

1 A bill to be entitled
2 An act relating to legal notices; amending s. 50.011,
3 F.S.; providing for the publication of legal notices
4 on certain publicly accessible websites; amending ss.
5 50.021, 50.0211, and 50.031, F.S.; conforming
6 provisions to changes made by the act; creating s.
7 50.0311, F.S.; providing definitions; allowing a
8 governmental agency to publish legal notices on a
9 publicly accessible website under certain
10 circumstances; providing criteria for website
11 publication; authorizing a fiscally constrained county
12 to use a publicly accessible website to publish
13 legally required advertisements and public notices
14 only if certain requirements are met; requiring a
15 governmental agency to provide specified notice to
16 certain residents and property owners relating to
17 alternative methods of receiving legal notices;
18 authorizing a governmental agency to publish certain
19 public notices and advertisements on its governmental
20 access channels; providing a requirement for public
21 bid advertisements made by governmental agencies on
22 publicly accessible websites; amending s. 50.041,
23 F.S.; removing provisions relating to the publication
24 of legal notices in newspapers; amending s. 50.051,
25 F.S.; revising a form for affidavits of publication;

26 | amending s. 50.0711, F.S.; revising provisions
 27 | relating to the use of court docket funds; amending s.
 28 | 83.806, F.S.; providing that an advertisement of a
 29 | sale or disposition of property may be published on
 30 | certain websites for a specified time period; amending
 31 | ss. 11.02, 45.031, 120.81, 121.0511, 121.055, 125.66,
 32 | 162.12, 166.041, 189.015, 190.005, 190.046, 194.037,
 33 | 197.402, 200.065, 338.223, 348.0308, 348.635,
 34 | 348.7605, 373.0397, 373.146, 403.722, 712.06, 849.38,
 35 | 865.09, and 932.704; conforming provisions to changes
 36 | made by the act; providing an effective date.

37 |

38 | Be It Enacted by the Legislature of the State of Florida:

39 |

40 | Section 1. Section 50.011, Florida Statutes, is amended to
 41 | read:

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

51 intent and meaning of such legislation all and singular,
 52 existing or repealed, is and has been and is hereby declared to
 53 be and to have been, and the rule of interpretation is and has
 54 been the following:

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

66 (2) On a publicly accessible website pursuant to s.
 67 50.0311.

68 Section 2. Section 50.021, Florida Statutes, is amended to
 69 read:

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

76 | different places in the ~~said~~ county, one of which shall be at
77 | the front door of the courthouse, and by publication in the
78 | nearest county in which a newspaper is published.

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

81 | 50.0211 Internet website publication.—

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

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

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

108 1. Accessible and searchable by party name and case
 109 number.

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

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

118 Section 4. Section 50.031, Florida Statutes, is amended to
 119 read:

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

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

151 affidavit.

152 Section 5. Section 50.0311, Florida Statutes, is created
153 to read:

154 50.0311 Publication of advertisements and public notices
155 on a publicly accessible website and governmental access
156 channels.—

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

160 (2) For purposes of notices and advertisements required
161 under s. 50.011, the term "publicly accessible website" means a
162 governmental agency's official website or other private website
163 designated by the governmental agency for the posting of legal
164 notices and advertisements that is accessible via the Internet.
165 All advertisements and public notices published on a website as
166 provided in this chapter must be in searchable form.

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

173 (4) A governmental agency in a county that is not a
174 fiscally constrained county may use a publicly accessible
175 website to publish legally required advertisements and public

176 notices if the cost of publishing advertisements and public
177 notices on a website is less than the cost of publishing
178 advertisements and public notices in a newspaper.

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

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

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

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

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

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

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

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

221 (9) A public bid advertisement made by a governmental
222 agency on a publicly accessible website must include a method to
223 accept electronic bids.

224 Section 6. Section 50.041, Florida Statutes, is amended to
225 read:

226 50.041 Proof of publication; uniform affidavits required.—

227 (1) All affidavits ~~of publishers of newspapers (or their~~
 228 ~~official representatives)~~ made for the purpose of establishing
 229 proof of publication of public notices or legal advertisements
 230 shall be uniform throughout the state.

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

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

248 Section 7. Section 50.051, Florida Statutes, is amended to
 249 read:

250 50.051 Proof of publication; form of uniform affidavit.—

251 The printed form upon which all such affidavits establishing
 252 proof of publication are to be executed shall be substantially
 253 as follows:

254 NAME OF COUNTY NEWSPAPER
 255 Published ~~(Weekly or Daily)~~
 256 ~~(Town or City)~~ ~~(County)~~ FLORIDA

257 STATE OF FLORIDA

258 COUNTY OF :

259 Before the undersigned authority personally appeared ,
 260 who on oath says that he or she is of ~~the , a~~
 261 ~~newspaper published at in~~ County, Florida; that the
 262 attached copy of advertisement, being a in the matter of
 263 in the Court, was published on the publicly accessible
 264 website of the governmental agency or in a ~~said~~ newspaper. ~~in~~
 265 ~~the issues of~~

266 Affiant further says that the website or newspaper complies
 267 with all legal requirements for publication in chapter 50,
 268 Florida Statutes. ~~said is a newspaper published at , in~~
 269 ~~said County, Florida, and that the said newspaper has~~
 270 ~~heretofore been continuously published in said County,~~
 271 ~~Florida, each and has been entered as periodicals matter at~~
 272 ~~the post office in , in said County, Florida, for a~~
 273 ~~period of 1 year next preceding the first publication of the~~
 274 ~~attached copy of advertisement; and affiant further says that he~~
 275 ~~or she has neither paid nor promised any person, firm or~~

276 ~~corporation any discount, rebate, commission or refund for the~~
 277 ~~purpose of securing this advertisement for publication in the~~
 278 ~~said newspaper.~~

279 Sworn to and subscribed before me this day of,
 280 ...(year)..., by, who is personally known to me or who has
 281 produced (type of identification) as identification.

282 ...(Signature of Notary Public)...

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

284 ...(Notary Public)...

285 Section 8. Section 50.0711, Florida Statutes, is amended
 286 to read:

287 50.0711 Court docket fund; service charges; publications.—

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

301 (2) If a judicial circuit publishes legal notices in a
302 newspaper, a newspaper qualified under the terms of s. 50.011
303 shall be designated as the record newspaper for such publication
304 by an order of the majority of the judges in the judicial
305 circuit in which such county is located, and such order shall be
306 filed and recorded with the clerk of the circuit court for such
307 county. The designated record newspaper may be changed at the
308 end of any fiscal year of the county by a majority vote of the
309 judges of the judicial circuit of the county ordering such
310 change 30 days prior to the end of the fiscal year, notice of
311 which order shall be given to the previously designated record
312 newspaper.

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

321 (4) The publicly accessible website publisher or
322 publishers of any designated record newspapers receiving
323 revenues from the court docket fund established in subsection
324 (1) shall, without charge, accept legal advertisements for the
325 purpose of service of process by publication under s. 49.011(4),

326 (10), and (11) when such publication is required of persons
327 authorized to proceed as indigent persons under s. 57.081.

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

330 83.806 Enforcement of lien.—An owner's lien as provided in
331 s. 83.805 may be satisfied as follows:

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

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

345 (b) The advertisement shall include:

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

349 2. The address of the self-service storage facility or the
350 address where the self-contained storage unit is located and the

351 name of the tenant.

352 3. The time, place, and manner of the sale or other
353 disposition. The sale or other disposition shall take place at
354 least 15 days after the first publication.

355 (c) If there is no newspaper of general circulation in the
356 area where the self-service storage facility or self-contained
357 storage unit is located, the advertisement shall be posted at
358 least 10 days before the date of the sale or other disposition
359 in at least three conspicuous places in the neighborhood where
360 the self-service storage facility or self-contained storage unit
361 is located or published continuously for 14 consecutive days on
362 a public website that customarily conducts personal property
363 auctions.

364 Section 10. Section 11.02, Florida Statutes, is amended to
365 read:

366 11.02 Notice of special or local legislation or certain
367 relief acts.—The notice required to obtain special or local
368 legislation or any relief act specified in s. 11.065 shall be by
369 publishing the identical notice ~~in each county involved in some~~
370 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~
371 circulated throughout the county or counties where the matter or
372 thing to be affected by such legislation shall be situated one
373 time at least 30 days before introduction of the proposed law
374 into the Legislature or, if the notice is not posted on a
375 publicly accessible website as provided in chapter 50 and there

376 | being no newspaper circulated throughout or published in the
 377 | county, by posting for at least 30 days at not less than three
 378 | public places in the county or each of the counties, one of
 379 | which places shall be at the courthouse in the county or
 380 | counties where the matter or thing to be affected by such
 381 | legislation shall be situated. Notice of special or local
 382 | legislation shall state the substance of the contemplated law,
 383 | as required by s. 10, Art. III of the State Constitution. Notice
 384 | of any relief act specified in s. 11.065 shall state the name of
 385 | the claimant, the nature of the injury or loss for which the
 386 | claim is made, and the amount of the claim against the affected
 387 | municipality's revenue-sharing trust fund.

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

390 | 45.031 Judicial sales procedure.—In any sale of real or
 391 | personal property under an order or judgment, the procedures
 392 | provided in this section and ss. 45.0315-45.035 may be followed
 393 | as an alternative to any other sale procedure if so ordered by
 394 | the court.

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

401 days before the sale. The notice shall contain:
 402 (a) A description of the property to be sold.
 403 (b) The time and place of sale.
 404 (c) A statement that the sale will be made pursuant to the
 405 order or final judgment.
 406 (d) The caption of the action.
 407 (e) The name of the clerk making the sale.
 408 (f) A statement that any person claiming an interest in
 409 the surplus from the sale, if any, other than the property owner
 410 as of the date of the lis pendens must file a claim before the
 411 clerk reports the surplus as unclaimed.

412
 413 The court, in its discretion, may enlarge the time of the sale.
 414 Notice of the changed time of sale shall be published as
 415 provided herein.

416 Section 12. Paragraph (d) of subsection (1) of section
 417 120.81, Florida Statutes, is amended to read:

418 120.81 Exceptions and special requirements; general
 419 areas.—

420 (1) EDUCATIONAL UNITS.—

421 (d) Notwithstanding any other provision of this chapter,
 422 educational units shall not be required to include the full text
 423 of the rule or rule amendment in notices relating to rules and
 424 need not publish these or other notices in the Florida
 425 Administrative Register, but notice shall be made:

426 1. By publication in a newspaper of general circulation in
 427 the affected area or on a publicly accessible website as
 428 provided in chapter 50 in each county within the affected area;

429 2. By mail to all persons who have made requests of the
 430 educational unit for advance notice of its proceedings and to
 431 organizations representing persons affected by the proposed
 432 rule; and

433 3. By posting in appropriate places so that those
 434 particular classes of persons to whom the intended action is
 435 directed may be duly notified.

436 Section 13. Subsection (2) of section 121.0511, Florida
 437 Statutes, is amended to read:

438 121.0511 Revocation of election and alternative plan.—The
 439 governing body of any municipality or independent special
 440 district that has elected to participate in the Florida
 441 Retirement System may revoke its election in accordance with the
 442 following procedure:

443 (2) At least 7 days, but not more than 15 days, before the
 444 hearing, notice of intent to revoke, specifying the time and
 445 place of the hearing, must be published as provided in chapter
 446 50 in a newspaper of general circulation in the area affected,
 447 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the
 448 notice must be submitted to the Department of Management
 449 Services.

450 Section 14. Paragraphs (b) and (h) of subsection (1) of

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

452 121.055 Senior Management Service Class.—There is hereby
453 established a separate class of membership within the Florida
454 Retirement System to be known as the "Senior Management Service
455 Class," which shall become effective February 1, 1987.

456 (1)

457 (b)1. Except as provided in subparagraph 2., effective
458 January 1, 1990, participation in the Senior Management Service
459 Class is compulsory for the president of each community college,
460 the manager of each participating municipality or county, and
461 all appointed district school superintendents. Effective January
462 1, 1994, additional positions may be designated for inclusion in
463 the Senior Management Service Class if:

464 a. Positions to be included in the class are designated by
465 the local agency employer. Notice of intent to designate
466 positions for inclusion in the class must be published for at
467 least 2 consecutive weeks if published on a publicly accessible
468 website or once a week for 2 consecutive weeks in a newspaper of
469 general circulation published in the county or counties
470 affected~~7~~ as provided in chapter 50.

471 b. Up to 10 nonelective full-time positions may be
472 designated for each local agency employer reporting to the
473 department; for local agencies with 100 or more regularly
474 established positions, additional nonelective full-time
475 positions may be designated, not to exceed 1 percent of the

476 regularly established positions within the agency.

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

481 (I) Heads an organizational unit; or

482 (II) Has responsibility to effect or recommend personnel,
483 budget, expenditure, or policy decisions in his or her areas of
484 responsibility.

485 2. In lieu of participation in the Senior Management
486 Service Class, members of the Senior Management Service Class,
487 pursuant to subparagraph 1., may withdraw from the Florida
488 Retirement System altogether. The decision to withdraw from the
489 system is irrevocable as long as the employee holds the
490 position. Any service creditable under the Senior Management
491 Service Class shall be retained after the member withdraws from
492 the system; however, additional service credit in the Senior
493 Management Service Class may not be earned after such
494 withdrawal. Such members are not eligible to participate in the
495 Senior Management Service Optional Annuity Program.

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

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

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

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

508 (I) The cost for such credit shall be an amount
509 representing the actuarial accrued liability for the affected
510 period of service. The cost shall be calculated using the
511 discount rate and other relevant actuarial assumptions that were
512 used to value the pension plan liabilities in the most recent
513 actuarial valuation. The calculation must include any service
514 already maintained under the pension plan in addition to the
515 period of withdrawal. The actuarial accrued liability
516 attributable to any service already maintained under the pension
517 plan shall be applied as a credit to the total cost resulting
518 from the calculation. The division must ensure that the transfer
519 sum is prepared using a formula and methodology certified by an
520 actuary.

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

526 (h)1. Except as provided in subparagraph 3., effective
 527 January 1, 1994, participation in the Senior Management Service
 528 Class shall be compulsory for the State Courts Administrator and
 529 the Deputy State Courts Administrators, the Clerk of the Supreme
 530 Court, the Marshal of the Supreme Court, the Executive Director
 531 of the Justice Administrative Commission, the capital collateral
 532 regional counsel, the clerks of the district courts of appeals,
 533 the marshals of the district courts of appeals, and the trial
 534 court administrator and the Chief Deputy Court Administrator in
 535 each judicial circuit. Effective January 1, 1994, additional
 536 positions in the offices of the state attorney and public
 537 defender in each judicial circuit may be designated for
 538 inclusion in the Senior Management Service Class of the Florida
 539 Retirement System, provided that:

540 a. Positions to be included in the class shall be
 541 designated by the state attorney or public defender, as
 542 appropriate. Notice of intent to designate positions for
 543 inclusion in the class shall be published for at least 2
 544 consecutive weeks if published on a publicly accessible website
 545 or once a week for 2 consecutive weeks in a newspaper of general
 546 circulation published in the county or counties affected, as
 547 provided in chapter 50.

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

551 regularly established positions under the state attorney or
552 public defender, additional nonelective full-time positions may
553 be designated, not to exceed 0.5 percent of the regularly
554 established positions within the agency.

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

559 (I) Heads an organizational unit; or

560 (II) Has responsibility to effect or recommend personnel,
561 budget, expenditure, or policy decisions in his or her areas of
562 responsibility.

563 2. Participation in this class shall be compulsory, except
564 as provided in subparagraph 3., for any judicial employee who
565 holds a position designated for coverage in the Senior
566 Management Service Class, and such participation shall continue
567 until the employee terminates employment in a covered position.
568 Effective January 1, 2001, participation in this class is
569 compulsory for assistant state attorneys, assistant statewide
570 prosecutors, assistant public defenders, and assistant capital
571 collateral regional counsel. Effective January 1, 2002,
572 participation in this class is compulsory for assistant
573 attorneys general.

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

576 attorneys, assistant public defenders, assistant statewide
577 prosecutors, assistant attorneys general, and assistant capital
578 collateral regional counsel, may participate in the Senior
579 Management Service Optional Annuity Program as established in
580 subsection (6).

581 Section 15. Paragraph (a) of subsection (2) and paragraph
582 (b) of subsection (4) of section 125.66, Florida Statutes, are
583 amended to read:

584 125.66 Ordinances; enactment procedure; emergency
585 ordinances; rezoning or change of land use ordinances or
586 resolutions.—

587 (2) (a) The regular enactment procedure shall be as
588 follows: The board of county commissioners at any regular or
589 special meeting may enact or amend any ordinance, except as
590 provided in subsection (4), if notice of intent to consider such
591 ordinance is given at least 10 days prior to said meeting by
592 publication as provided in chapter 50 ~~in a newspaper of general~~
593 ~~circulation in the county~~. A copy of such notice shall be kept
594 available for public inspection during the regular business
595 hours of the office of the clerk of the board of county
596 commissioners. The notice of proposed enactment shall state the
597 date, time, and place of the meeting; the title or titles of
598 proposed ordinances; and the place or places within the county
599 where such proposed ordinances may be inspected by the public.
600 The notice shall also advise that interested parties may appear

601 at the meeting and be heard with respect to the proposed
602 ordinance.

603 (4) Ordinances or resolutions, initiated by other than the
604 county, that change the actual zoning map designation of a
605 parcel or parcels of land shall be enacted pursuant to
606 subsection (2). Ordinances or resolutions that change the actual
607 list of permitted, conditional, or prohibited uses within a
608 zoning category, or ordinances or resolutions initiated by the
609 county that change the actual zoning map designation of a parcel
610 or parcels of land shall be enacted pursuant to the following
611 procedure:

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

618 1. The board of county commissioners shall hold two
619 advertised public hearings on the proposed ordinance or
620 resolution. At least one hearing shall be held after 5 p.m. on a
621 weekday, unless the board of county commissioners, by a majority
622 plus one vote, elects to conduct that hearing at another time of
623 day. The first public hearing shall be held at least 7 days
624 after the day that the first advertisement is published. The
625 second hearing shall be held at least 10 days after the first

626 hearing and shall be advertised at least 5 days prior to the
 627 public hearing.

628 2. If published in a newspaper, the required
 629 advertisements shall be no less than 2 columns wide by 10 inches
 630 long in a standard size or a tabloid size newspaper, and the
 631 headline in the advertisement shall be in a type no smaller than
 632 18 point. The advertisement shall not be placed in that portion
 633 of the newspaper where legal notices and classified
 634 advertisements appear. The advertisement shall be placed in a
 635 newspaper ~~of general paid circulation~~ in the county and of
 636 general interest and readership in the community pursuant to
 637 chapter 50, not one of limited subject matter. It is the
 638 legislative intent that, whenever possible, the advertisement
 639 shall appear in a newspaper that is published at least weekly ~~5~~
 640 ~~days a week~~ unless the only newspaper in the community is
 641 published less than weekly ~~5 days a week~~. The advertisement
 642 shall be in substantially the following form:

643 NOTICE OF (TYPE OF) CHANGE

644 The ...(name of local governmental unit)... proposes to
 645 adopt the following by ordinance or resolution:...(title of
 646 ordinance or resolution)....

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

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

651 advertisement shall contain a geographic location map which
652 clearly indicates the area within the local government covered
653 by the proposed ordinance or resolution. The map shall include
654 major street names as a means of identification of the general
655 area. In addition to being published on a publicly accessible
656 website or in the newspaper, the map must be part of the online
657 notice required pursuant to s. 50.0211 or s. 50.0311.

658 3. In lieu of publishing the advertisements set out in
659 this paragraph, the board of county commissioners may mail a
660 notice to each person owning real property within the area
661 covered by the ordinance or resolution. Such notice shall
662 clearly explain the proposed ordinance or resolution and shall
663 notify the person of the time, place, and location of both
664 public hearings on the proposed ordinance or resolution.

665 Section 16. Paragraph (a) of subsection (2) of section
666 162.12, Florida Statutes, is amended to read:

667 162.12 Notices.—

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

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

676 circulation in the county where the code enforcement board is
677 located. The newspaper shall meet such requirements as are
678 prescribed under chapter 50 for legal and official
679 advertisements.

680 2. Proof of publication shall be made as provided in ss.
681 50.041 and 50.051.

682 Section 17. Paragraph (c) of subsection (3) of section
683 166.041, Florida Statutes, is amended to read:

684 166.041 Procedures for adoption of ordinances and
685 resolutions.—

686 (3)

687 (c) Ordinances initiated by other than the municipality
688 that change the actual zoning map designation of a parcel or
689 parcels of land shall be enacted pursuant to paragraph (a).
690 Ordinances that change the actual list of permitted,
691 conditional, or prohibited uses within a zoning category, or
692 ordinances initiated by the municipality that change the actual
693 zoning map designation of a parcel or parcels of land shall be
694 enacted pursuant to the following procedure:

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

701 known by reference to the latest ad valorem tax records. The
702 notice shall state the substance of the proposed ordinance as it
703 affects that property owner and shall set a time and place for
704 one or more public hearings on such ordinance. Such notice shall
705 be given at least 30 days prior to the date set for the public
706 hearing, and a copy of the notice shall be kept available for
707 public inspection during the regular business hours of the
708 office of the clerk of the governing body. The governing body
709 shall hold a public hearing on the proposed ordinance and may,
710 upon the conclusion of the hearing, immediately adopt the
711 ordinance.

712 2. In cases in which the proposed ordinance changes the
713 actual list of permitted, conditional, or prohibited uses within
714 a zoning category, or changes the actual zoning map designation
715 of a parcel or parcels of land involving 10 contiguous acres or
716 more, the governing body shall provide for public notice and
717 hearings as follows:

718 a. The local governing body shall hold two advertised
719 public hearings on the proposed ordinance. At least one hearing
720 shall be held after 5 p.m. on a weekday, unless the local
721 governing body, by a majority plus one vote, elects to conduct
722 that hearing at another time of day. The first public hearing
723 shall be held at least 7 days after the day that the first
724 advertisement is published. The second hearing shall be held at
725 least 10 days after the first hearing and shall be advertised at

726 | least 5 days prior to the public hearing.

727 | b. If published in a newspaper, the required
 728 | advertisements shall be no less than 2 columns wide by 10 inches
 729 | long in a standard size or a tabloid size newspaper, and the
 730 | headline in the advertisement shall be in a type no smaller than
 731 | 18 point. The advertisement shall not be placed in that portion
 732 | of the newspaper where legal notices and classified
 733 | advertisements appear. The advertisement shall be placed in a
 734 | newspaper ~~of general paid circulation~~ in the municipality and of
 735 | general interest and readership in the municipality, not one of
 736 | limited subject matter, pursuant to chapter 50. It is the
 737 | legislative intent that, whenever possible, the advertisement
 738 | appear in a newspaper that is published at least weekly ~~5 days a~~
 739 | ~~week~~ unless the only newspaper in the municipality is published
 740 | less than weekly ~~5 days a week~~. The advertisement shall be in
 741 | substantially the following form:

742 | NOTICE OF (TYPE OF) CHANGE

743 | The ...(name of local governmental unit)... proposes to
 744 | adopt the following ordinance:... (title of the ordinance)....

745 | A public hearing on the ordinance will be held on ...(date
 746 | and time)... at ...(meeting place)....

747 | Except for amendments which change the actual list of permitted,
 748 | conditional, or prohibited uses within a zoning category, the
 749 | advertisement shall contain a geographic location map which
 750 | clearly indicates the area covered by the proposed ordinance.

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

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

761 Section 18. Subsection (1) of section 189.015, Florida
762 Statutes, is amended to read:

763 189.015 Meetings; notice; required reports.—

764 (1) The governing body of each special district shall file
765 quarterly, semiannually, or annually a schedule of its regular
766 meetings with the local governing authority or authorities. The
767 schedule shall include the date, time, and location of each
768 scheduled meeting. The schedule shall be published quarterly,
769 semiannually, or annually ~~in a newspaper of general paid~~
770 ~~circulation~~ in the manner required in this subsection. The
771 governing body of an independent special district shall
772 advertise the day, time, place, and purpose of any meeting other
773 than a regular meeting or any recessed and reconvened meeting of
774 the governing body, at least 7 days before such meeting as
775 provided in chapter 50, ~~in a newspaper of general paid~~

776 ~~circulation in the county or counties in which the special~~
777 ~~district is located,~~ unless a bona fide emergency situation
778 exists, in which case a meeting to deal with the emergency may
779 be held as necessary, with reasonable notice, so long as it is
780 subsequently ratified by the governing body. No approval of the
781 annual budget shall be granted at an emergency meeting. The
782 notice shall be posted as provided in ~~advertisement shall be~~
783 ~~placed in that portion of the newspaper where legal notices and~~
784 ~~classified advertisements appear. The advertisement shall appear~~
785 ~~in a newspaper that is published at least 5 days a week, unless~~
786 ~~the only newspaper in the county is published fewer than 5 days~~
787 ~~a week. The newspaper selected must be one of general interest~~
788 ~~and readership in the community and not one of limited subject~~
789 ~~matter, pursuant to chapter 50. Any other provision of law to~~
790 the contrary notwithstanding, and except in the case of
791 emergency meetings, water management districts may provide
792 reasonable notice of public meetings held to evaluate responses
793 to solicitations issued by the water management district, by
794 publication as provided in chapter 50 on a publicly accessible
795 website or ~~in a newspaper of general paid circulation~~ in the
796 county where the principal office of the water management
797 district is located, or in the county or counties where the
798 public work will be performed, no less than 7 days before such
799 meeting.

800 Section 19. Paragraph (d) of subsection (1) of section

801 190.005, Florida Statutes, is amended to read:

802 190.005 Establishment of district.—

803 (1) The exclusive and uniform method for the establishment
804 of a community development district with a size of 2,500 acres
805 or more shall be pursuant to a rule, adopted under chapter 120
806 by the Florida Land and Water Adjudicatory Commission, granting
807 a petition for the establishment of a community development
808 district.

809 (d) A local public hearing on the petition shall be
810 conducted by a hearing officer in conformance with the
811 applicable requirements and procedures of the Administrative
812 Procedure Act. The hearing shall include oral and written
813 comments on the petition pertinent to the factors specified in
814 paragraph (e). The hearing shall be held at an accessible
815 location in the county in which the community development
816 district is to be located. The petitioner shall cause a notice
817 of the hearing to be published for 4 successive weeks on a
818 publicly accessible website or in a newspaper at least once a
819 week for the 4 successive weeks immediately prior to the hearing
820 as provided in chapter 50. Such notice shall give the time and
821 place for the hearing, a description of the area to be included
822 in the district, which description shall include a map showing
823 clearly the area to be covered by the district, and any other
824 relevant information which the establishing governing bodies may
825 require. If published in a newspaper, the advertisement shall

826 not be placed in that portion of the newspaper where legal
827 notices and classified advertisements appear. The advertisement
828 shall be published in a newspaper ~~of general paid circulation~~ in
829 the county and of general interest and readership in the
830 community, not one of limited subject matter, pursuant to
831 chapter 50. Whenever possible, the advertisement shall appear in
832 a newspaper that is published at least weekly ~~5 days a week~~,
833 unless the only newspaper in the community is published less
834 than weekly ~~fewer than 5 days a week~~. ~~If In addition to being~~
835 published in the newspaper, the map referenced above must also
836 be part of the online advertisement required pursuant to s.
837 50.0211 or s. 50.0311. All affected units of general-purpose
838 local government and the general public shall be given an
839 opportunity to appear at the hearing and present oral or written
840 comments on the petition.

841 Section 20. Paragraph (h) of subsection (1) of section
842 190.046, Florida Statutes, is amended to read:

843 190.046 Termination, contraction, or expansion of
844 district.—

845 (1) A landowner or the board may petition to contract or
846 expand the boundaries of a community development district in the
847 following manner:

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

851 contiguous lands located within the county or municipality which
852 the petitioner anticipates adding to the boundaries of the
853 district within 10 years after the effective date of the
854 ordinance establishing the district may also be identified. If
855 such sufficiently contiguous land is identified, the petition
856 must include a legal description of each additional parcel
857 within the sufficiently contiguous land, the current owner of
858 the parcel, the acreage of the parcel, and the current land use
859 designation of the parcel. At least 14 days before the hearing
860 required under s. 190.005(2)(b), the petitioner must give the
861 current owner of each such parcel notice of filing the petition
862 to establish the district, the date and time of the public
863 hearing on the petition, and the name and address of the
864 petitioner. A parcel may not be included in the district without
865 the written consent of the owner of the parcel.

866 1. After establishment of the district, a person may
867 petition the county or municipality to amend the boundaries of
868 the district to include a previously identified parcel that was
869 a proposed addition to the district before its establishment. A
870 filing fee may not be charged for this petition. Each such
871 petition must include:

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

874 b. A new legal description by metes and bounds of the
875 district;

876 c. Written consent of all owners of the parcel to be
 877 added;

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

879 e. A description of the development proposed on the
 880 additional parcel; and

881 f. A copy of the original petition identifying the parcel
 882 to be added.

883 2. Before filing with the county or municipality, the
 884 person must provide the petition to the district and to the
 885 owner of the proposed additional parcel, if the owner is not the
 886 petitioner.

887 3. Once the petition is determined sufficient and
 888 complete, the county or municipality must process the addition
 889 of the parcel to the district as an amendment to the ordinance
 890 that establishes the district. The county or municipality may
 891 process all petitions to amend the ordinance for parcels
 892 identified in the original petition, even if, by adding such
 893 parcels, the district exceeds 2,500 acres.

894 4. The petitioner shall cause to be published in a
 895 newspaper of general circulation in the proposed district a
 896 notice of the intent to amend the ordinance that establishes the
 897 district. The notice must be in addition to any notice required
 898 for adoption of the ordinance amendment. Such notice must be
 899 published as provided in chapter 50 at least 10 days before the
 900 scheduled hearing on the ordinance amendment ~~and may be~~

901 ~~published in the section of the newspaper reserved for legal~~
902 ~~notices.~~ The notice must include a general description of the
903 land to be added to the district and the date and time of the
904 scheduled hearing to amend the ordinance. The petitioner shall
905 deliver, including by mail or hand delivery, the notice of the
906 hearing on the ordinance amendment to the owner of the parcel
907 and to the district at least 14 days before the scheduled
908 hearing.

909 5. The amendment of a district by the addition of a parcel
910 pursuant to this paragraph does not alter the transition from
911 landowner voting to qualified elector voting pursuant to s.
912 190.006, even if the total size of the district after the
913 addition of the parcel exceeds 5,000 acres. Upon adoption of the
914 ordinance expanding the district, the petitioner must cause to
915 be recorded a notice of boundary amendment which reflects the
916 new boundaries of the district.

917 6. This paragraph is intended to facilitate the orderly
918 addition of lands to a district under certain circumstances and
919 does not preclude the addition of lands to any district using
920 the procedures in the other provisions of this section.

921 Section 21. Subsection (1) of section 194.037, Florida
922 Statutes, is amended to read:

923 194.037 Disclosure of tax impact.—

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

926 results of the board as provided in chapter 50. If published in
927 a newspaper, the notice must be in at least a quarter-page size
928 advertisement of a standard size or tabloid size newspaper, and
929 the headline shall be in a type no smaller than 18 point. The
930 advertisement shall not be placed in that portion of the
931 newspaper where legal notices and classified advertisements
932 appear. The advertisement shall be published in a newspaper ~~of~~
933 ~~general paid circulation~~ in the county. The newspaper selected
934 shall be one of general interest and readership in the
935 community, and not one of limited subject matter, pursuant to
936 chapter 50. For all advertisements published pursuant to this
937 section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT
938 BOARD. The public notice shall list the members of the value
939 adjustment board and the taxing authorities to which they are
940 elected. The form shall show, in columnar form, for each of the
941 property classes listed under subsection (2), the following
942 information, with appropriate column totals:

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

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

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

951 assessment roll.

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

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

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

962 (g) In the seventh column, the net shift in taxes to
 963 parcels not granted relief by the board. The shift shall be
 964 computed as the amount shown in column 6 multiplied by the
 965 applicable millage rates adopted by the taxing authorities in
 966 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
 967 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
 968 Constitution, but without adjustment as authorized pursuant to
 969 s. 200.065(6). If for any taxing authority the hearing has not
 970 been completed at the time the notice required herein is
 971 prepared, the millage rate used shall be that adopted in the
 972 hearing held pursuant to s. 200.065(2)(c).

973 Section 22. Subsection (1) of section 197.402, Florida
 974 Statutes, is amended to read:

975 197.402 Advertisement of real or personal property with

976 delinquent taxes.-

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

982 Section 23. Subsection (3) of section 200.065, Florida
 983 Statutes, is amended to read:

984 200.065 Method of fixing millage.-

985 (3) The advertisement shall be published as provided in
 986 chapter 50. If the advertisement is published by newspaper, the
 987 advertisement must be no less than one-quarter page in size of a
 988 standard size or a tabloid size newspaper, and the headline in
 989 the advertisement shall be in a type no smaller than 18 point.
 990 The advertisement shall not be placed in that portion of the
 991 newspaper where legal notices and classified advertisements
 992 appear. The advertisement shall be published in a newspaper ~~of~~
 993 ~~general paid circulation~~ in the county or in a geographically
 994 limited insert of such newspaper. The geographic boundaries in
 995 which such insert is circulated shall include the geographic
 996 boundaries of the taxing authority. It is the legislative intent
 997 that, whenever possible, the advertisement appear in a newspaper
 998 that is published at least weekly ~~5 days a week~~ unless the only
 999 newspaper in the county is published less than weekly ~~5 days a~~
 1000 ~~week~~, or that the advertisement appear in a geographically

1001 limited insert of such newspaper which insert is published
 1002 throughout the taxing authority's jurisdiction at least twice
 1003 each week. It is further the legislative intent that the
 1004 newspaper selected be one of general interest and readership in
 1005 the community and not one of limited subject matter, pursuant to
 1006 chapter 50.

1007 (a) For taxing authorities other than school districts
 1008 which have tentatively adopted a millage rate in excess of 100
 1009 percent of the rolled-back rate computed pursuant to subsection
 1010 (1), the advertisement shall be in the following form:

1011 NOTICE OF PROPOSED TAX INCREASE

1012 The ...(name of the taxing authority)... has tentatively
 1013 adopted a measure to increase its property tax levy.

1014 Last year's property tax levy:

1015 A. Initially proposed tax levy.....\$XX,XXX,XXX

1016 B. Less tax reductions due to Value Adjustment Board and
 1017 other assessment changes.....(\$XX,XXX,XXX)

1018 C. Actual property tax levy.....\$XX,XXX,XXX

1019 This year's proposed tax levy.....\$XX,XXX,XXX

1020 All concerned citizens are invited to attend a public
 1021 hearing on the tax increase to be held on ...(date and time)...
 1022 at ...(meeting place)....

1023 A FINAL DECISION on the proposed tax increase and the
 1024 budget will be made at this hearing.

1025 (b) In all instances in which the provisions of paragraph

1026 (a) are inapplicable for taxing authorities other than school
 1027 districts, the advertisement shall be in the following form:

1028 NOTICE OF BUDGET HEARING

1029 The ...(name of taxing authority)... has tentatively
 1030 adopted a budget for ...(fiscal year).... A public hearing to
 1031 make a FINAL DECISION on the budget AND TAXES will be held on
 1032 ...(date and time)... at ...(meeting place)....

1033 (c) For school districts which have proposed a millage
 1034 rate in excess of 100 percent of the rolled-back rate computed
 1035 pursuant to subsection (1) and which propose to levy nonvoted
 1036 millage in excess of the minimum amount required pursuant to s.
 1037 1011.60(6), the advertisement shall be in the following form:

1038 NOTICE OF PROPOSED TAX INCREASE

1039 The ...(name of school district)... will soon consider a
 1040 measure to increase its property tax levy.

1041 Last year's property tax levy:

1042 A. Initially proposed tax levy.....\$XX,XXX,XXX

1043 B. Less tax reductions due to Value Adjustment Board and
 1044 other assessment changes..... (\$XX,XXX,XXX)

1045 C. Actual property tax levy.....\$XX,XXX,XXX

1046 This year's proposed tax levy.....\$XX,XXX,XXX

1047 A portion of the tax levy is required under state law in
 1048 order for the school board to receive \$...(amount A)... in state
 1049 education grants. The required portion has ...(increased or
 1050 decreased)... by ...(amount B)... percent and represents

1051 approximately ...(amount C)... of the total proposed taxes.

1052 The remainder of the taxes is proposed solely at the
1053 discretion of the school board.

1054 All concerned citizens are invited to a public hearing on
1055 the tax increase to be held on ...(date and time)... at
1056 ...(meeting place)....

1057 A DECISION on the proposed tax increase and the budget will
1058 be made at this hearing.

1059 1. AMOUNT A shall be an estimate, provided by the
1060 Department of Education, of the amount to be received in the
1061 current fiscal year by the district from state appropriations
1062 for the Florida Education Finance Program.

1063 2. AMOUNT B shall be the percent increase over the rolled-
1064 back rate necessary to levy only the required local effort in
1065 the current fiscal year, computed as though in the preceding
1066 fiscal year only the required local effort was levied.

1067 3. AMOUNT C shall be the quotient of required local-effort
1068 millage divided by the total proposed nonvoted millage, rounded
1069 to the nearest tenth and stated in words; however, the stated
1070 amount shall not exceed nine-tenths.

1071 (d) For school districts which have proposed a millage
1072 rate in excess of 100 percent of the rolled-back rate computed
1073 pursuant to subsection (1) and which propose to levy as nonvoted
1074 millage only the minimum amount required pursuant to s.
1075 1011.60(6), the advertisement shall be the same as provided in

1076 paragraph (c), except that the second and third paragraphs shall
 1077 be replaced with the following paragraph:

1078 This increase is required under state law in order for the
 1079 school board to receive \$...(amount A)... in state education
 1080 grants.

1081 (e) In all instances in which the provisions of paragraphs
 1082 (c) and (d) are inapplicable for school districts, the
 1083 advertisement shall be in the following form:

1084 NOTICE OF BUDGET HEARING

1085 The ...(name of school district)... will soon consider a
 1086 budget for ...(fiscal year).... A public hearing to make a
 1087 DECISION on the budget AND TAXES will be held on ...(date and
 1088 time)... at ...(meeting place)....

1089 (f) In lieu of publishing the notice set out in this
 1090 subsection, the taxing authority may mail a copy of the notice
 1091 to each elector residing within the jurisdiction of the taxing
 1092 authority.

1093 (g) In the event that the mailing of the notice of
 1094 proposed property taxes is delayed beyond September 3 in a
 1095 county, any multicounty taxing authority which levies ad valorem
 1096 taxes within that county shall advertise its intention to adopt
 1097 a tentative budget and millage rate in a newspaper of paid
 1098 general circulation within that county, as provided in this
 1099 subsection, and shall hold the hearing required pursuant to
 1100 paragraph (2)(c) not less than 2 days or more than 5 days

1101 thereafter, and not later than September 18. The advertisement
 1102 shall be in the following form, unless the proposed millage rate
 1103 is less than or equal to the rolled-back rate, computed pursuant
 1104 to subsection (1), in which case the advertisement shall be as
 1105 provided in paragraph (e):

1106 NOTICE OF TAX INCREASE

1107 The ...(name of the taxing authority)... proposes to
 1108 increase its property tax levy by ...(percentage of increase
 1109 over rolled-back rate)... percent.

1110 All concerned citizens are invited to attend a public
 1111 hearing on the proposed tax increase to be held on ...(date and
 1112 time)... at ...(meeting place)....

1113 (h) In no event shall any taxing authority add to or
 1114 delete from the language of the advertisements as specified
 1115 herein unless expressly authorized by law, except that, if an
 1116 increase in ad valorem tax rates will affect only a portion of
 1117 the jurisdiction of a taxing authority, advertisements may
 1118 include a map or geographical description of the area to be
 1119 affected and the proposed use of the tax revenues under
 1120 consideration. In addition, if published in the newspaper, the
 1121 map must be part of the online advertisement required by s.
 1122 50.0211 or s. 50.0311. The advertisements required herein shall
 1123 not be accompanied, preceded, or followed by other advertising
 1124 or notices which conflict with or modify the substantive content
 1125 prescribed herein.

1126 (i) The advertisements required pursuant to paragraphs (b)
 1127 and (e) need not be one-quarter page in size or have a headline
 1128 in type no smaller than 18 point.

1129 (j) The amounts to be published as percentages of increase
 1130 over the rolled-back rate pursuant to this subsection shall be
 1131 based on aggregate millage rates and shall exclude voted millage
 1132 levies unless expressly provided otherwise in this subsection.

1133 (k) Any taxing authority which will levy an ad valorem tax
 1134 for an upcoming budget year but does not levy an ad valorem tax
 1135 currently shall, in the advertisement specified in paragraph
 1136 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
 1137 phrase "increase its property tax levy by ...(percentage of
 1138 increase over rolled-back rate)... percent" with the phrase
 1139 "impose a new property tax levy of \$...(amount)... per \$1,000
 1140 value."

1141 (l) Any advertisement required pursuant to this section
 1142 shall be accompanied by an adjacent notice meeting the budget
 1143 summary requirements of s. 129.03(3)(b). Except for those taxing
 1144 authorities proposing to levy ad valorem taxes for the first
 1145 time, the following statement shall appear in the budget summary
 1146 in boldfaced type immediately following the heading, if the
 1147 applicable percentage is greater than zero:

1148 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
 1149 taxing authority)... ARE ...(percent rounded to one decimal
 1150 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

1151 For purposes of this paragraph, "proposed operating budget
 1152 expenditures" or "operating expenditures" means all moneys of
 1153 the local government, including dependent special districts,
 1154 that:

1155 1. Were or could be expended during the applicable fiscal
 1156 year, or

1157 2. Were or could be retained as a balance for future
 1158 spending in the fiscal year.

1159

1160 Provided, however, those moneys held in or used in trust,
 1161 agency, or internal service funds, and expenditures of bond
 1162 proceeds for capital outlay or for advanced refunded debt
 1163 principal, shall be excluded.

1164 Section 24. Paragraph (c) of subsection (1) of section
 1165 338.223, Florida Statutes, is amended to read:

1166 338.223 Proposed turnpike projects.—

1167 (1)

1168 (c) Prior to requesting legislative approval of a proposed
 1169 turnpike project, the environmental feasibility of the proposed
 1170 project shall be reviewed by the Department of Environmental
 1171 Protection. The department shall submit its Project Development
 1172 and Environmental Report to the Department of Environmental
 1173 Protection, along with a draft copy of a public notice. Within
 1174 14 days of receipt of the draft public notice, the Department of
 1175 Environmental Protection shall return the draft public notice to

1176 the Department of Transportation with an approval of the
1177 language or modifications to the language. Upon receipt of the
1178 approved or modified draft, or if no comments are provided
1179 within 14 days, the Department of Transportation shall publish
1180 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1181 30-day public comment period. If published in a newspaper, the
1182 headline of the required notice shall be in a type no smaller
1183 than 18 point, ~~The notice~~ shall be placed in that portion of
1184 the newspaper where legal notices appear, and ~~The notice~~ shall
1185 be published in a newspaper of general circulation in the county
1186 or counties of general interest and readership in the community
1187 as provided in s. 50.031, not one of limited subject matter.
1188 Whenever possible, the notice shall appear in a newspaper that
1189 is published at least weekly ~~5 days a week~~. All The notices
1190 ~~notice~~ published pursuant to this section shall include, at a
1191 minimum ~~but is not limited to~~, the following information:

1192 1. The purpose of the notice is to provide for a 30-day
1193 period for written public comments on the environmental impacts
1194 of a proposed turnpike project.

1195 2. The name and description of the project, along with a
1196 geographic location map clearly indicating the area where the
1197 proposed project will be located.

1198 3. The address where such comments must be sent and the
1199 date such comments are due.

1200

1201 After a review of the department's report and any public
1202 comments, the Department of Environmental Protection shall
1203 submit a statement of environmental feasibility to the
1204 department within 30 days after the date on which public
1205 comments are due. The notice and the statement of environmental
1206 feasibility shall not give rise to any rights to a hearing or
1207 other rights or remedies provided pursuant to chapter 120 or
1208 chapter 403, and shall not bind the Department of Environmental
1209 Protection in any subsequent environmental permit review.

1210 Section 25. Subsection (3) of section 348.0308, Florida
1211 Statutes, is amended to read:

1212 348.0308 Public-private partnership.—The Legislature
1213 declares that there is a public need for the rapid construction
1214 of safe and efficient transportation facilities for traveling
1215 within the state and that it is in the public's interest to
1216 provide for public-private partnership agreements to effectuate
1217 the construction of additional safe, convenient, and economical
1218 transportation facilities.

1219 (3) The agency may request proposals for public-private
1220 transportation projects or, if it receives an unsolicited
1221 proposal, it must publish a notice in the Florida Administrative
1222 Register and as provided in chapter 50 ~~a newspaper of general~~
1223 ~~circulation~~ in each ~~the~~ county in which the project ~~it~~ is
1224 located at least once a week for 2 weeks stating that it has
1225 received the proposal and will accept, for 60 days after the

1226 initial date of publication, other proposals for the same
1227 project purpose. A copy of the notice must be mailed to each
1228 local government in the affected areas. After the public
1229 notification period has expired, the agency shall rank the
1230 proposals in order of preference. In ranking the proposals, the
1231 agency shall consider professional qualifications, general
1232 business terms, innovative engineering or cost-reduction terms,
1233 finance plans, and the need for state funds to deliver the
1234 proposal. If the agency is not satisfied with the results of the
1235 negotiations, it may, at its sole discretion, terminate
1236 negotiations with the proposer. If these negotiations are
1237 unsuccessful, the agency may go to the second and lower-ranked
1238 firms, in order, using the same procedure. If only one proposal
1239 is received, the agency may negotiate in good faith, and if it
1240 is not satisfied with the results, it may, at its sole
1241 discretion, terminate negotiations with the proposer. The agency
1242 may, at its discretion, reject all proposals at any point in the
1243 process up to completion of a contract with the proposer.

1244 Section 26. Subsection (3) of section 348.635, Florida
1245 Statutes, is amended to read:

1246 348.635 Public-private partnership.—The Legislature
1247 declares that there is a public need for the rapid construction
1248 of safe and efficient transportation facilities for traveling
1249 within the state and that it is in the public's interest to
1250 provide for public-private partnership agreements to effectuate

1251 the construction of additional safe, convenient, and economical
1252 transportation facilities.

1253 (3) The authority may request proposals for public-private
1254 transportation projects or, if it receives an unsolicited
1255 proposal, it must publish a notice in the Florida Administrative
1256 Register as provided in chapter 50 ~~and a newspaper of general~~
1257 ~~circulation~~ in each the county in which the project ~~it~~ is
1258 located at least once a week for 2 weeks stating that it has
1259 received the proposal and will accept, for 60 days after the
1260 initial date of publication, other proposals for the same
1261 project purpose. A copy of the notice must be mailed to each
1262 local government in the affected areas. After the public
1263 notification period has expired, the authority shall rank the
1264 proposals in order of preference. In ranking the proposals, the
1265 authority shall consider professional qualifications, general
1266 business terms, innovative engineering or cost-reduction terms,
1267 finance plans, and the need for state funds to deliver the
1268 proposal. If the authority is not satisfied with the results of
1269 the negotiations, it may, at its sole discretion, terminate
1270 negotiations with the proposer. If these negotiations are
1271 unsuccessful, the authority may go to the second and lower-
1272 ranked firms, in order, using the same procedure. If only one
1273 proposal is received, the authority may negotiate in good faith,
1274 and if it is not satisfied with the results, it may, at its sole
1275 discretion, terminate negotiations with the proposer. The

1276 authority may, at its discretion, reject all proposals at any
1277 point in the process up to completion of a contract with the
1278 proposer.

1279 Section 27. Subsection (3) of section 348.7605, Florida
1280 Statutes, is amended to read:

1281 348.7605 Public-private partnership.—The Legislature
1282 declares that there is a public need for the rapid construction
1283 of safe and efficient transportation facilities for traveling
1284 within the state and that it is in the public's interest to
1285 provide for public-private partnership agreements to effectuate
1286 the construction of additional safe, convenient, and economical
1287 transportation facilities.

1288 (3) The authority may request proposals for public-private
1289 transportation projects or, if it receives an unsolicited
1290 proposal, it must publish a notice in the Florida Administrative
1291 Register and as provided in chapter 50 ~~a newspaper of general~~
1292 ~~circulation~~ in each ~~the~~ county in which the project ~~it~~ is
1293 located at least once a week for 2 weeks stating that it has
1294 received the proposal and will accept, for 60 days after the
1295 initial date of publication, other proposals for the same
1296 project purpose. A copy of the notice must be mailed to each
1297 local government in the affected areas. After the public
1298 notification period has expired, the authority shall rank the
1299 proposals in order of preference. In ranking the proposals, the
1300 authority shall consider professional qualifications, general

1301 business terms, innovative engineering or cost-reduction terms,
1302 finance plans, and the need for state funds to deliver the
1303 proposal. If the authority is not satisfied with the results of
1304 the negotiations, it may, at its sole discretion, terminate
1305 negotiations with the proposer. If these negotiations are
1306 unsuccessful, the authority may go to the second and lower-
1307 ranked firms, in order, using the same procedure. If only one
1308 proposal is received, the authority may negotiate in good faith,
1309 and if it is not satisfied with the results, it may, at its sole
1310 discretion, terminate negotiations with the proposer. The
1311 authority may, at its discretion, reject all proposals at any
1312 point in the process up to completion of a contract with the
1313 proposer.

1314 Section 28. Section 373.0397, Florida Statutes, is amended
1315 to read:

1316 373.0397 Floridan and Biscayne aquifers; designation of
1317 prime groundwater recharge areas.—Upon preparation of an
1318 inventory of prime groundwater recharge areas for the Floridan
1319 or Biscayne aquifers, but prior to adoption by the governing
1320 board, the water management district shall publish a legal
1321 notice of public hearing on the designated areas for the
1322 Floridan and Biscayne aquifers, with a map delineating the
1323 boundaries of the areas, as provided ~~in newspapers defined in~~
1324 chapter 50 in each county ~~as having general circulation~~ within
1325 the area to be affected. The notice shall be at least one-fourth

1326 | page and shall read as follows:

1327 | NOTICE OF PRIME RECHARGE

1328 | AREA DESIGNATION

1329 | The ...(name of taxing authority)... proposes to designate
1330 | specific land areas as areas of prime recharge to the ...(name
1331 | of aquifer)... Aquifer.

1332 | All concerned citizens are invited to attend a public
1333 | hearing on the proposed designation to be held on ...(date and
1334 | time)... at ...(meeting place)....

1335 | A map of the affected areas follows.

1336 | The governing board of the water management district shall adopt
1337 | a designation of prime groundwater recharge areas to the
1338 | Floridan and Biscayne aquifers by rule within 120 days after the
1339 | public hearing, subject to the provisions of chapter 120.

1340 | Section 29. Section 373.146, Florida Statutes, is amended
1341 | to read:

1342 | 373.146 Publication of notices, process, and papers.—

1343 | (1) Whenever in this chapter the publication of any
1344 | notice, process, or paper is required or provided for, unless
1345 | otherwise provided by law, the publication thereof ~~in some~~
1346 | ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 in
1347 | each county ~~having general circulation~~ within the area to be
1348 | affected shall be taken and considered as being sufficient.

1349 | (2) Notwithstanding any other provision of law to the
1350 | contrary, and except in the case of emergency meetings, water

1351 management districts may provide reasonable notice of public
1352 meetings held to evaluate responses to solicitations issued by
1353 the water management district, by publication as provided in
1354 chapter 50 ~~in a newspaper of general paid circulation~~ in the
1355 county where the principal office of the water management
1356 district is located, or in the county or counties where the
1357 public work will be performed, no less than 7 days before such
1358 meeting.

1359 Section 30. Subsection (12) of section 403.722, Florida
1360 Statutes, is amended to read:

1361 403.722 Permits; hazardous waste disposal, storage, and
1362 treatment facilities.—

1363 (12) On the same day of filing with the department of an
1364 application for a permit for the construction modification, or
1365 operation of a hazardous waste facility, the applicant shall
1366 notify each city and county within 1 mile of the facility of the
1367 filing of the application and shall publish notice of the filing
1368 of the application. The applicant shall publish a second notice
1369 of the filing within 14 days after the date of filing. Each
1370 notice shall be published ~~in a newspaper of general circulation~~
1371 in the county in which the facility is located or is proposed to
1372 be located as provided in chapter 50. ~~Notwithstanding the~~
1373 ~~provisions of chapter 50, for purposes of this section, a~~
1374 ~~"newspaper of general circulation"~~ shall be the newspaper within
1375 ~~the county in which the installation or facility is proposed~~

1376 ~~which has the largest daily circulation in that county and has~~
 1377 ~~its principal office in that county. If the newspaper with the~~
 1378 ~~largest daily circulation has its principal office outside the~~
 1379 ~~county, the notice shall appear in both the newspaper with the~~
 1380 ~~largest daily circulation in that county, and a newspaper~~
 1381 ~~authorized to publish legal notices in that county.~~ The notice
 1382 shall contain:

1383 (a) The name of the applicant and a brief description of
 1384 the project and its location.

1385 (b) The location of the application file and when it is
 1386 available for public inspection.

1387
 1388 The notice shall be prepared by the applicant and shall comply
 1389 with the following format:

1390 Notice of Application
 1391 The Department of Environmental Protection announces receipt of
 1392 an application for a permit from ...(name of applicant)... to
 1393 ...(brief description of project).... This proposed project will
 1394 be located at ...(location)... in ...(county)... ...(city)....
 1395 This application is being processed and is available for public
 1396 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
 1397 Monday through Friday, except legal holidays, at ...(name and
 1398 address of office)....

1399 Section 31. Paragraph (b) of subsection (3) of section
 1400 712.06, Florida Statutes, is amended to read:

1401 712.06 Contents of notice; recording and indexing.—
 1402 (3) The person providing the notice referred to in s.
 1403 712.05, other than a notice for preservation of a community
 1404 covenant or restriction, shall:
 1405 (b) Publish the notice referred to in s. 712.05 for 2
 1406 consecutive weeks on a publicly accessible website as provided
 1407 in chapter 50 or once a week, for 2 consecutive weeks in a
 1408 newspaper as defined in chapter 50, ~~the notice referred to in s.~~
 1409 ~~712.05,~~ with the official record book and page number in which
 1410 such notice was recorded, ~~in a newspaper as defined in chapter~~
 1411 ~~50~~ in the county in which the property is located.
 1412 Section 32. Subsection (5) of section 849.38, Florida
 1413 Statutes, is amended to read:
 1414 849.38 Proceedings for forfeiture; notice of seizure and
 1415 order to show cause.—
 1416 (5) If the value of the property seized is shown by the
 1417 sheriff's return to have an appraised value of \$1,000 or less,
 1418 the above citation shall be served by posting at three public
 1419 places in the county, one of which shall be the front door of
 1420 the courthouse; if the value of the property is shown by the
 1421 sheriff's return to have an approximate value of more than
 1422 \$1,000, the citation shall be published for at least 2
 1423 consecutive weeks on a publicly accessible website as provided
 1424 in chapter 50 or at least once each week for 2 consecutive weeks
 1425 in some newspaper of general publication published in the

1426 county, if there be such a newspaper published in the county and
 1427 if not, then said notice of such publication shall be made by
 1428 certificate of the clerk if publication is made by posting, and
 1429 by affidavit as provided in chapter 50, if made by publication
 1430 as provided in chapter 50 ~~in a newspaper~~, which affidavit or
 1431 certificate shall be filed and become a part of the record in
 1432 the cause. Failure of the record to show proof of such
 1433 publication shall not affect any judgment made in the cause
 1434 unless it shall affirmatively appear that no such publication
 1435 was made.

1436 Section 33. Paragraph (a) of subsection (3) of section
 1437 865.09, Florida Statutes, is amended to read:

1438 865.09 Fictitious name registration.—

1439 (3) REGISTRATION.—

1440 (a) A person may not engage in business under a fictitious
 1441 name unless the person first registers the name with the
 1442 division by filing a registration listing:

- 1443 1. The name to be registered.
- 1444 2. The mailing address of the business.
- 1445 3. The name and address of each registrant.
- 1446 4. If the registrant is a business entity that was
 1447 required to file incorporation or similar documents with its
 1448 state of organization when it was organized, such entity must be
 1449 registered with the division and in active status with the
 1450 division; provide its Florida document registration number; and

1451 provide its federal employer identification number if the entity
1452 has such a number.

1453 5. Certification by at least one registrant that the
1454 intention to register such fictitious name has been advertised
1455 as provided ~~at least once in a newspaper as defined in chapter~~
1456 50 in the county in which the principal place of business of the
1457 registrant is or will be located.

1458 6. Any other information the division may reasonably deem
1459 necessary to adequately inform other governmental agencies and
1460 the public as to the registrant so conducting business.

1461 Section 34. Paragraph (a) of subsection (6) of section
1462 932.704, Florida Statutes, is amended to read:

1463 932.704 Forfeiture proceedings.—

1464 (6) (a) If the property is required by law to be titled or
1465 registered, or if the owner of the property is known in fact to
1466 the seizing agency, or if the seized property is subject to a
1467 perfected security interest in accordance with the Uniform
1468 Commercial Code, chapter 679, the attorney for the seizing
1469 agency shall serve the forfeiture complaint as an original
1470 service of process under the Florida Rules of Civil Procedure
1471 and other applicable law to each person having an ownership or
1472 security interest in the property. The seizing agency shall also
1473 publish, in accordance with chapter 50, notice of the forfeiture
1474 complaint for 2 consecutive weeks on a publicly accessible
1475 website or once each week for 2 consecutive weeks in a newspaper

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1476 | of general circulation, ~~as defined in s. 165.031,~~ in the county
1477 | where the seizure occurred.

1478 | Section 35. This act shall take effect July 1, 2022.