental Protection shall
1178 submit a statement of environmental feasibility to the
1179 department within 30 days after the date on which public
1180 comments are due. The notice and the statement of environmental
1181 feasibility shall not give rise to any rights to a hearing or
1182 other rights or remedies provided pursuant to chapter 120 or
1183 chapter 403, and shall not bind the Department of Environmental
1184 Protection in any subsequent environmental permit review.

1185 Section 24. Subsection (3) of section 348.0308, Florida
1186 Statutes, is amended to read:

1187 348.0308 Public-private partnership.—The Legislature
1188 declares that there is a public need for the rapid construction
1189 of safe and efficient transportation facilities for traveling
1190 within the state and that it is in the public's interest to
1191 provide for public-private partnership agreements to effectuate
1192 the construction of additional safe, convenient, and economical
1193 transportation facilities.

1194 (3) The agency may request proposals for public-private
1195 transportation projects or, if it receives an unsolicited
1196 proposal, it must publish a notice in the Florida Administrative
1197 Register and as provided in chapter 50 ~~a newspaper of general~~
1198 ~~circulation~~ in each ~~the~~ county in which the project ~~it~~ is
1199 located at least once a week for 2 weeks stating that it has
1200 received the proposal and will accept, for 60 days after the

1201 initial date of publication, other proposals for the same
1202 project purpose. A copy of the notice must be mailed to each
1203 local government in the affected areas. After the public
1204 notification period has expired, the agency shall rank the
1205 proposals in order of preference. In ranking the proposals, the
1206 agency shall consider professional qualifications, general
1207 business terms, innovative engineering or cost-reduction terms,
1208 finance plans, and the need for state funds to deliver the
1209 proposal. If the agency is not satisfied with the results of the
1210 negotiations, it may, at its sole discretion, terminate
1211 negotiations with the proposer. If these negotiations are
1212 unsuccessful, the agency may go to the second and lower-ranked
1213 firms, in order, using the same procedure. If only one proposal
1214 is received, the agency may negotiate in good faith, and if it
1215 is not satisfied with the results, it may, at its sole
1216 discretion, terminate negotiations with the proposer. The agency
1217 may, at its discretion, reject all proposals at any point in the
1218 process up to completion of a contract with the proposer.

1219 Section 25. Subsection (3) of section 348.635, Florida
1220 Statutes, is amended to read:

1221 348.635 Public-private partnership.—The Legislature
1222 declares that there is a public need for the rapid construction
1223 of safe and efficient transportation facilities for traveling
1224 within the state and that it is in the public's interest to
1225 provide for public-private partnership agreements to effectuate

1226 the construction of additional safe, convenient, and economical
1227 transportation facilities.

1228 (3) The authority may request proposals for public-private
1229 transportation projects or, if it receives an unsolicited
1230 proposal, it must publish a notice in the Florida Administrative
1231 Register as provided in chapter 50 ~~and a newspaper of general~~
1232 ~~circulation~~ in each the county in which the project ~~it~~ is
1233 located at least once a week for 2 weeks stating that it has
1234 received the proposal and will accept, for 60 days after the
1235 initial date of publication, other proposals for the same
1236 project purpose. A copy of the notice must be mailed to each
1237 local government in the affected areas. After the public
1238 notification period has expired, the authority shall rank the
1239 proposals in order of preference. In ranking the proposals, the
1240 authority shall consider professional qualifications, general
1241 business terms, innovative engineering or cost-reduction terms,
1242 finance plans, and the need for state funds to deliver the
1243 proposal. If the authority is not satisfied with the results of
1244 the negotiations, it may, at its sole discretion, terminate
1245 negotiations with the proposer. If these negotiations are
1246 unsuccessful, the authority may go to the second and lower-
1247 ranked firms, in order, using the same procedure. If only one
1248 proposal is received, the authority may negotiate in good faith,
1249 and if it is not satisfied with the results, it may, at its sole
1250 discretion, terminate negotiations with the proposer. The

1251 authority may, at its discretion, reject all proposals at any
1252 point in the process up to completion of a contract with the
1253 proposer.

1254 Section 26. Subsection (3) of section 348.7605, Florida
1255 Statutes, is amended to read:

1256 348.7605 Public-private partnership.—The Legislature
1257 declares that there is a public need for the rapid construction
1258 of safe and efficient transportation facilities for traveling
1259 within the state and that it is in the public's interest to
1260 provide for public-private partnership agreements to effectuate
1261 the construction of additional safe, convenient, and economical
1262 transportation facilities.

1263 (3) The authority may request proposals for public-private
1264 transportation projects or, if it receives an unsolicited
1265 proposal, it must publish a notice in the Florida Administrative
1266 Register and as provided in chapter 50 ~~a newspaper of general~~
1267 ~~circulation~~ in each the county in which the project ~~it~~ is
1268 located at least once a week for 2 weeks stating that it has
1269 received the proposal and will accept, for 60 days after the
1270 initial date of publication, other proposals for the same
1271 project purpose. A copy of the notice must be mailed to each
1272 local government in the affected areas. After the public
1273 notification period has expired, the authority shall rank the
1274 proposals in order of preference. In ranking the proposals, the
1275 authority shall consider professional qualifications, general

1276 business terms, innovative engineering or cost-reduction terms,
1277 finance plans, and the need for state funds to deliver the
1278 proposal. If the authority is not satisfied with the results of
1279 the negotiations, it may, at its sole discretion, terminate
1280 negotiations with the proposer. If these negotiations are
1281 unsuccessful, the authority may go to the second and lower-
1282 ranked firms, in order, using the same procedure. If only one
1283 proposal is received, the authority may negotiate in good faith,
1284 and if it is not satisfied with the results, it may, at its sole
1285 discretion, terminate negotiations with the proposer. The
1286 authority may, at its discretion, reject all proposals at any
1287 point in the process up to completion of a contract with the
1288 proposer.

1289 Section 27. Section 373.0397, Florida Statutes, is amended
1290 to read:

1291 373.0397 Floridan and Biscayne aquifers; designation of
1292 prime groundwater recharge areas.—Upon preparation of an
1293 inventory of prime groundwater recharge areas for the Floridan
1294 or Biscayne aquifers, but prior to adoption by the governing
1295 board, the water management district shall publish a legal
1296 notice of public hearing on the designated areas for the
1297 Floridan and Biscayne aquifers, with a map delineating the
1298 boundaries of the areas, as provided ~~in newspapers defined in~~
1299 chapter 50 in each county ~~as having general circulation~~ within
1300 the area to be affected. The notice shall be at least one-fourth

1301 page and shall read as follows:

1302 NOTICE OF PRIME RECHARGE

1303 AREA DESIGNATION

1304 The ...(name of taxing authority)... proposes to designate
 1305 specific land areas as areas of prime recharge to the ...(name
 1306 of aquifer)... Aquifer.

1307 All concerned citizens are invited to attend a public
 1308 hearing on the proposed designation to be held on ...(date and
 1309 time)... at ...(meeting place)....

1310 A map of the affected areas follows.

1311 The governing board of the water management district shall adopt
 1312 a designation of prime groundwater recharge areas to the
 1313 Floridan and Biscayne aquifers by rule within 120 days after the
 1314 public hearing, subject to the provisions of chapter 120.

1315 Section 28. Section 373.146, Florida Statutes, is amended
 1316 to read:

1317 373.146 Publication of notices, process, and papers.—

1318 (1) Whenever in this chapter the publication of any
 1319 notice, process, or paper is required or provided for, unless
 1320 otherwise provided by law, the publication thereof ~~in some~~
 1321 ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 in
 1322 each county ~~having general circulation~~ within the area to be
 1323 affected shall be taken and considered as being sufficient.

1324 (2) Notwithstanding any other provision of law to the
 1325 contrary, and except in the case of emergency meetings, water

1326 management districts may provide reasonable notice of public
 1327 meetings held to evaluate responses to solicitations issued by
 1328 the water management district, by publication as provided in
 1329 chapter 50 ~~in a newspaper of general paid circulation~~ in the
 1330 county where the principal office of the water management
 1331 district is located, or in the county or counties where the
 1332 public work will be performed, no less than 7 days before such
 1333 meeting.

1334 Section 29. Subsection (12) of section 403.722, Florida
 1335 Statutes, is amended to read:

1336 403.722 Permits; hazardous waste disposal, storage, and
 1337 treatment facilities.—

1338 (12) On the same day of filing with the department of an
 1339 application for a permit for the construction modification, or
 1340 operation of a hazardous waste facility, the applicant shall
 1341 notify each city and county within 1 mile of the facility of the
 1342 filing of the application and shall publish notice of the filing
 1343 of the application. The applicant shall publish a second notice
 1344 of the filing within 14 days after the date of filing. Each
 1345 notice shall be published ~~in a newspaper of general circulation~~
 1346 in the county in which the facility is located or is proposed to
 1347 be located as provided in chapter 50. ~~Notwithstanding the~~
 1348 ~~provisions of chapter 50, for purposes of this section, a~~
 1349 ~~"newspaper of general circulation"~~ shall be the newspaper within
 1350 ~~the county in which the installation or facility is proposed~~

1351 ~~which has the largest daily circulation in that county and has~~
 1352 ~~its principal office in that county. If the newspaper with the~~
 1353 ~~largest daily circulation has its principal office outside the~~
 1354 ~~county, the notice shall appear in both the newspaper with the~~
 1355 ~~largest daily circulation in that county, and a newspaper~~
 1356 ~~authorized to publish legal notices in that county.~~ The notice
 1357 shall contain:

1358 (a) The name of the applicant and a brief description of
 1359 the project and its location.

1360 (b) The location of the application file and when it is
 1361 available for public inspection.

1362
 1363 The notice shall be prepared by the applicant and shall comply
 1364 with the following format:

1365 Notice of Application
 1366 The Department of Environmental Protection announces receipt of
 1367 an application for a permit from ...(name of applicant)... to
 1368 ...(brief description of project).... This proposed project will
 1369 be located at ...(location)... in ...(county)... ...(city)....
 1370 This application is being processed and is available for public
 1371 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
 1372 Monday through Friday, except legal holidays, at ...(name and
 1373 address of office)....

1374 Section 30. Paragraph (b) of subsection (3) of section
 1375 712.06, Florida Statutes, is amended to read:

1376 712.06 Contents of notice; recording and indexing.—
 1377 (3) The person providing the notice referred to in s.
 1378 712.05, other than a notice for preservation of a community
 1379 covenant or restriction, shall:
 1380 (b) Publish the notice referred to in s. 712.05 for 2
 1381 consecutive weeks on a publicly accessible website as provided
 1382 in chapter 50 or once a week, for 2 consecutive weeks in a
 1383 newspaper as defined in chapter 50, ~~the notice referred to in s.~~
 1384 ~~712.05,~~ with the official record book and page number in which
 1385 such notice was recorded, ~~in a newspaper as defined in chapter~~
 1386 ~~50~~ in the county in which the property is located.
 1387 Section 31. Subsection (5) of section 849.38, Florida
 1388 Statutes, is amended to read:
 1389 849.38 Proceedings for forfeiture; notice of seizure and
 1390 order to show cause.—
 1391 (5) If the value of the property seized is shown by the
 1392 sheriff's return to have an appraised value of \$1,000 or less,
 1393 the above citation shall be served by posting at three public
 1394 places in the county, one of which shall be the front door of
 1395 the courthouse; if the value of the property is shown by the
 1396 sheriff's return to have an approximate value of more than
 1397 \$1,000, the citation shall be published for at least 2
 1398 consecutive weeks on a publicly accessible website as provided
 1399 in chapter 50 or at least once each week for 2 consecutive weeks
 1400 in some newspaper of general publication published in the

1401 county, if there be such a newspaper published in the county and
1402 if not, then said notice of such publication shall be made by
1403 certificate of the clerk if publication is made by posting, and
1404 by affidavit as provided in chapter 50, if made by publication
1405 as provided in chapter 50 ~~in a newspaper~~, which affidavit or
1406 certificate shall be filed and become a part of the record in
1407 the cause. Failure of the record to show proof of such
1408 publication shall not affect any judgment made in the cause
1409 unless it shall affirmatively appear that no such publication
1410 was made.

1411 Section 32. Paragraph (a) of subsection (3) of section
1412 865.09, Florida Statutes, is amended to read:

1413 865.09 Fictitious name registration.—

1414 (3) REGISTRATION.—

1415 (a) A person may not engage in business under a fictitious
1416 name unless the person first registers the name with the
1417 division by filing a registration listing:

- 1418 1. The name to be registered.
- 1419 2. The mailing address of the business.
- 1420 3. The name and address of each registrant.
- 1421 4. If the registrant is a business entity that was
1422 required to file incorporation or similar documents with its
1423 state of organization when it was organized, such entity must be
1424 registered with the division and in active status with the
1425 division; provide its Florida document registration number; and

1426 provide its federal employer identification number if the entity
1427 has such a number.

1428 5. Certification by at least one registrant that the
1429 intention to register such fictitious name has been advertised
1430 as provided ~~at least once in a newspaper as defined in chapter~~
1431 50 in the county in which the principal place of business of the
1432 registrant is or will be located.

1433 6. Any other information the division may reasonably deem
1434 necessary to adequately inform other governmental agencies and
1435 the public as to the registrant so conducting business.

1436 Section 33. Paragraph (a) of subsection (6) of section
1437 932.704, Florida Statutes, is amended to read:

1438 932.704 Forfeiture proceedings.—

1439 (6) (a) If the property is required by law to be titled or
1440 registered, or if the owner of the property is known in fact to
1441 the seizing agency, or if the seized property is subject to a
1442 perfected security interest in accordance with the Uniform
1443 Commercial Code, chapter 679, the attorney for the seizing
1444 agency shall serve the forfeiture complaint as an original
1445 service of process under the Florida Rules of Civil Procedure
1446 and other applicable law to each person having an ownership or
1447 security interest in the property. The seizing agency shall also
1448 publish, in accordance with chapter 50, notice of the forfeiture
1449 complaint for 2 consecutive weeks on a publicly accessible
1450 website or once each week for 2 consecutive weeks in a newspaper

CS/CS/HB 7

2020

1451 | of general circulation, ~~as defined in s. 165.031,~~ in the county
1452 | where the seizure occurred.

1453 | Section 34. This act shall take effect July 1, 2021.