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LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 04/17/2021 | . | |
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| | . | |
| | . | |

Appropriations Subcommittee on Criminal and Civil Justice
(Rodrigues) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

50.011 Publication of ~~Where and in what language~~ legal
notices ~~to be published.~~ Whenever by statute an official or
legal advertisement or a publication, or notice in a newspaper
has been or is directed or permitted in the nature of or in lieu



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11 of process, or for constructive service, or in initiating,
12 assuming, reviewing, exercising or enforcing jurisdiction or
13 power, or for any purpose, including all legal notices and
14 advertisements of sheriffs and tax collectors, the
15 contemporaneous and continuous intent and meaning of such
16 legislation all and singular, existing or repealed, is and has
17 been and is hereby declared to be and to have been, and the rule
18 of interpretation is and has been the following:

19 (1) A publication in a newspaper printed and published
20 periodically at least once a week; which contains ~~or oftener,~~
21 ~~containing~~ at least 25 percent of its words in the English
22 language; which has a net distribution of at least 1,000 net
23 print copies per week; which has a website averaging at least
24 1,000 unique users per week; which has its distribution and
25 website readership audited and certified biannually by an
26 independent third-party auditor who is qualified and accredited;
27 which is, ~~entered or qualified to be admitted and entered as~~
28 ~~periodicals matter at a post office in the county where~~
29 ~~published, for sale to the public generally,~~ available to the
30 public generally in the county or nearby counties to which the
31 legal notice pertains; and which publishes ~~for the publication~~
32 ~~of~~ official or other notices and customarily dedicates at least
33 25 percent of its content to local and regional news and
34 ~~containing~~ information of a public character or of interest or
35 of value to the residents or owners of property in the county
36 where published, or of interest or of value to the general
37 public; or

38 (2) By Internet publication on the website of any newspaper
39 of general circulation in the county or nearby counties to which



40 the legal notice pertains which otherwise meets the criteria
41 specified in subsection (1) and on the statewide legal notice
42 website as provided under s. 50.0211(5).

43 Section 2. Section 50.021, Florida Statutes, is amended to
44 read:

45 50.021 Publication when no newspaper in county.—When any
46 law, or order or decree of court, directs ~~shall direct~~
47 advertisements to be made in a any county and there is ~~be~~ no
48 newspaper published in the ~~said~~ county, the advertisement may be
49 made by posting on the website of any newspaper of general
50 circulation in an adjoining county and on the statewide legal
51 notice website as provided in s. 50.0211(5) or posting three
52 copies thereof in three different places in the ~~said~~ county, one
53 of which shall be at the front door of the courthouse, and by
54 publication in the nearest county in which a newspaper is
55 published.

56 Section 3. Section 50.0211, Florida Statutes, is amended to
57 read:

58 50.0211 Internet website publication.—

59 (1) As used in this section, the term "governmental agency"
60 means a county, municipality, district school board, or other
61 unit of local government or political subdivision in this state.

62 (2) This section applies to legal notices that must be
63 published in accordance with this chapter unless otherwise
64 specified.

65 (3) ~~(2)~~ If a governmental agency publishes a legal notice in
66 the print edition of a newspaper, each legal notice must be
67 posted on the newspaper's website on the same day that the
68 printed notice appears in the newspaper, at no additional



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69 charge, in a separate web page titled "Legal Notices," "Legal
70 Advertising," or comparable identifying language. A link to the
71 legal notices web page shall be provided on the front page of
72 the newspaper's website that provides access to the legal
73 notices. If there is a specified size and placement required for
74 a printed legal notice, the size and placement of the notice on
75 the newspaper's website must optimize its online visibility in
76 keeping with the print requirements. The newspaper's web pages
77 that contain legal notices must present the legal notices as the
78 dominant and leading subject matter of those pages. The
79 newspaper's website must contain a search function to facilitate
80 searching the legal notices. A fee may not be charged, and
81 registration may not be required, for viewing or searching legal
82 notices on a newspaper's website if the legal notice is
83 published in a newspaper.

84 (4) (a) ~~(3) (a)~~ If a legal notice is published in the print
85 edition of a newspaper or on a newspaper's website, the
86 newspaper publishing the notice shall place the notice on the
87 statewide website established and maintained as an initiative of
88 the Florida Press Association as a repository for such notices
89 located at the following address: www.floridapublicnotices.com.

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

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

95 (c) The statewide website created under this subsection
96 shall maintain a searchable archive of all legal notices posted
97 on the publicly accessible website ~~on or after October 1, 2014,~~



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98 for 18 months after the first day of posting. Such searchable
99 archive shall be provided and accessible to the general public
100 without charge.

101 (d) In its operation of the statewide website, the Florida
102 Press Association shall consult with the Black Press Association
103 of Florida to ensure that minority populations throughout the
104 state have equitable access to legal notices that are posted on
105 the Internet.

106 (5) (a) In lieu of publishing a legal notice in the print
107 edition of a newspaper of general circulation, a governmental
108 agency may opt for Internet-only publication with any newspaper
109 of general circulation within the jurisdiction of the affected
110 governmental agency so long as the governmental agency
111 determines that the Internet publication of such notice would
112 not unreasonably restrict public access. Any such notice that is
113 published only on the Internet in accordance with this
114 subsection must be placed in the legal notices section of the
115 newspaper's website and the statewide legal notice website
116 established under subsection (4). All requirements regarding the
117 format and accessibility of legal notices placed on the
118 newspaper's website and the statewide legal notice website in
119 subsections (3) and (4) also apply to legal notices that are
120 published only on the Internet in accordance with this
121 subsection.

122 (b) The legal notices section of the print edition of a
123 newspaper must include a disclaimer stating that additional
124 legal notices may be accessed on the newspaper's website and the
125 statewide legal notice website. The legal notices section of the
126 newspaper's website must also include a disclaimer stating that



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127 legal notices are also published in the print edition of the
128 newspaper and on the statewide legal notice website.

129 (c) A newspaper may charge for the publication of any legal
130 notice that is published only on the newspaper's website,
131 without rebate, commission, or refund; however, the newspaper
132 may not charge any higher rate for publication than the amount
133 that would be authorized under s. 50.061 if the legal notice had
134 been printed in the newspaper. The penalties prescribed in s.
135 50.061(7) for allowing or accepting any rebate, commission, or
136 refund in connection to the amounts charged for publication also
137 apply to any legal notices that are published only on the
138 Internet in accordance with this subsection.

139 (d) If a governmental agency exercises the option to
140 publish legal notices on the Internet in accordance with this
141 subsection, such agency must provide notice at least once per
142 week in the print edition of a newspaper of general circulation
143 within the region in which the governmental agency is located
144 which states that legal notices pertaining to the agency do not
145 all appear in the print edition of the local newspaper and that
146 additional legal notices may be accessed on the newspaper's
147 website and that a full listing of any legal notices may be
148 accessed on the statewide legal notice website located at
149 www.floridapublicnotices.com.

150 (6)~~(4)~~ Newspapers that publish legal notices shall, upon
151 request, provide e-mail notification of new legal notices when
152 they are published ~~printed~~ in the newspaper or on ~~and added to~~
153 the newspaper's website. Such e-mail notification shall be
154 provided without charge, and notification for such an e-mail
155 registry shall be available on the front page of the legal



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156 notices section of the newspaper's website.

157 Section 4. Section 50.031, Florida Statutes, is amended to
158 read:

159 50.031 Newspapers in which legal notices and process may be
160 published.—No notice or publication required to be published in
161 the print edition of a newspaper or on a newspaper's website in
162 the nature of or in lieu of process of any kind, nature,
163 character or description provided for under any law of the
164 state, whether heretofore or hereafter enacted, and whether
165 pertaining to constructive service, or the initiating, assuming,
166 reviewing, exercising or enforcing jurisdiction or power, by any
167 court in this state, or any notice of sale of property, real or
168 personal, for taxes, state, county or municipal, or sheriff's,
169 guardian's or administrator's or any sale made pursuant to any
170 judicial order, decree or statute or any other publication or
171 notice pertaining to any affairs of the state, or any county,
172 municipality or other political subdivision thereof, shall be
173 deemed to have been published in accordance with the statutes
174 providing for such publication, unless the same shall have been
175 published for the prescribed period of time required for such
176 publication, in a newspaper which at the time of such
177 publication shall have been in existence for 1 year ~~and shall~~
178 ~~have been entered as periodicals matter at a post office in the~~
179 ~~county where published,~~ or in a newspaper which is a direct
180 successor of a newspaper which has ~~together have~~ been so
181 published; provided, however, that nothing herein contained
182 shall apply where in any county there shall be no newspaper in
183 existence which shall have been published for the length of time
184 above prescribed. No legal publication of any kind, nature or



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185 description, as herein defined, shall be valid or binding or
186 held to be in compliance with the statutes providing for such
187 publication unless the same shall have been published in
188 accordance with the provisions of this section or s. 50.0211(5).
189 Proof of such publication shall be made by uniform affidavit.

190 Section 5. Section 50.041, Florida Statutes, is amended to
191 read:

192 50.041 Proof of publication; uniform affidavits required.-

193 (1) All affidavits ~~of publishers of newspapers (or their~~
194 ~~official representatives)~~ made for the purpose of establishing
195 proof of publication of public notices or legal advertisements
196 shall be uniform throughout the state.

197 (2) Each such affidavit shall be printed upon white paper
198 and shall be 8 1/2 inches in width and of convenient length, not
199 less than 5 1/2 inches. A white margin of not less than 2 1/2
200 inches shall be left at the right side of each affidavit form
201 and upon or in this space shall be substantially pasted a
202 clipping which shall be a true copy of the public notice or
203 legal advertisement for which proof is executed. Alternatively,
204 the affidavit may be provided in electronic rather than paper
205 form, provided the notarization of the affidavit complies with
206 the requirements of s. 117.021.

207 (3) ~~In all counties having a population in excess of~~
208 ~~450,000 according to the latest official decennial census, in~~
209 ~~addition to the charges which are now or may hereafter be~~
210 ~~established by law for the publication of every official notice~~
211 ~~or legal advertisement,~~ There may be a charge not to exceed \$2
212 levied for the preparation and execution of each such proof of
213 publication or ~~publisher's~~ affidavit.



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214 Section 6. Section 50.051, Florida Statutes, is amended to
215 read:

216 50.051 Proof of publication; form of uniform affidavit.—The
217 printed form upon which all such affidavits establishing proof
218 of publication are to be executed shall be substantially as
219 follows:

220 NAME OF COUNTY NEWSPAPER

221 ~~Published (Weekly or Daily)~~

222 ~~(Town or City) (County) FLORIDA~~

223 STATE OF FLORIDA

224

225 COUNTY OF

226 Before the undersigned authority personally appeared,
227 who on oath says that he or she is of the, a
228 newspaper published at in County, Florida; that the
229 attached copy of advertisement, being a in the matter of
230 in the Court, was published in said newspaper by print
231 in the issues of or by publication on the newspaper's
232 website on ... (date)....

233 Affiant further says that the newspaper complies with all
234 legal requirements for publication in chapter 50, Florida
235 Statutes said is a newspaper published at, in said
236 County, Florida, and that the said newspaper has heretofore
237 been continuously published in said County, Florida, each
238 and has been entered as periodicals matter at the post
239 office in, in said County, Florida, for a period of 1
240 year next preceding the first publication of the attached copy
241 of advertisement; and affiant further says that he or she has
242 neither paid nor promised any person, firm or corporation any



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243 ~~discount, rebate, commission or refund for the purpose of~~
244 ~~securing this advertisement for publication in the said~~
245 ~~newspaper.~~

246
247 Sworn to and subscribed before me this day of,
248 ...(year)..., by, who is personally known to me or who has
249 produced (type of identification) as identification.

250
251 ...(Signature of Notary Public)...

252
253 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

254
255 ...(Notary Public)...

256 Section 7. Section 11.02, Florida Statutes, is amended to
257 read:

258 11.02 Notice of special or local legislation or certain
259 relief acts.—The notice required to obtain special or local
260 legislation or any relief act specified in s. 11.065 shall be by
261 publishing the identical notice ~~in each county involved in some~~
262 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in~~ or
263 circulated throughout the county or counties where the matter or
264 thing to be affected by such legislation shall be situated one
265 time at least 30 days before introduction of the proposed law
266 into the Legislature or, if the notice is not made by Internet
267 publication as provided in s. 50.0211(5) and there being no
268 newspaper circulated throughout or published in the county, by
269 posting for at least 30 days at not less than three public
270 places in the county or each of the counties, one of which
271 places shall be at the courthouse in the county or counties



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272 where the matter or thing to be affected by such legislation
273 shall be situated. Notice of special or local legislation shall
274 state the substance of the contemplated law, as required by s.
275 10, Art. III of the State Constitution. Notice of any relief act
276 specified in s. 11.065 shall state the name of the claimant, the
277 nature of the injury or loss for which the claim is made, and
278 the amount of the claim against the affected municipality's
279 revenue-sharing trust fund.

280 Section 8. Paragraph (d) of subsection (1) of section
281 120.81, Florida Statutes, is amended to read:

282 120.81 Exceptions and special requirements; general areas.-

283 (1) EDUCATIONAL UNITS.-

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

289 1. By publication in the print edition of a newspaper of
290 general circulation in the affected area or by Internet
291 publication in accordance with s. 50.0211(5);

292 2. By mail to all persons who have made requests of the
293 educational unit for advance notice of its proceedings and to
294 organizations representing persons affected by the proposed
295 rule; and

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

299 Section 9. Subsection (2) of section 121.0511, Florida
300 Statutes, is amended to read:



301 121.0511 Revocation of election and alternative plan.—The
302 governing body of any municipality or independent special
303 district that has elected to participate in the Florida
304 Retirement System may revoke its election in accordance with the
305 following procedure:

306 (2) At least 7 days, but not more than 15 days, before the
307 hearing, notice of intent to revoke, specifying the time and
308 place of the hearing, must be published as provided in chapter
309 50 in a newspaper of general circulation in the area affected,
310 as provided by ss. 50.011-50.031. Proof of publication of the
311 notice must be submitted to the Department of Management
312 Services.

313 Section 10. Paragraphs (b) and (h) of subsection (1) of
314 section 121.055, Florida Statutes, are amended to read:

315 121.055 Senior Management Service Class.—There is hereby
316 established a separate class of membership within the Florida
317 Retirement System to be known as the "Senior Management Service
318 Class," which shall become effective February 1, 1987.

319 (1)

320 (b)1. Except as provided in subparagraph 2., effective
321 January 1, 1990, participation in the Senior Management Service
322 Class is compulsory for the president of each community college,
323 the manager of each participating municipality or county, and
324 all appointed district school superintendents. Effective January
325 1, 1994, additional positions may be designated for inclusion in
326 the Senior Management Service Class if:

327 a. Positions to be included in the class are designated by
328 the local agency employer. Notice of intent to designate
329 positions for inclusion in the class must be published for at



330 least 2 consecutive weeks if published by Internet publication
331 as provided in s. 50.0211(5) or, if published in print, once a
332 week for 2 consecutive weeks in a newspaper of general
333 circulation published in the county or counties affected, as
334 provided in chapter 50.

335 b. Up to 10 nonelective full-time positions may be
336 designated for each local agency employer reporting to the
337 department; for local agencies with 100 or more regularly
338 established positions, additional nonelective full-time
339 positions may be designated, not to exceed 1 percent of the
340 regularly established positions within the agency.

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

345 (I) Heads an organizational unit; or

346 (II) Has responsibility to effect or recommend personnel,
347 budget, expenditure, or policy decisions in his or her areas of
348 responsibility.

349 2. In lieu of participation in the Senior Management
350 Service Class, members of the Senior Management Service Class,
351 pursuant to subparagraph 1., may withdraw from the Florida
352 Retirement System altogether. The decision to withdraw from the
353 system is irrevocable as long as the employee holds the
354 position. Any service creditable under the Senior Management
355 Service Class shall be retained after the member withdraws from
356 the system; however, additional service credit in the Senior
357 Management Service Class may not be earned after such
358 withdrawal. Such members are not eligible to participate in the



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359 Senior Management Service Optional Annuity Program.

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

364 a. If the employee elects to participate in the investment
365 plan, membership shall be prospective, and the applicable
366 provisions of s. 121.4501(4) govern the election.

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

372 (I) The cost for such credit shall be an amount
373 representing the actuarial accrued liability for the affected
374 period of service. The cost shall be calculated using the
375 discount rate and other relevant actuarial assumptions that were
376 used to value the pension plan liabilities in the most recent
377 actuarial valuation. The calculation must include any service
378 already maintained under the pension plan in addition to the
379 period of withdrawal. The actuarial accrued liability
380 attributable to any service already maintained under the pension
381 plan shall be applied as a credit to the total cost resulting
382 from the calculation. The division must ensure that the transfer
383 sum is prepared using a formula and methodology certified by an
384 actuary.

385 (II) The employee must transfer a sum representing the net
386 cost owed for the actuarial accrued liability in sub-sub-
387 subparagraph (I) immediately following the time of such



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388 movement, determined assuming that attained service equals the
389 sum of service in the pension plan and the period of withdrawal.

390 (h)1. Except as provided in subparagraph 3., effective
391 January 1, 1994, participation in the Senior Management Service
392 Class shall be compulsory for the State Courts Administrator and
393 the Deputy State Courts Administrators, the Clerk of the Supreme
394 Court, the Marshal of the Supreme Court, the Executive Director
395 of the Justice Administrative Commission, the capital collateral
396 regional counsel, the clerks of the district courts of appeals,
397 the marshals of the district courts of appeals, and the trial
398 court administrator and the Chief Deputy Court Administrator in
399 each judicial circuit. Effective January 1, 1994, additional
400 positions in the offices of the state attorney and public
401 defender in each judicial circuit may be designated for
402 inclusion in the Senior Management Service Class of the Florida
403 Retirement System, provided that:

404 a. Positions to be included in the class shall be
405 designated by the state attorney or public defender, as
406 appropriate. Notice of intent to designate positions for
407 inclusion in the class shall be published for at least 2
408 consecutive weeks by Internet publication as provided in s.
409 50.0211(5) or, if published in print, once a week for 2
410 consecutive weeks in a newspaper of general circulation
411 published in the county or counties affected, as provided in
412 chapter 50.

413 b. One nonelective full-time position may be designated for
414 each state attorney and public defender reporting to the
415 Department of Management Services; for agencies with 200 or more
416 regularly established positions under the state attorney or



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417 public defender, additional nonelective full-time positions may
418 be designated, not to exceed 0.5 percent of the regularly
419 established positions within the agency.

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

424 (I) Heads an organizational unit; or

425 (II) Has responsibility to effect or recommend personnel,
426 budget, expenditure, or policy decisions in his or her areas of
427 responsibility.

428 2. Participation in this class shall be compulsory, except
429 as provided in subparagraph 3., for any judicial employee who
430 holds a position designated for coverage in the Senior
431 Management Service Class, and such participation shall continue
432 until the employee terminates employment in a covered position.
433 Effective January 1, 2001, participation in this class is
434 compulsory for assistant state attorneys, assistant statewide
435 prosecutors, assistant public defenders, and assistant capital
436 collateral regional counsel. Effective January 1, 2002,
437 participation in this class is compulsory for assistant
438 attorneys general.

439 3. In lieu of participation in the Senior Management
440 Service Class, such members, excluding assistant state
441 attorneys, assistant public defenders, assistant statewide
442 prosecutors, assistant attorneys general, and assistant capital
443 collateral regional counsel, may participate in the Senior
444 Management Service Optional Annuity Program as established in
445 subsection (6).



446 Section 11. Paragraph (a) of subsection (2) and paragraph
447 (b) of subsection (4) of section 125.66, Florida Statutes, are
448 amended to read:

449 125.66 Ordinances; enactment procedure; emergency
450 ordinances; rezoning or change of land use ordinances or
451 resolutions.-

452 (2) (a) The regular enactment procedure shall be as follows:
453 The board of county commissioners at any regular or special
454 meeting may enact or amend any ordinance, except as provided in
455 subsection (4), if notice of intent to consider such ordinance
456 is given at least 10 days before such ~~prior to said~~ meeting by
457 publication as provided in chapter 50 ~~in a newspaper of general~~
458 ~~circulation in the county~~. A copy of such notice shall be kept
459 available for public inspection during the regular business
460 hours of the office of the clerk of the board of county
461 commissioners. The notice of proposed enactment shall state the
462 date, time, and place of the meeting; the title or titles of
463 proposed ordinances; and the place or places within the county
464 where such proposed ordinances may be inspected by the public.
465 The notice shall also advise that interested parties may appear
466 at the meeting and be heard with respect to the proposed
467 ordinance.

468 (4) Ordinances or resolutions, initiated by other than the
469 county, that change the actual zoning map designation of a
470 parcel or parcels of land shall be enacted pursuant to
471 subsection (2). Ordinances or resolutions that change the actual
472 list of permitted, conditional, or prohibited uses within a
473 zoning category, or ordinances or resolutions initiated by the
474 county that change the actual zoning map designation of a parcel



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475 or parcels of land shall be enacted pursuant to the following
476 procedure:

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

483 1. The board of county commissioners shall hold two
484 advertised public hearings on the proposed ordinance or
485 resolution. At least one hearing shall be held after 5 p.m. on a
486 weekday, unless the board of county commissioners, by a majority
487 plus one vote, elects to conduct that hearing at another time of
488 day. The first public hearing shall be held at least 7 days
489 after the day that the first advertisement is published. The
490 second hearing shall be held at least 10 days after the first
491 hearing and shall be advertised at least 5 days prior to the
492 public hearing.

493 2. If published in the print edition of a newspaper, the
494 required advertisements shall be no less than 2 columns wide by
495 10 inches long in a standard size or a tabloid size newspaper,
496 and the headline in the advertisement shall be in a type no
497 smaller than 18 point. The advertisement shall not be placed in
498 that portion of the newspaper where legal notices and classified
499 advertisements appear. The advertisement shall be placed in a
500 newspaper ~~of general paid circulation~~ in the county and of
501 general interest and readership in the community pursuant to
502 chapter 50, ~~not one of limited subject matter~~. It is the
503 legislative intent that, whenever possible, the advertisement



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504 shall appear in a newspaper that is published at least weekly 5
505 ~~days a week~~ unless the only newspaper in the community is
506 published less than weekly 5 ~~days a week~~. The advertisement
507 shall be in substantially the following form:

508 NOTICE OF (TYPE OF) CHANGE

509
510 The ...(name of local governmental unit)... proposes to
511 adopt the following by ordinance or resolution:...(title of
512 ordinance or resolution)....

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

515
516 Except for amendments which change the actual list of permitted,
517 conditional, or prohibited uses within a zoning category, the
518 advertisement shall contain a geographic location map which
519 clearly indicates the area within the local government covered
520 by the proposed ordinance or resolution. The map shall include
521 major street names as a means of identification of the general
522 area. If In addition to being published in the print edition of
523 the newspaper, the map must be part of any the online notice
524 made required pursuant to s. 50.0211.

525 3. In lieu of publishing the advertisements set out in this
526 paragraph, the board of county commissioners may mail a notice
527 to each person owning real property within the area covered by
528 the ordinance or resolution. Such notice shall clearly explain
529 the proposed ordinance or resolution and shall notify the person
530 of the time, place, and location of both public hearings on the
531 proposed ordinance or resolution.

532 Section 12. Paragraph (a) of subsection (2) of section



533 162.12, Florida Statutes, is amended to read:

534 162.12 Notices.—

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

539 (a)1. Such notice shall be published by print, or on a
540 newspaper's website and the statewide legal notice website as
541 provided in s. 50.0211(5) for 4 consecutive weeks. If published
542 in print, the notice shall be published once during each week
543 for 4 consecutive weeks (four publications being sufficient) in
544 a newspaper of general circulation in the county where the code
545 enforcement board is located. The newspaper shall meet such
546 requirements as are prescribed under chapter 50 for legal and
547 official advertisements.

548 2. Proof of publication shall be made as provided in ss.
549 50.041 and 50.051.

550 Section 13. Paragraph (c) of subsection (3) of section
551 166.041, Florida Statutes, is amended to read:

552 166.041 Procedures for adoption of ordinances and
553 resolutions.—

554 (3)

555 (c) Ordinances initiated by other than the municipality
556 that change the actual zoning map designation of a parcel or
557 parcels of land shall be enacted pursuant to paragraph (a).
558 Ordinances that change the actual list of permitted,
559 conditional, or prohibited uses within a zoning category, or
560 ordinances initiated by the municipality that change the actual
561 zoning map designation of a parcel or parcels of land shall be



562 enacted pursuant to the following procedure:

563 1. In cases in which the proposed ordinance changes the
564 actual zoning map designation for a parcel or parcels of land
565 involving less than 10 contiguous acres, the governing body
566 shall direct the clerk of the governing body to notify by mail
567 each real property owner whose land the municipality will
568 redesignate by enactment of the ordinance and whose address is
569 known by reference to the latest ad valorem tax records. The
570 notice shall state the substance of the proposed ordinance as it
571 affects that property owner and shall set a time and place for
572 one or more public hearings on such ordinance. Such notice shall
573 be given at least 30 days prior to the date set for the public
574 hearing, and a copy of the notice shall be kept available for
575 public inspection during the regular business hours of the
576 office of the clerk of the governing body. The governing body
577 shall hold a public hearing on the proposed ordinance and may,
578 upon the conclusion of the hearing, immediately adopt the
579 ordinance.

580 2. In cases in which the proposed ordinance changes the
581 actual list of permitted, conditional, or prohibited uses within
582 a zoning category, or changes the actual zoning map designation
583 of a parcel or parcels of land involving 10 contiguous acres or
584 more, the governing body shall provide for public notice and
585 hearings as follows:

586 a. The local governing body shall hold two advertised
587 public hearings on the proposed ordinance. At least one hearing
588 shall be held after 5 p.m. on a weekday, unless the local
589 governing body, by a majority plus one vote, elects to conduct
590 that hearing at another time of day. The first public hearing



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591 shall be held at least 7 days after the day that the first
592 advertisement is published. The second hearing shall be held at
593 least 10 days after the first hearing and shall be advertised at
594 least 5 days prior to the public hearing.

595 b. If published in the print edition of a newspaper, the
596 required advertisements shall be no less than 2 columns wide by
597 10 inches long in a standard size or a tabloid size newspaper,
598 and the headline in the advertisement shall be in a type no
599 smaller than 18 point. The advertisement shall not be placed in
600 that portion of the newspaper where legal notices and classified
601 advertisements appear. The advertisement shall be placed in a
602 newspaper ~~of general paid circulation~~ in the municipality and of
603 general interest and readership in the municipality, ~~not one of~~
604 ~~limited subject matter,~~ pursuant to chapter 50. It is the
605 legislative intent that, whenever possible, the advertisement
606 appear in a newspaper that is published at least weekly ~~5 days a~~
607 ~~week~~ unless the only newspaper in the municipality is published
608 less than weekly ~~5 days a week~~. The advertisement shall be in
609 substantially the following form:

610
611 NOTICE OF (TYPE OF) CHANGE
612

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

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

617
618 Except for amendments which change the actual list of permitted,
619 conditional, or prohibited uses within a zoning category, the



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620 advertisement shall contain a geographic location map which
621 clearly indicates the area covered by the proposed ordinance.
622 The map shall include major street names as a means of
623 identification of the general area. If ~~In addition to being~~
624 published in the print edition of the newspaper, the map must
625 also be part of any ~~the~~ online notice made ~~required~~ pursuant to
626 s. 50.0211.

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

633 Section 14. Subsection (1) of section 189.015, Florida
634 Statutes, is amended to read:

635 189.015 Meetings; notice; required reports.-

636 (1) The governing body of each special district shall file
637 quarterly, semiannually, or annually a schedule of its regular
638 meetings with the local governing authority or authorities. The
639 schedule shall include the date, time, and location of each
640 scheduled meeting. The schedule shall be published quarterly,
641 semiannually, or annually ~~in a newspaper of general paid~~
642 ~~circulation~~ in the manner required in this subsection. The
643 governing body of an independent special district shall
644 advertise the day, time, place, and purpose of any meeting other
645 than a regular meeting or any recessed and reconvened meeting of
646 the governing body, at least 7 days before such meeting as
647 provided in chapter 50, ~~in a newspaper of general paid~~
648 ~~circulation~~ in the county or counties in which the special



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649 district is located, unless a bona fide emergency situation
650 exists, in which case a meeting to deal with the emergency may
651 be held as necessary, with reasonable notice, so long as it is
652 subsequently ratified by the governing body. No approval of the
653 annual budget shall be granted at an emergency meeting. The
654 notice shall be posted as provided in advertisement shall be
655 placed in that portion of the newspaper where legal notices and
656 classified advertisements appear. The advertisement shall appear
657 in a newspaper that is published at least 5 days a week, unless
658 the only newspaper in the county is published fewer than 5 days
659 a week. The newspaper selected must be one of general interest
660 and readership in the community and not one of limited subject
661 matter, pursuant to chapter 50. Any other provision of law to
662 the contrary notwithstanding, and except in the case of
663 emergency meetings, water management districts may provide
664 reasonable notice of public meetings held to evaluate responses
665 to solicitations issued by the water management district, by
666 publication as provided in chapter 50 by Internet publication or
667 by publication in a newspaper of general paid circulation in the
668 county where the principal office of the water management
669 district is located, or in the county or counties where the
670 public work will be performed, no less than 7 days before such
671 meeting.

672 Section 15. Paragraph (d) of subsection (1) of section
673 190.005, Florida Statutes, is amended to read:

674 190.005 Establishment of district.—

675 (1) The exclusive and uniform method for the establishment
676 of a community development district with a size of 2,500 acres
677 or more shall be pursuant to a rule, adopted under chapter 120



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678 by the Florida Land and Water Adjudicatory Commission, granting
679 a petition for the establishment of a community development
680 district.

681 (d) A local public hearing on the petition shall be
682 conducted by a hearing officer in conformance with the
683 applicable requirements and procedures of the Administrative
684 Procedure Act. The hearing shall include oral and written
685 comments on the petition pertinent to the factors specified in
686 paragraph (e). The hearing shall be held at an accessible
687 location in the county in which the community development
688 district is to be located. The petitioner shall cause a notice
689 of the hearing to be published for 4 successive weeks on a
690 newspaper's website and the statewide legal notice website
691 provided in s. 50.0211(5) or, if published in print, in a
692 newspaper at least once a week for the 4 successive weeks
693 immediately prior to the hearing as provided in chapter 50. Such
694 notice shall give the time and place for the hearing, a
695 description of the area to be included in the district, which
696 description shall include a map showing clearly the area to be
697 covered by the district, and any other relevant information
698 which the establishing governing bodies may require. If
699 published in the print edition of a newspaper, the advertisement
700 may shall not be placed in the that portion of the newspaper
701 where legal notices and classified advertisements appear. The
702 advertisement must shall be published in a newspaper ~~of general~~
703 ~~paid circulation~~ in the county and of general interest and
704 readership in the community, ~~not one of limited subject matter,~~
705 pursuant to chapter 50. Whenever possible, the advertisement
706 shall appear in a newspaper that is published at least weekly 5



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707 ~~days a week~~, unless the only newspaper in the community is
708 published less than weekly ~~fewer than 5 days a week~~. If the
709 notice is ~~In addition to being published in the print edition of~~
710 the newspaper, the map ~~referenced above~~ must also be included in
711 any part of the online advertisement ~~required~~ pursuant to s.
712 50.0211. All affected units of general-purpose local government
713 and the general public shall be given an opportunity to appear
714 at the hearing and present oral or written comments on the
715 petition.

716 Section 16. Paragraph (h) of subsection (1) of section
717 190.046, Florida Statutes, is amended to read:

718 190.046 Termination, contraction, or expansion of
719 district.—

720 (1) A landowner or the board may petition to contract or
721 expand the boundaries of a community development district in the
722 following manner:

723 (h) For a petition to establish a new community development
724 district of less than 2,500 acres on land located solely in one
725 county or one municipality, sufficiently contiguous lands
726 located within the county or municipality which the petitioner
727 anticipates adding to the boundaries of the district within 10
728 years after the effective date of the ordinance establishing the
729 district may also be identified. If such sufficiently contiguous
730 land is identified, the petition must include a legal
731 description of each additional parcel within the sufficiently
732 contiguous land, the current owner of the parcel, the acreage of
733 the parcel, and the current land use designation of the parcel.
734 At least 14 days before the hearing required under s.
735 190.005(2)(b), the petitioner must give the current owner of



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736 each such parcel notice of filing the petition to establish the
737 district, the date and time of the public hearing on the
738 petition, and the name and address of the petitioner. A parcel
739 may not be included in the district without the written consent
740 of the owner of the parcel.

741 1. After establishment of the district, a person may
742 petition the county or municipality to amend the boundaries of
743 the district to include a previously identified parcel that was
744 a proposed addition to the district before its establishment. A
745 filing fee may not be charged for this petition. Each such
746 petition must include:

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

749 b. A new legal description by metes and bounds of the
750 district;

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

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

753 e. A description of the development proposed on the
754 additional parcel; and

755 f. A copy of the original petition identifying the parcel
756 to be added.

757 2. Before filing with the county or municipality, the
758 person must provide the petition to the district and to the
759 owner of the proposed additional parcel, if the owner is not the
760 petitioner.

761 3. Once the petition is determined sufficient and complete,
762 the county or municipality must process the addition of the
763 parcel to the district as an amendment to the ordinance that
764 establishes the district. The county or municipality may process



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765 all petitions to amend the ordinance for parcels identified in
766 the original petition, even if, by adding such parcels, the
767 district exceeds 2,500 acres.

768 4. The petitioner shall cause to be published in a
769 newspaper of general circulation in the proposed district a
770 notice of the intent to amend the ordinance that establishes the
771 district. The notice must be in addition to any notice required
772 for adoption of the ordinance amendment. Such notice must be
773 published as provided in chapter 50 at least 10 days before the
774 scheduled hearing on the ordinance amendment ~~and may be~~
775 ~~published in the section of the newspaper reserved for legal~~
776 ~~notices~~. The notice must include a general description of the
777 land to be added to the district and the date and time of the
778 scheduled hearing to amend the ordinance. The petitioner shall
779 deliver, including by mail or hand delivery, the notice of the
780 hearing on the ordinance amendment to the owner of the parcel
781 and to the district at least 14 days before the scheduled
782 hearing.

783 5. The amendment of a district by the addition of a parcel
784 pursuant to this paragraph does not alter the transition from
785 landowner voting to qualified elector voting pursuant to s.
786 190.006, even if the total size of the district after the
787 addition of the parcel exceeds 5,000 acres. Upon adoption of the
788 ordinance expanding the district, the petitioner must cause to
789 be recorded a notice of boundary amendment which reflects the
790 new boundaries of the district.

791 6. This paragraph is intended to facilitate the orderly
792 addition of lands to a district under certain circumstances and
793 does not preclude the addition of lands to any district using



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794 the procedures in the other provisions of this section.

795 Section 17. Subsection (1) of section 194.037, Florida
796 Statutes, is amended to read:

797 194.037 Disclosure of tax impact.-

798 (1) After hearing all petitions, complaints, appeals, and
799 disputes, the clerk shall make public notice of the findings and
800 results of the board as provided in chapter 50. If published in
801 the print edition of a newspaper, the notice must be in at least
802 a quarter-page size advertisement of a standard size or tabloid
803 size newspaper, and the headline shall be in a type no smaller
804 than 18 point. The advertisement shall not be placed in that
805 portion of the newspaper where legal notices and classified
806 advertisements appear. The advertisement shall be published in a
807 newspaper ~~of general paid circulation~~ in the county. The
808 newspaper selected shall be one of general interest and
809 readership in the community, ~~and not one of limited subject~~
810 ~~matter,~~ pursuant to chapter 50. For all advertisements published
811 pursuant to this section, the headline shall read: TAX IMPACT OF
812 VALUE ADJUSTMENT BOARD. The public notice shall list the members
813 of the value adjustment board and the taxing authorities to
814 which they are elected. The form shall show, in columnar form,
815 for each of the property classes listed under subsection (2),
816 the following information, with appropriate column totals:

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

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

822 (c) In the third column, the number of parcels for which



823 the board considered the petition and reduced the assessment
824 from that made by the property appraiser on the initial
825 assessment roll.

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

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

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

836 (g) In the seventh column, the net shift in taxes to
837 parcels not granted relief by the board. The shift shall be
838 computed as the amount shown in column 6 multiplied by the
839 applicable millage rates adopted by the taxing authorities in
840 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
841 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
842 Constitution, but without adjustment as authorized pursuant to
843 s. 200.065(6). If for any taxing authority the hearing has not
844 been completed at the time the notice required herein is
845 prepared, the millage rate used shall be that adopted in the
846 hearing held pursuant to s. 200.065(2)(c).

847 Section 18. Subsection (1) of section 197.402, Florida
848 Statutes, is amended to read:

849 197.402 Advertisement of real or personal property with
850 delinquent taxes.—

851 (1) If advertisements are required, the board of county



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852 commissioners shall make such notice ~~select the newspaper~~ as
853 provided in chapter 50. The tax collector shall pay all
854 ~~newspaper~~ charges, and the proportionate cost of the
855 advertisements shall be added to the delinquent taxes collected.

856 Section 19. Subsection (3) of section 200.065, Florida
857 Statutes, is amended to read:

858 200.065 Method of fixing millage.—

859 (3) The advertisement shall be published as provided in
860 chapter 50. If the advertisement is published in the print
861 edition of a newspaper, the advertisement must be no less than
862 one-quarter page in size of a standard size or a tabloid size
863 newspaper, and the headline in the advertisement shall be in a
864 type no smaller than 18 point. The advertisement shall not be
865 placed in that portion of the newspaper where legal notices and
866 classified advertisements appear. The advertisement shall be
867 published in a newspaper ~~of general paid circulation~~ in the
868 county or in a geographically limited insert of such newspaper.
869 The geographic boundaries in which such insert is circulated
870 shall include the geographic boundaries of the taxing authority.
871 It is the legislative intent that, whenever possible, the
872 advertisement appear in a newspaper that is published at least
873 weekly ~~5 days a week~~ unless the only newspaper in the county is
874 published less than weekly ~~5 days a week~~, or that the
875 advertisement appear in a geographically limited insert of such
876 newspaper which insert is published throughout the taxing
877 authority's jurisdiction at least twice each week. It is further
878 the legislative intent that the newspaper selected be one of
879 general interest and readership in the community ~~and not one of~~
880 ~~limited subject matter~~, pursuant to chapter 50.



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

885 NOTICE OF PROPOSED TAX INCREASE

886
887 The ...(name of the taxing authority)... has tentatively
888 adopted a measure to increase its property tax levy.

889 Last year's property tax levy:

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

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

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

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

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

898
899 A FINAL DECISION on the proposed tax increase and the
900 budget will be made at this hearing.

901 (b) In all instances in which the provisions of paragraph
902 (a) are inapplicable for taxing authorities other than school
903 districts, the advertisement shall be in the following form:

904
905 NOTICE OF BUDGET HEARING

906
907 The ...(name of taxing authority)... has tentatively
908 adopted a budget for ...(fiscal year).... A public hearing to
909 make a FINAL DECISION on the budget AND TAXES will be held on



910 ...(date and time)... at ...(meeting place)....

911

912 (c) For school districts which have proposed a millage rate
913 in excess of 100 percent of the rolled-back rate computed
914 pursuant to subsection (1) and which propose to levy nonvoted
915 millage in excess of the minimum amount required pursuant to s.
916 1011.60(6), the advertisement shall be in the following form:

917 NOTICE OF PROPOSED TAX INCREASE

918

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

921 Last year's property tax levy:

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

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

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

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

927 A portion of the tax levy is required under state law in
928 order for the school board to receive \$...(amount A)... in state
929 education grants. The required portion has ...(increased or
930 decreased)... by ...(amount B)... percent and represents
931 approximately ...(amount C)... of the total proposed taxes.

932 The remainder of the taxes is proposed solely at the
933 discretion of the school board.

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

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



939 1. AMOUNT A shall be an estimate, provided by the
940 Department of Education, of the amount to be received in the
941 current fiscal year by the district from state appropriations
942 for the Florida Education Finance Program.

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

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

951 (d) For school districts which have proposed a millage rate
952 in excess of 100 percent of the rolled-back rate computed
953 pursuant to subsection (1) and which propose to levy as nonvoted
954 millage only the minimum amount required pursuant to s.
955 1011.60(6), the advertisement shall be the same as provided in
956 paragraph (c), except that the second and third paragraphs shall
957 be replaced with the following paragraph:

958
959 This increase is required under state law in order for the
960 school board to receive \$...(amount A)... in state education
961 grants.

962
963 (e) In all instances in which the provisions of paragraphs
964 (c) and (d) are inapplicable for school districts, the
965 advertisement shall be in the following form:

966
967

NOTICE OF BUDGET HEARING



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

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

(g) In the event that the mailing of the notice of proposed property taxes is delayed beyond September 3 in a county, any multicounty taxing authority which levies ad valorem taxes within that county shall advertise its intention to adopt a tentative budget and millage rate in a newspaper ~~of paid general circulation~~ within that county which meets the requirements of chapter 50, as provided in this subsection, and shall hold the hearing required pursuant to paragraph (2)(c) not less than 2 days or more than 5 days thereafter, and not later than September 18. The advertisement shall be in the following form, unless the proposed millage rate is less than or equal to the rolled-back rate, computed pursuant to subsection (1), in which case the advertisement shall be as provided in paragraph (e):

NOTICE OF TAX INCREASE

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

All concerned citizens are invited to attend a public



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997 hearing on the proposed tax increase to be held on ...(date and
998 time)... at ...(meeting place)....

999

1000 (h) In no event shall any taxing authority add to or delete
1001 from the language of the advertisements as specified herein
1002 unless expressly authorized by law, except that, if an increase
1003 in ad valorem tax rates will affect only a portion of the
1004 jurisdiction of a taxing authority, advertisements may include a
1005 map or geographical description of the area to be affected and
1006 the proposed use of the tax revenues under consideration. In
1007 addition, if published in the print edition of the newspaper or
1008 only published on the Internet in accordance with s. 50.0211(5),
1009 the map must be included in ~~part of~~ the online advertisement
1010 required by s. 50.0211. The advertisements required herein shall
1011 not be accompanied, preceded, or followed by other advertising
1012 or notices which conflict with or modify the substantive content
1013 prescribed herein.

1014 (i) The advertisements required pursuant to paragraphs (b)
1015 and (e) need not be one-quarter page in size or have a headline
1016 in type no smaller than 18 point.

1017 (j) The amounts to be published as percentages of increase
1018 over the rolled-back rate pursuant to this subsection shall be
1019 based on aggregate millage rates and shall exclude voted millage
1020 levies unless expressly provided otherwise in this subsection.

1021 (k) Any taxing authority which will levy an ad valorem tax
1022 for an upcoming budget year but does not levy an ad valorem tax
1023 currently shall, in the advertisement specified in paragraph
1024 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
1025 phrase "increase its property tax levy by ...(percentage of



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1026 increase over rolled-back rate)... percent" with the phrase
1027 "impose a new property tax levy of \$...(amount)... per \$1,000
1028 value."

1029 (1) Any advertisement required pursuant to this section
1030 shall be accompanied by an adjacent notice meeting the budget
1031 summary requirements of s. 129.03(3)(b). Except for those taxing
1032 authorities proposing to levy ad valorem taxes for the first
1033 time, the following statement shall appear in the budget summary
1034 in boldfaced type immediately following the heading, if the
1035 applicable percentage is greater than zero:

1036
1037 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
1038 taxing authority)... ARE ...(percent rounded to one decimal
1039 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

1040
1041 For purposes of this paragraph, "proposed operating budget
1042 expenditures" or "operating expenditures" means all moneys of
1043 the local government, including dependent special districts,
1044 that:

1045 1. Were or could be expended during the applicable fiscal
1046 year, or

1047 2. Were or could be retained as a balance for future
1048 spending in the fiscal year.

1049
1050 Provided, however, those moneys held in or used in trust,
1051 agency, or internal service funds, and expenditures of bond
1052 proceeds for capital outlay or for advanced refunded debt
1053 principal, shall be excluded.

1054 Section 20. Paragraph (c) of subsection (1) of section



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1055 338.223, Florida Statutes, is amended to read:
1056 338.223 Proposed turnpike projects.—
1057 (1)
1058 (c) Prior to requesting legislative approval of a proposed
1059 turnpike project, the environmental feasibility of the proposed
1060 project shall be reviewed by the Department of Environmental
1061 Protection. The department shall submit its Project Development
1062 and Environmental Report to the Department of Environmental
1063 Protection, along with a draft copy of a public notice. Within
1064 14 days of receipt of the draft public notice, the Department of
1065 Environmental Protection shall return the draft public notice to
1066 the Department of Transportation with an approval of the
1067 language or modifications to the language. Upon receipt of the
1068 approved or modified draft, or if no comments are provided
1069 within 14 days, the Department of Transportation shall publish
1070 the notice as provided in chapter 50 in a newspaper to provide a
1071 30-day public comment period. If published in the print edition
1072 of a newspaper, the headline of the required notice shall be in
1073 a type no smaller than 18 point, ~~—The notice shall be placed in~~
1074 ~~that portion of the newspaper where legal notices appear, and —~~
1075 ~~The notice shall be published in a newspaper of general~~
1076 ~~circulation in the county or counties of general interest and~~
1077 ~~readership in the community as provided in s. 50.031, not one of~~
1078 ~~limited subject matter.~~ Whenever possible, the notice shall
1079 appear in a newspaper that is published at least weekly 5 days a
1080 ~~week.~~ All notices published pursuant to this section ~~The notice~~
1081 ~~shall include, at a minimum but is not limited to,~~ the following
1082 information:
1083 1. The purpose of the notice is to provide for a 30-day



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1084 period for written public comments on the environmental impacts
1085 of a proposed turnpike project.

1086 2. The name and description of the project, along with a
1087 geographic location map clearly indicating the area where the
1088 proposed project will be located.

1089 3. The address where such comments must be sent and the
1090 date such comments are due.

1091
1092 After a review of the department's report and any public
1093 comments, the Department of Environmental Protection shall
1094 submit a statement of environmental feasibility to the
1095 department within 30 days after the date on which public
1096 comments are due. The notice and the statement of environmental
1097 feasibility shall not give rise to any rights to a hearing or
1098 other rights or remedies provided pursuant to chapter 120 or
1099 chapter 403, and shall not bind the Department of Environmental
1100 Protection in any subsequent environmental permit review.

1101 Section 21. Subsection (3) of section 348.0308, Florida
1102 Statutes, is amended to read:

1103 348.0308 Public-private partnership.—The Legislature
1104 declares that there is a public need for the rapid construction
1105 of safe and efficient transportation facilities for traveling
1106 within the state and that it is in the public's interest to
1107 provide for public-private partnership agreements to effectuate
1108 the construction of additional safe, convenient, and economical
1109 transportation facilities.

1110 (3) The agency may request proposals for public-private
1111 transportation projects or, if it receives an unsolicited
1112 proposal, it must publish a notice in the Florida Administrative



1113 Register and, as provided in chapter 50, by Internet publication
1114 or by print in a newspaper of general circulation in the county
1115 in which the project ~~it~~ is located at least once a week for 2
1116 weeks stating that it has received the proposal and will accept,
1117 for 60 days after the initial date of publication, other
1118 proposals for the same project purpose. A copy of the notice
1119 must be mailed to each local government in the affected areas.
1120 After the public notification period has expired, the agency
1121 shall rank the proposals in order of preference. In ranking the
1122 proposals, the agency shall consider professional
1123 qualifications, general business terms, innovative engineering
1124 or cost-reduction terms, finance plans, and the need for state
1125 funds to deliver the proposal. If the agency is not satisfied
1126 with the results of the negotiations, it may, at its sole
1127 discretion, terminate negotiations with the proposer. If these
1128 negotiations are unsuccessful, the agency may go to the second
1129 and lower-ranked firms, in order, using the same procedure. If
1130 only one proposal is received, the agency may negotiate in good
1131 faith, and if it is not satisfied with the results, it may, at
1132 its sole discretion, terminate negotiations with the proposer.
1133 The agency may, at its discretion, reject all proposals at any
1134 point in the process up to completion of a contract with the
1135 proposer.

1136 Section 22. Subsection (3) of section 348.635, Florida
1137 Statutes, is amended to read:

1138 348.635 Public-private partnership.—The Legislature
1139 declares that there is a public need for the rapid construction
1140 of safe and efficient transportation facilities for traveling
1141 within the state and that it is in the public's interest to



1142 provide for public-private partnership agreements to effectuate
1143 the construction of additional safe, convenient, and economical
1144 transportation facilities.

1145 (3) The authority may request proposals for public-private
1146 transportation projects or, if it receives an unsolicited
1147 proposal, it must publish a notice in the Florida Administrative
1148 Register and, as provided in chapter 50, by either Internet
1149 publication or by print in ~~and~~ a newspaper of general
1150 circulation in the county in which the project ~~it~~ is located at
1151 least once a week for 2 weeks stating that it has received the
1152 proposal and will accept, for 60 days after the initial date of
1153 publication, other proposals for the same project purpose. A
1154 copy of the notice must be mailed to each local government in
1155 the affected areas. After the public notification period has
1156 expired, the authority shall rank the proposals in order of
1157 preference. In ranking the proposals, the authority shall
1158 consider professional qualifications, general business terms,
1159 innovative engineering or cost-reduction terms, finance plans,
1160 and the need for state funds to deliver the proposal. If the
1161 authority is not satisfied with the results of the negotiations,
1162 it may, at its sole discretion, terminate negotiations with the
1163 proposer. If these negotiations are unsuccessful, the authority
1164 may go to the second and lower-ranked firms, in order, using the
1165 same procedure. If only one proposal is received, the authority
1166 may negotiate in good faith, and if it is not satisfied with the
1167 results, it may, at its sole discretion, terminate negotiations
1168 with the proposer. The authority may, at its discretion, reject
1169 all proposals at any point in the process up to completion of a
1170 contract with the proposer.



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1171 Section 23. Subsection (3) of section 348.7605, Florida
1172 Statutes, is amended to read:

1173 348.7605 Public-private partnership.—The Legislature
1174 declares that there is a public need for the rapid construction
1175 of safe and efficient transportation facilities for traveling
1176 within the state and that it is in the public's interest to
1177 provide for public-private partnership agreements to effectuate
1178 the construction of additional safe, convenient, and economical
1179 transportation facilities.

1180 (3) The authority may request proposals for public-private
1181 transportation projects or, if it receives an unsolicited
1182 proposal, it must publish a notice in the Florida Administrative
1183 Register and, as provided in chapter 50, by either Internet
1184 publication or by print in a newspaper of general circulation in
1185 the county in which the project ~~it~~ is located at least once a
1186 week for 2 weeks stating that it has received the proposal and
1187 will accept, for 60 days after the initial date of publication,
1188 other proposals for the same project purpose. A copy of the
1189 notice must be mailed to each local government in the affected
1190 areas. After the public notification period has expired, the
1191 authority shall rank the proposals in order of preference. In
1192 ranking the proposals, the authority shall consider professional
1193 qualifications, general business terms, innovative engineering
1194 or cost-reduction terms, finance plans, and the need for state
1195 funds to deliver the proposal. If the authority is not satisfied
1196 with the results of the negotiations, it may, at its sole
1197 discretion, terminate negotiations with the proposer. If these
1198 negotiations are unsuccessful, the authority may go to the
1199 second and lower-ranked firms, in order, using the same



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1200 procedure. If only one proposal is received, the authority may
1201 negotiate in good faith, and if it is not satisfied with the
1202 results, it may, at its sole discretion, terminate negotiations
1203 with the proposer. The authority may, at its discretion, reject
1204 all proposals at any point in the process up to completion of a
1205 contract with the proposer.

1206 Section 24. Section 373.0397, Florida Statutes, is amended
1207 to read:

1208 373.0397 Floridan and Biscayne aquifers; designation of
1209 prime groundwater recharge areas.—Upon preparation of an
1210 inventory of prime groundwater recharge areas for the Floridan
1211 or Biscayne aquifers, but prior to adoption by the governing
1212 board, the water management district shall publish a legal
1213 notice of public hearing on the designated areas for the
1214 Floridan and Biscayne aquifers, with a map delineating the
1215 boundaries of the areas, as provided ~~in newspapers defined in~~
1216 ~~chapter 50 as having general circulation within the area to be~~
1217 ~~affected~~. The notice shall be at least one-fourth page and shall
1218 read as follows:

1219
1220 NOTICE OF PRIME RECHARGE

1221 AREA DESIGNATION

1222
1223 The ...(name of taxing authority)... proposes to designate
1224 specific land areas as areas of prime recharge to the ...(name
1225 of aquifer)... Aquifer.

1226 All concerned citizens are invited to attend a public
1227 hearing on the proposed designation to be held on ...(date and
1228 time)... at ...(meeting place)....



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1229 A map of the affected areas follows.

1230

1231 The governing board of the water management district shall adopt
1232 a designation of prime groundwater recharge areas to the
1233 Floridan and Biscayne aquifers by rule within 120 days after the
1234 public hearing, subject to the provisions of chapter 120.

1235 Section 25. Section 373.146, Florida Statutes, is amended
1236 to read:

1237 373.146 Publication of notices, process, and papers.—

1238 (1) Whenever in this chapter the publication of any notice,
1239 process, or paper is required or provided for, unless otherwise
1240 provided by law, the publication thereof ~~in some newspaper or~~
1241 ~~newspapers~~ as provided ~~defined~~ in chapter 50 ~~is having general~~
1242 ~~circulation within the area to be affected shall be taken and~~
1243 considered as being sufficient.

1244 (2) Notwithstanding any other provision of law to the
1245 contrary, and except in the case of emergency meetings, water
1246 management districts may provide reasonable notice of public
1247 meetings held to evaluate responses to solicitations issued by
1248 the water management district, by publication as provided in
1249 chapter 50 ~~in a newspaper of general paid circulation in the~~
1250 ~~county where the principal office of the water management~~
1251 ~~district is located, or in the county or counties where the~~
1252 ~~public work will be performed~~, no less than 7 days before such
1253 meeting.

1254 Section 26. Subsection (12) of section 403.722, Florida
1255 Statutes, is amended to read:

1256 403.722 Permits; hazardous waste disposal, storage, and
1257 treatment facilities.—



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1258 (12) On the same day of filing with the department of an
1259 application for a permit for the construction modification, or
1260 operation of a hazardous waste facility, the applicant shall
1261 notify each city and county within 1 mile of the facility of the
1262 filing of the application and shall publish notice of the filing
1263 of the application. The applicant shall publish a second notice
1264 of the filing within 14 days after the date of filing. Each
1265 notice shall be published as provided in chapter 50 ~~in a~~
1266 ~~newspaper of general circulation~~ in the county in which the
1267 facility is located or is proposed to be located.

1268 ~~Notwithstanding the provisions of chapter 50, for purposes of~~
1269 ~~this section, a "newspaper of general circulation" shall be the~~
1270 ~~newspaper within the county in which the installation or~~
1271 ~~facility is proposed which has the largest daily circulation in~~
1272 ~~that county and has its principal office in that county. If the~~
1273 ~~newspaper with the largest daily circulation has its principal~~
1274 ~~office outside the county, the notice shall appear in both the~~
1275 ~~newspaper with the largest daily circulation in that county, and~~
1276 ~~a newspaper authorized to publish legal notices in that county.~~

1277 The notice shall contain:

1278 (a) The name of the applicant and a brief description of
1279 the project and its location.

1280 (b) The location of the application file and when it is
1281 available for public inspection.

1282
1283 The notice shall be prepared by the applicant and shall comply
1284 with the following format:

1285

1286

Notice of Application



1287 The Department of Environmental Protection announces receipt of
1288 an application for a permit from ...(name of applicant)... to
1289 ...(brief description of project).... This proposed project will
1290 be located at ...(location)... in ...(county)... ...(city)....

1291
1292 This application is being processed and is available for public
1293 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
1294 Monday through Friday, except legal holidays, at ...(name and
1295 address of office)....

1296 Section 27. Paragraph (b) of subsection (3) of section
1297 712.06, Florida Statutes, is amended to read:

1298 712.06 Contents of notice; recording and indexing.—

1299 (3) The person providing the notice referred to in s.
1300 712.05, other than a notice for preservation of a community
1301 covenant or restriction, shall:

1302 (b) Publish the notice referred to in s. 712.05 by Internet
1303 publication as provided in s. 50.0211(5) or printed once a week,
1304 for 2 consecutive weeks, in a newspaper as defined in chapter
1305 50, the notice referred to in s. 712.05, with the official
1306 record book and page number in which such notice was recorded,
1307 ~~in a newspaper as defined in chapter 50~~ in the county in which
1308 the property is located.

1309 Section 28. Subsection (5) of section 849.38, Florida
1310 Statutes, is amended to read:

1311 849.38 Proceedings for forfeiture; notice of seizure and
1312 order to show cause.—

1313 (5) If the value of the property seized is shown by the
1314 sheriff's return to have an appraised value of \$1,000 or less,
1315 the above citation shall be served by posting at three public



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1316 places in the county, one of which shall be the front door of
1317 the courthouse; if the value of the property is shown by the
1318 sheriff's return to have an approximate value of more than
1319 \$1,000, the citation shall be published by print or posted for
1320 at least 2 consecutive weeks on a newspaper's website and the
1321 statewide legal notice website in accordance with s. 50.0211(5).
1322 If published in print, the citation shall appear at least once
1323 each week for 2 consecutive weeks in a ~~some~~ newspaper of general
1324 publication published in the county, if there ~~is~~ is ~~be~~ such a
1325 newspaper published in the county. ~~and~~ If there is no newspaper
1326 of general circulation ~~not~~, the then-said notice of such
1327 publication shall be made by certificate of the clerk if
1328 publication is made by posting, and by affidavit as provided in
1329 chapter 50, if made by publication as provided in chapter 50 ~~in~~
1330 ~~a newspaper~~, which affidavit or certificate shall be filed and
1331 become a part of the record in the cause. Failure of the record
1332 to show proof of such publication shall not affect any judgment
1333 made in the cause unless it shall affirmatively appear that no
1334 such publication was made.

1335 Section 29. Paragraph (a) of subsection (3) of section
1336 865.09, Florida Statutes, is amended to read:

1337 865.09 Fictitious name registration.—

1338 (3) REGISTRATION.—

1339 (a) A person may not engage in business under a fictitious
1340 name unless the person first registers the name with the
1341 division by filing a registration listing:

- 1342 1. The name to be registered.
- 1343 2. The mailing address of the business.
- 1344 3. The name and address of each registrant.



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1345 4. If the registrant is a business entity that was required
1346 to file incorporation or similar documents with its state of
1347 organization when it was organized, such entity must be
1348 registered with the division and in active status with the
1349 division; provide its Florida document registration number; and
1350 provide its federal employer identification number if the entity
1351 has such a number.

1352 5. Certification by at least one registrant that the
1353 intention to register such fictitious name has been advertised
1354 as provided ~~at least once in a newspaper as defined in chapter~~
1355 50 in the county in which the principal place of business of the
1356 registrant is or will be located.

1357 6. Any other information the division may reasonably deem
1358 necessary to adequately inform other governmental agencies and
1359 the public as to the registrant so conducting business.

1360 Section 30. Paragraph (a) of subsection (6) of section
1361 932.704, Florida Statutes, is amended to read:

1362 932.704 Forfeiture proceedings.—

1363 (6) (a) If the property is required by law to be titled or
1364 registered, or if the owner of the property is known in fact to
1365 the seizing agency, or if the seized property is subject to a
1366 perfected security interest in accordance with the Uniform
1367 Commercial Code, chapter 679, the attorney for the seizing
1368 agency shall serve the forfeiture complaint as an original
1369 service of process under the Florida Rules of Civil Procedure
1370 and other applicable law to each person having an ownership or
1371 security interest in the property. The seizing agency shall also
1372 publish, in accordance with chapter 50, notice of the forfeiture
1373 complaint for 2 consecutive weeks on a newspaper's website and



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1374 the statewide legal notice website in accordance with s.
1375 50.0211(5) or, if published in print, once each week for 2
1376 consecutive weeks in a newspaper of general circulation, ~~as~~
1377 ~~defined in s. 165.031,~~ in the county where the seizure occurred.

1378 Section 31. This act shall take effect July 1, 2022.

1379

1380 ===== T I T L E A M E N D M E N T =====

1381 And the title is amended as follows:

1382 Delete everything before the enacting clause
1383 and insert:

1384 A bill to be entitled
1385 An act relating to legal notices; amending s. 50.011,
1386 F.S.; revising requirements for newspapers that are
1387 qualified to publish legal notices; authorizing the
1388 Internet publication of legal notices on certain
1389 websites in lieu of print publication in a newspaper;
1390 amending s. 50.021, F.S.; conforming provisions to
1391 changes made by the act; amending s. 50.0211, F.S.;
1392 defining the term "governmental agency"; requiring the
1393 Florida Press Association to consult with the Black
1394 Press Association of Florida for a specified purpose;
1395 authorizing a governmental agency to choose between
1396 print publication or Internet-only publication of
1397 legal notices with specified newspapers if certain
1398 conditions are met; specifying requirements for the
1399 placement, format, and accessibility of any such legal
1400 notices; requiring the newspaper to display a
1401 specified disclaimer regarding the posting of legal
1402 notices; authorizing a newspaper to charge for



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1403 Internet-only publication, subject to specified
1404 limitations; specifying applicable penalties for
1405 unauthorized rebates, commissions, or refunds in
1406 connection with publication charges; requiring a
1407 governmental agency that publishes certain legal
1408 notices by Internet-only publication to publish a
1409 specified notice in the print edition of a local
1410 newspaper; amending s. 50.031, F.S.; conforming
1411 provisions to changes made by the act; amending ss.
1412 50.041 and 50.051, F.S.; revising provisions governing
1413 the uniform affidavit establishing proof of
1414 publication to conform to changes made by the act;
1415 amending ss. 11.02, 120.81, 121.0511, 121.055, 125.66,
1416 162.12, 166.041, 189.015, 190.005, 190.046, 194.037,
1417 197.402, 200.065, 338.223, 348.0308, 348.635,
1418 348.7605, 373.0397, 373.146, 403.722, 712.06, 849.38,
1419 865.09, and 932.704, F.S.; conforming provisions to
1420 changes made by the act; providing an effective date.