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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2021	.	
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The Committee on Judiciary (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16 legislation all and singular, existing or repealed, is and has  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 ~~or oftener~~, containing at  
21 least 25 percent of its words in the English language, ~~entered~~  
22 ~~or qualified to be admitted and entered as periodicals matter at~~  
23 ~~a post office in the county where published, for sale to the~~  
24 ~~public generally,~~ available to the public generally for the  
25 publication of official or other notices and customarily  
26 containing information of a public character or of interest or  
27 of value to the residents or owners of property in the county  
28 where published, or of interest or of value to the general  
29 public; or

30 (2) By Internet publication on the website of any newspaper  
31 of general circulation in this state that otherwise meets the  
32 criteria specified in subsection (1) and on the statewide legal  
33 notice website as provided under s. 50.0211(5).

34 Section 2. Section 50.021, Florida Statutes, is amended to  
35 read:

36 50.021 Publication when no newspaper in county.—When any  
37 law, or order or decree of court, directs ~~shall direct~~  
38 advertisements to be made in a ~~any~~ county and there is ~~be~~ no  
39 newspaper published in the ~~said~~ county, the advertisement may be



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40 made by posting on the website of any newspaper of general  
41 circulation in this state and on the statewide legal notice  
42 website as provided in s. 50.0211(5) or posting three copies  
43 thereof in three different places in the ~~said~~ county, one of  
44 which shall be at the front door of the courthouse, and by  
45 publication in the nearest county in which a newspaper is  
46 published.

47 Section 3. Section 50.0211, Florida Statutes, is amended to  
48 read:

49 50.0211 Internet website publication.—

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

53 (2) This section applies to legal notices that must be  
54 published in accordance with this chapter unless otherwise  
55 specified.

56 (3) ~~(2)~~ If a governmental agency publishes a legal notice in  
57 the print edition of a newspaper, each legal notice must be  
58 posted on the newspaper's website on the same day that the  
59 printed notice appears in the newspaper, at no additional  
60 charge, in a separate web page titled "Legal Notices," "Legal  
61 Advertising," or comparable identifying language. A link to the  
62 legal notices web page shall be provided on the front page of  
63 the newspaper's website that provides access to the legal  
64 notices. If there is a specified size and placement required for  
65 a printed legal notice, the size and placement of the notice on  
66 the newspaper's website must optimize its online visibility in  
67 keeping with the print requirements. The newspaper's web pages  
68 that contain legal notices must present the legal notices as the



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69 dominant and leading subject matter of those pages. The  
70 newspaper's website must contain a search function to facilitate  
71 searching the legal notices. A fee may not be charged, and  
72 registration may not be required, for viewing or searching legal  
73 notices on a newspaper's website if the legal notice is  
74 published in a newspaper.

75 (4) (a) ~~(3) (a)~~ If a legal notice is published in the print  
76 edition of a newspaper or on a newspaper's website, the  
77 newspaper publishing the notice shall place the notice on the  
78 statewide website established and maintained as an initiative of  
79 the Florida Press Association as a repository for such notices  
80 located at the following address: [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

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

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

86 (c) The statewide website created under this subsection  
87 shall maintain a searchable archive of all legal notices posted  
88 on the publicly accessible website ~~on or after October 1, 2014,~~  
89 for 18 months after the first day of posting. Such searchable  
90 archive shall be provided and accessible to the general public  
91 without charge.

92 (d) In its operation of the statewide website, the Florida  
93 Press Association shall consult with the Black Press Association  
94 of Florida to ensure that minority populations throughout the  
95 state have equitable access to legal notices that are posted on  
96 the Internet.

97 (5) (a) In lieu of publishing a legal notice in the print



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98 edition of a newspaper of general circulation within the  
99 jurisdiction of the affected governmental agency, a governmental  
100 agency may opt for Internet-only publication with any newspaper  
101 of general circulation within this state so long as the  
102 governmental agency determines that the Internet publication of  
103 such notice would not unreasonably restrict public access. Any  
104 such notice that is published only on the Internet in accordance  
105 with this subsection must be placed in the legal notices section  
106 of the newspaper's website and the statewide website established  
107 under subsection (4). All requirements regarding the format and  
108 accessibility of legal notices placed on the newspaper's website  
109 and the statewide website in subsections (3) and (4) also apply  
110 to legal notices that are published only on the Internet in  
111 accordance with this subsection.

112 (b) The legal notices section of the print edition of a  
113 newspaper and a newspaper's website must include a disclaimer  
114 stating that the listing of legal notices may not include all  
115 legal notices affecting the area of distribution of the  
116 newspaper and that additional legal notices may be accessed on  
117 the statewide legal notice website.

118 (c) A newspaper may charge for the publication of any legal  
119 notice that is published only on the newspaper's website,  
120 without rebate, commission, or refund; however, the newspaper  
121 may not charge any higher rate for publication than the amount  
122 that would be authorized under s. 50.061 if the legal notice had  
123 been printed in the newspaper. The penalties prescribed in s.  
124 50.061(7) for allowing or accepting any rebate, commission, or  
125 refund in connection to the amounts charged for publication also  
126 apply to any legal notices that are published only on the



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127 Internet in accordance with this subsection.

128 (d) If a governmental agency exercises the option to  
129 publish legal notices on the Internet in accordance with this  
130 subsection, such agency must provide notice at least once per  
131 week in the print edition of a newspaper of general circulation  
132 within the region in which the governmental agency is located  
133 which states that legal notices pertaining to the agency do not  
134 all appear in the print edition of the local newspaper and that  
135 a full listing of any legal notices may be accessed on the  
136 statewide legal notice website located at  
137 www.floridapublicnotices.com.

138 (6) ~~(4)~~ Newspapers that publish legal notices shall, upon  
139 request, provide e-mail notification of new legal notices when  
140 they are published ~~printed~~ in the newspaper or on ~~and added to~~  
141 the newspaper's website. Such e-mail notification shall be  
142 provided without charge, and notification for such an e-mail  
143 registry shall be available on the front page of the legal  
144 notices section of the newspaper's website.

145 Section 4. Section 50.031, Florida Statutes, is amended to  
146 read:

147 50.031 Newspapers in which legal notices and process may be  
148 published.—No notice or publication required to be published in  
149 the print edition of a newspaper or on a newspaper's website in  
150 the nature of or in lieu of process of any kind, nature,  
151 character or description provided for under any law of the  
152 state, whether heretofore or hereafter enacted, and whether  
153 pertaining to constructive service, or the initiating, assuming,  
154 reviewing, exercising or enforcing jurisdiction or power, by any  
155 court in this state, or any notice of sale of property, real or



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156 personal, for taxes, state, county or municipal, or sheriff's,  
157 guardian's or administrator's or any sale made pursuant to any  
158 judicial order, decree or statute or any other publication or  
159 notice pertaining to any affairs of the state, or any county,  
160 municipality or other political subdivision thereof, shall be  
161 deemed to have been published in accordance with the statutes  
162 providing for such publication, unless the same shall have been  
163 published for the prescribed period of time required for such  
164 publication, in a newspaper which at the time of such  
165 publication shall have been in existence for 1 year ~~and shall~~  
166 ~~have been entered as periodicals matter at a post office in the~~  
167 ~~county where published,~~ or in a newspaper which is a direct  
168 successor of a newspaper which has ~~together have~~ been so  
169 published; provided, however, that nothing herein contained  
170 shall apply where in any county there shall be no newspaper in  
171 existence which shall have been published for the length of time  
172 above prescribed. No legal publication of any kind, nature or  
173 description, as herein defined, shall be valid or binding or  
174 held to be in compliance with the statutes providing for such  
175 publication unless the same shall have been published in  
176 accordance with the provisions of this section or s. 50.0211(5).  
177 Proof of such publication shall be made by uniform affidavit.

178 Section 5. Section 50.041, Florida Statutes, is amended to  
179 read:

180 50.041 Proof of publication; uniform affidavits required.-

181 (1) All affidavits ~~of publishers of newspapers (or their~~  
182 ~~official representatives)~~ made for the purpose of establishing  
183 proof of publication of public notices or legal advertisements  
184 shall be uniform throughout the state.



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185 (2) Each such affidavit shall be printed upon white paper  
186 and shall be 8 1/2 inches in width and of convenient length, not  
187 less than 5 1/2 inches. A white margin of not less than 2 1/2  
188 inches shall be left at the right side of each affidavit form  
189 and upon or in this space shall be substantially pasted a  
190 clipping which shall be a true copy of the public notice or  
191 legal advertisement for which proof is executed. Alternatively,  
192 the affidavit may be provided in electronic rather than paper  
193 form, provided the notarization of the affidavit complies with  
194 the requirements of s. 117.021.

195 ~~(3) In all counties having a population in excess of~~  
196 ~~450,000 according to the latest official decennial census, in~~  
197 ~~addition to the charges which are now or may hereafter be~~  
198 ~~established by law for the publication of every official notice~~  
199 ~~or legal advertisement, There may be a charge not to exceed \$2~~  
200 levied for the preparation and execution of each such proof of  
201 publication or ~~publisher's~~ affidavit.

202 Section 6. Section 50.051, Florida Statutes, is amended to  
203 read:

204 50.051 Proof of publication; form of uniform affidavit.—The  
205 printed form upon which all such affidavits establishing proof  
206 of publication are to be executed shall be substantially as  
207 follows:

208 NAME OF COUNTY ~~NEWSPAPER~~  
209 ~~Published (Weekly or Daily)~~  
210 ~~(Town or City) (County) FLORIDA~~

211 STATE OF FLORIDA

212  
213 COUNTY OF . . . .:





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214 Before the undersigned authority personally appeared . . . . ,  
215 who on oath says that he or she is . . . . of the . . . . , a . . . .  
216 newspaper published at . . . . in . . . . County, Florida; that the  
217 attached copy of advertisement, being a . . . . in the matter of  
218 . . . . in the . . . . Court, was published in said newspaper by print  
219 in the issues of . . . . or by publication on the newspaper's  
220 website on . . . .(date) . . . .

221 Affiant further says that the newspaper complies with all  
222 legal requirements for publication in chapter 50, Florida  
223 Statutes said . . . . is a newspaper published at . . . . , in said  
224 . . . . County, Florida, and that the said newspaper has heretofore  
225 been continuously published in said . . . . County, Florida, each  
226 . . . . and has been entered as periodicals matter at the post  
227 office in . . . . , in said . . . . County, Florida, for a period of 1  
228 year next preceding the first publication of the attached copy  
229 of advertisement; and affiant further says that he or she has  
230 neither paid nor promised any person, firm or corporation any  
231 discount, rebate, commission or refund for the purpose of  
232 securing this advertisement for publication in the said  
233 newspaper.

234  
235 Sworn to and subscribed before me this . . . . day of . . . . ,  
236 . . . .(year) . . . . , by . . . . , who is personally known to me or who has  
237 produced (type of identification) as identification.

238  
239 . . . .(Signature of Notary Public) . . . .

240  
241 . . . .(Print, Type, or Stamp Commissioned Name of Notary Public) . . . .

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243 ... (Notary Public) ...

244 Section 7. Subsection (4) of section 83.806, Florida  
245 Statutes, is amended to read:

246 83.806 Enforcement of lien.—An owner's lien as provided in  
247 s. 83.805 may be satisfied as follows:

248 (4) After the expiration of the time given in the notice,  
249 an advertisement of the sale or other disposition shall be  
250 published once a week for 2 consecutive weeks in a newspaper of  
251 general circulation in the area where the self-service storage  
252 facility or self-contained storage unit is located or published  
253 continuously for 14 consecutive days on a public website that  
254 customarily conducts personal property auctions.

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

261 (b) The advertisement shall include:

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

265 2. The address of the self-service storage facility or the  
266 address where the self-contained storage unit is located and the  
267 name of the tenant.

268 3. The time, place, and manner of the sale or other  
269 disposition. The sale or other disposition shall take place at  
270 least 15 days after the first publication.

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



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272 area where the self-service storage facility or self-contained  
273 storage unit is located, the advertisement shall be posted at  
274 least 10 days before the date of the sale or other disposition  
275 in at least three conspicuous places in the neighborhood where  
276 the self-service storage facility or self-contained storage unit  
277 is located or published continuously for 14 consecutive days on  
278 a public website that customarily conducts personal property  
279 auctions.

280 Section 8. Section 11.02, Florida Statutes, is amended to  
281 read:

282 11.02 Notice of special or local legislation or certain  
283 relief acts.—The notice required to obtain special or local  
284 legislation or any relief act specified in s. 11.065 shall be by  
285 publishing the identical notice ~~in each county involved in some~~  
286 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~  
287 circulated throughout the county or counties where the matter or  
288 thing to be affected by such legislation shall be situated one  
289 time at least 30 days before introduction of the proposed law  
290 into the Legislature or, if the notice is not made by Internet  
291 publication as provided in s. 50.0211(5) and there being no  
292 newspaper circulated throughout or published in the county, by  
293 posting for at least 30 days at not less than three public  
294 places in the county or each of the counties, one of which  
295 places shall be at the courthouse in the county or counties  
296 where the matter or thing to be affected by such legislation  
297 shall be situated. Notice of special or local legislation shall  
298 state the substance of the contemplated law, as required by s.  
299 10, Art. III of the State Constitution. Notice of any relief act  
300 specified in s. 11.065 shall state the name of the claimant, the



301 nature of the injury or loss for which the claim is made, and  
302 the amount of the claim against the affected municipality's  
303 revenue-sharing trust fund.

304 Section 9. Subsection (2) of section 45.031, Florida  
305 Statutes, is amended to read:

306 45.031 Judicial sales procedure.—In any sale of real or  
307 personal property under an order or judgment, the procedures  
308 provided in this section and ss. 45.0315-45.035 may be followed  
309 as an alternative to any other sale procedure if so ordered by  
310 the court.

311 (2) PUBLICATION OF SALE.—Notice of sale shall be published  
312 by Internet publication in accordance with s. 50.0211(5) for at  
313 least 2 consecutive weeks before the sale or, if published in  
314 print, once a week for 2 consecutive weeks in a newspaper of  
315 general circulation, as provided ~~defined~~ in chapter 50,  
316 published in the county where the sale is to be held. The second  
317 publication by print shall be at least 5 days before the sale.  
318 The notice shall contain:

319 (a) A description of the property to be sold.

320 (b) The time and place of sale.

321 (c) A statement that the sale will be made pursuant to the  
322 order or final judgment.

323 (d) The caption of the action.

324 (e) The name of the clerk making the sale.

325 (f) A statement that any person claiming an interest in the  
326 surplus from the sale, if any, other than the property owner as  
327 of the date of the lis pendens must file a claim before the  
328 clerk reports the surplus as unclaimed.

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330 The court, in its discretion, may enlarge the time of the sale.  
331 Notice of the changed time of sale shall be published as  
332 provided herein.

333 Section 10. Paragraph (d) of subsection (1) of section  
334 120.81, Florida Statutes, is amended to read:

335 120.81 Exceptions and special requirements; general areas.—

336 (1) EDUCATIONAL UNITS.—

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

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

345 2. By mail to all persons who have made requests of the  
346 educational unit for advance notice of its proceedings and to  
347 organizations representing persons affected by the proposed  
348 rule; and

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

352 Section 11. Subsection (2) of section 121.0511, Florida  
353 Statutes, is amended to read:

354 121.0511 Revocation of election and alternative plan.—The  
355 governing body of any municipality or independent special  
356 district that has elected to participate in the Florida  
357 Retirement System may revoke its election in accordance with the  
358 following procedure:



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359 (2) At least 7 days, but not more than 15 days, before the  
360 hearing, notice of intent to revoke, specifying the time and  
361 place of the hearing, must be published as provided in chapter  
362 50 in a newspaper of general circulation in the area affected,  
363 as provided by ss. 50.011-50.031. Proof of publication of the  
364 notice must be submitted to the Department of Management  
365 Services.

366 Section 12. Paragraphs (b) and (h) of subsection (1) of  
367 section 121.055, Florida Statutes, are amended to read:

368 121.055 Senior Management Service Class.—There is hereby  
369 established a separate class of membership within the Florida  
370 Retirement System to be known as the "Senior Management Service  
371 Class," which shall become effective February 1, 1987.

372 (1)

373 (b)1. Except as provided in subparagraph 2., effective  
374 January 1, 1990, participation in the Senior Management Service  
375 Class is compulsory for the president of each community college,  
376 the manager of each participating municipality or county, and  
377 all appointed district school superintendents. Effective January  
378 1, 1994, additional positions may be designated for inclusion in  
379 the Senior Management Service Class if:

380 a. Positions to be included in the class are designated by  
381 the local agency employer. Notice of intent to designate  
382 positions for inclusion in the class must be published for at  
383 least 2 consecutive weeks if published by Internet publication  
384 as provided in s. 50.0211(5) or, if published in print, once a  
385 week for 2 consecutive weeks in a newspaper of general  
386 circulation published in the county or counties affected, as  
387 provided in chapter 50.



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388           b. Up to 10 nonelective full-time positions may be  
389 designated for each local agency employer reporting to the  
390 department; for local agencies with 100 or more regularly  
391 established positions, additional nonelective full-time  
392 positions may be designated, not to exceed 1 percent of the  
393 regularly established positions within the agency.

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

398           (I) Heads an organizational unit; or

399           (II) Has responsibility to effect or recommend personnel,  
400 budget, expenditure, or policy decisions in his or her areas of  
401 responsibility.

402           2. In lieu of participation in the Senior Management  
403 Service Class, members of the Senior Management Service Class,  
404 pursuant to subparagraph 1., may withdraw from the Florida  
405 Retirement System altogether. The decision to withdraw from the  
406 system is irrevocable as long as the employee holds the  
407 position. Any service creditable under the Senior Management  
408 Service Class shall be retained after the member withdraws from  
409 the system; however, additional service credit in the Senior  
410 Management Service Class may not be earned after such  
411 withdrawal. Such members are not eligible to participate in the  
412 Senior Management Service Optional Annuity Program.

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



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

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

425           (I) The cost for such credit shall be an amount  
426 representing the actuarial accrued liability for the affected  
427 period of service. The cost shall be calculated using the  
428 discount rate and other relevant actuarial assumptions that were  
429 used to value the pension plan liabilities in the most recent  
430 actuarial valuation. The calculation must include any service  
431 already maintained under the pension plan in addition to the  
432 period of withdrawal. The actuarial accrued liability  
433 attributable to any service already maintained under the pension  
434 plan shall be applied as a credit to the total cost resulting  
435 from the calculation. The division must ensure that the transfer  
436 sum is prepared using a formula and methodology certified by an  
437 actuary.

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

443           (h)1. Except as provided in subparagraph 3., effective  
444 January 1, 1994, participation in the Senior Management Service  
445 Class shall be compulsory for the State Courts Administrator and





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446 the Deputy State Courts Administrators, the Clerk of the Supreme  
447 Court, the Marshal of the Supreme Court, the Executive Director  
448 of the Justice Administrative Commission, the capital collateral  
449 regional counsel, the clerks of the district courts of appeals,  
450 the marshals of the district courts of appeals, and the trial  
451 court administrator and the Chief Deputy Court Administrator in  
452 each judicial circuit. Effective January 1, 1994, additional  
453 positions in the offices of the state attorney and public  
454 defender in each judicial circuit may be designated for  
455 inclusion in the Senior Management Service Class of the Florida  
456 Retirement System, provided that:

457       a. Positions to be included in the class shall be  
458 designated by the state attorney or public defender, as  
459 appropriate. Notice of intent to designate positions for  
460 inclusion in the class shall be published for at least 2  
461 consecutive weeks by Internet publication as provided in s.  
462 50.0211(5) or, if published in print, once a week for 2  
463 consecutive weeks in a newspaper of general circulation  
464 published in the county or counties affected, as provided in  
465 chapter 50.

466       b. One nonelective full-time position may be designated for  
467 each state attorney and public defender reporting to the  
468 Department of Management Services; for agencies with 200 or more  
469 regularly established positions under the state attorney or  
470 public defender, additional nonelective full-time positions may  
471 be designated, not to exceed 0.5 percent of the regularly  
472 established positions within the agency.

473       c. Each position added to the class must be a managerial or  
474 policymaking position filled by an employee who serves at the



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475 | pleasure of the state attorney or public defender without civil  
476 | service protection, and who:

477 |       (I) Heads an organizational unit; or

478 |       (II) Has responsibility to effect or recommend personnel,  
479 | budget, expenditure, or policy decisions in his or her areas of  
480 | responsibility.

481 |       2. Participation in this class shall be compulsory, except  
482 | as provided in subparagraph 3., for any judicial employee who  
483 | holds a position designated for coverage in the Senior  
484 | Management Service Class, and such participation shall continue  
485 | until the employee terminates employment in a covered position.  
486 | Effective January 1, 2001, participation in this class is  
487 | compulsory for assistant state attorneys, assistant statewide  
488 | prosecutors, assistant public defenders, and assistant capital  
489 | collateral regional counsel. Effective January 1, 2002,  
490 | participation in this class is compulsory for assistant  
491 | attorneys general.

492 |       3. In lieu of participation in the Senior Management  
493 | Service Class, such members, excluding assistant state  
494 | attorneys, assistant public defenders, assistant statewide  
495 | prosecutors, assistant attorneys general, and assistant capital  
496 | collateral regional counsel, may participate in the Senior  
497 | Management Service Optional Annuity Program as established in  
498 | subsection (6).

499 |       Section 13. Paragraph (a) of subsection (2) and paragraph  
500 | (b) of subsection (4) of section 125.66, Florida Statutes, are  
501 | amended to read:

502 |       125.66 Ordinances; enactment procedure; emergency  
503 | ordinances; rezoning or change of land use ordinances or



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504 resolutions.-

505 (2) (a) The regular enactment procedure shall be as follows:  
506 The board of county commissioners at any regular or special  
507 meeting may enact or amend any ordinance, except as provided in  
508 subsection (4), if notice of intent to consider such ordinance  
509 is given at least 10 days before such ~~prior to said~~ meeting by  
510 publication as provided in chapter 50 ~~in a newspaper of general~~  
511 ~~circulation in the county~~. A copy of such notice shall be kept  
512 available for public inspection during the regular business  
513 hours of the office of the clerk of the board of county  
514 commissioners. The notice of proposed enactment shall state the  
515 date, time, and place of the meeting; the title or titles of  
516 proposed ordinances; and the place or places within the county  
517 where such proposed ordinances may be inspected by the public.  
518 The notice shall also advise that interested parties may appear  
519 at the meeting and be heard with respect to the proposed  
520 ordinance.

521 (4) Ordinances or resolutions, initiated by other than the  
522 county, that change the actual zoning map designation of a  
523 parcel or parcels of land shall be enacted pursuant to  
524 subsection (2). Ordinances or resolutions that change the actual  
525 list of permitted, conditional, or prohibited uses within a  
526 zoning category, or ordinances or resolutions initiated by the  
527 county that change the actual zoning map designation of a parcel  
528 or parcels of land shall be enacted pursuant to the following  
529 procedure:

530 (b) In cases in which the proposed ordinance or resolution  
531 changes the actual list of permitted, conditional, or prohibited  
532 uses within a zoning category, or changes the actual zoning map



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533 designation of a parcel or parcels of land involving 10  
534 contiguous acres or more, the board of county commissioners  
535 shall provide for public notice and hearings as follows:

536 1. The board of county commissioners shall hold two  
537 advertised public hearings on the proposed ordinance or  
538 resolution. At least one hearing shall be held after 5 p.m. on a  
539 weekday, unless the board of county commissioners, by a majority  
540 plus one vote, elects to conduct that hearing at another time of  
541 day. The first public hearing shall be held at least 7 days  
542 after the day that the first advertisement is published. The  
543 second hearing shall be held at least 10 days after the first  
544 hearing and shall be advertised at least 5 days prior to the  
545 public hearing.

546 2. If published in the print edition of a newspaper, the  
547 required advertisements shall be no less than 2 columns wide by  
548 10 inches long in a standard size or a tabloid size newspaper,  
549 and the headline in the advertisement shall be in a type no  
550 smaller than 18 point. The advertisement shall not be placed in  
551 that portion of the newspaper where legal notices and classified  
552 advertisements appear. The advertisement shall be placed in a  
553 newspaper ~~of general paid circulation~~ in the county and of  
554 general interest and readership in the community pursuant to  
555 chapter 50, not one of limited subject matter. It is the  
556 legislative intent that, whenever possible, the advertisement  
557 shall appear in a newspaper that is published at least weekly ~~5~~  
558 ~~days a week~~ unless the only newspaper in the community is  
559 published less than weekly ~~5 days a week~~. The advertisement  
560 shall be in substantially the following form:

561 NOTICE OF (TYPE OF) CHANGE



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

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

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

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

Section 14. Paragraph (a) of subsection (2) of section 162.12, Florida Statutes, is amended to read:

162.12 Notices.—

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



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591 posting, as follows:

592 (a)1. Such notice shall be published for 4 consecutive  
593 weeks on a newspaper's website and the statewide legal notice  
594 website as provided in s. 50.0211(5) or, if published in print,  
595 once during each week for 4 consecutive weeks (four publications  
596 being sufficient) in a newspaper of general circulation in the  
597 county where the code enforcement board is located. The  
598 newspaper shall meet such requirements as are prescribed under  
599 chapter 50 for legal and official advertisements.

600 2. Proof of publication shall be made as provided in ss.  
601 50.041 and 50.051.

602 Section 15. Paragraph (c) of subsection (3) of section  
603 166.041, Florida Statutes, is amended to read:

604 166.041 Procedures for adoption of ordinances and  
605 resolutions.—

606 (3)

607 (c) Ordinances initiated by other than the municipality  
608 that change the actual zoning map designation of a parcel or  
609 parcels of land shall be enacted pursuant to paragraph (a).  
610 Ordinances that change the actual list of permitted,  
611 conditional, or prohibited uses within a zoning category, or  
612 ordinances initiated by the municipality that change the actual  
613 zoning map designation of a parcel or parcels of land shall be  
614 enacted pursuant to the following procedure:

615 1. In cases in which the proposed ordinance changes the  
616 actual zoning map designation for a parcel or parcels of land  
617 involving less than 10 contiguous acres, the governing body  
618 shall direct the clerk of the governing body to notify by mail  
619 each real property owner whose land the municipality will



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620 redesignate by enactment of the ordinance and whose address is  
621 known by reference to the latest ad valorem tax records. The  
622 notice shall state the substance of the proposed ordinance as it  
623 affects that property owner and shall set a time and place for  
624 one or more public hearings on such ordinance. Such notice shall  
625 be given at least 30 days prior to the date set for the public  
626 hearing, and a copy of the notice shall be kept available for  
627 public inspection during the regular business hours of the  
628 office of the clerk of the governing body. The governing body  
629 shall hold a public hearing on the proposed ordinance and may,  
630 upon the conclusion of the hearing, immediately adopt the  
631 ordinance.

632 2. In cases in which the proposed ordinance changes the  
633 actual list of permitted, conditional, or prohibited uses within  
634 a zoning category, or changes the actual zoning map designation  
635 of a parcel or parcels of land involving 10 contiguous acres or  
636 more, the governing body shall provide for public notice and  
637 hearings as follows:

638 a. The local governing body shall hold two advertised  
639 public hearings on the proposed ordinance. At least one hearing  
640 shall be held after 5 p.m. on a weekday, unless the local  
641 governing body, by a majority plus one vote, elects to conduct  
642 that hearing at another time of day. The first public hearing  
643 shall be held at least 7 days after the day that the first  
644 advertisement is published. The second hearing shall be held at  
645 least 10 days after the first hearing and shall be advertised at  
646 least 5 days prior to the public hearing.

647 b. If published in the print edition of a newspaper, the  
648 required advertisements shall be no less than 2 columns wide by



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649 10 inches long in a standard size or a tabloid size newspaper,  
650 and the headline in the advertisement shall be in a type no  
651 smaller than 18 point. The advertisement shall not be placed in  
652 that portion of the newspaper where legal notices and classified  
653 advertisements appear. The advertisement shall be placed in a  
654 newspaper ~~of general paid circulation~~ in the municipality and of  
655 general interest and readership in the municipality, not one of  
656 limited subject matter, pursuant to chapter 50. It is the  
657 legislative intent that, whenever possible, the advertisement  
658 appear in a newspaper that is published at least weekly ~~5 days a~~  
659 ~~week~~ unless the only newspaper in the municipality is published  
660 less than weekly ~~5 days a week~~. The advertisement shall be in  
661 substantially the following form:

662  
663 NOTICE OF (TYPE OF) CHANGE  
664

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

667 A public hearing on the ordinance will be held on ...(date  
668 and time)... at ...(meeting place)....  
669

670 Except for amendments which change the actual list of permitted,  
671 conditional, or prohibited uses within a zoning category, the  
672 advertisement shall contain a geographic location map which  
673 clearly indicates the area covered by the proposed ordinance.  
674 The map shall include major street names as a means of  
675 identification of the general area. If ~~In addition to being~~  
676 ~~published in the print edition of the~~ newspaper, the map must  
677 also be part of any ~~the~~ online notice made ~~required~~ pursuant to





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678 s. 50.0211.

679 c. In lieu of publishing the advertisement set out in this  
680 paragraph, the municipality may mail a notice to each person  
681 owning real property within the area covered by the ordinance.  
682 Such notice shall clearly explain the proposed ordinance and  
683 shall notify the person of the time, place, and location of any  
684 public hearing on the proposed ordinance.

685 Section 16. Subsection (1) of section 189.015, Florida  
686 Statutes, is amended to read:

687 189.015 Meetings; notice; required reports.-

688 (1) The governing body of each special district shall file  
689 quarterly, semiannually, or annually a schedule of its regular  
690 meetings with the local governing authority or authorities. The  
691 schedule shall include the date, time, and location of each  
692 scheduled meeting. The schedule shall be published quarterly,  
693 semiannually, or annually ~~in a newspaper of general paid~~  
694 ~~circulation~~ in the manner required in this subsection. The  
695 governing body of an independent special district shall  
696 advertise the day, time, place, and purpose of any meeting other  
697 than a regular meeting or any recessed and reconvened meeting of  
698 the governing body, at least 7 days before such meeting as  
699 provided in chapter 50, in a newspaper of general paid  
700 circulation in the county or counties in which the special  
701 district is located, unless a bona fide emergency situation  
702 exists, in which case a meeting to deal with the emergency may  
703 be held as necessary, with reasonable notice, so long as it is  
704 subsequently ratified by the governing body. No approval of the  
705 annual budget shall be granted at an emergency meeting. The  
706 notice shall be posted as provided in advertisement shall be



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707 ~~placed in that portion of the newspaper where legal notices and~~  
708 ~~classified advertisements appear. The advertisement shall appear~~  
709 ~~in a newspaper that is published at least 5 days a week, unless~~  
710 ~~the only newspaper in the county is published fewer than 5 days~~  
711 ~~a week. The newspaper selected must be one of general interest~~  
712 ~~and readership in the community and not one of limited subject~~  
713 ~~matter, pursuant to chapter 50. Any other provision of law to~~  
714 ~~the contrary notwithstanding, and except in the case of~~  
715 ~~emergency meetings, water management districts may provide~~  
716 ~~reasonable notice of public meetings held to evaluate responses~~  
717 ~~to solicitations issued by the water management district, by~~  
718 ~~publication as provided in chapter 50 by Internet publication or~~  
719 ~~by publication in a newspaper of general paid circulation in the~~  
720 ~~county where the principal office of the water management~~  
721 ~~district is located, or in the county or counties where the~~  
722 ~~public work will be performed, no less than 7 days before such~~  
723 ~~meeting.~~

724 Section 17. Paragraph (d) of subsection (1) of section  
725 190.005, Florida Statutes, is amended to read:

726 190.005 Establishment of district.—

727 (1) The exclusive and uniform method for the establishment  
728 of a community development district with a size of 2,500 acres  
729 or more shall be pursuant to a rule, adopted under chapter 120  
730 by the Florida Land and Water Adjudicatory Commission, granting  
731 a petition for the establishment of a community development  
732 district.

733 (d) A local public hearing on the petition shall be  
734 conducted by a hearing officer in conformance with the  
735 applicable requirements and procedures of the Administrative



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736 Procedure Act. The hearing shall include oral and written  
737 comments on the petition pertinent to the factors specified in  
738 paragraph (e). The hearing shall be held at an accessible  
739 location in the county in which the community development  
740 district is to be located. The petitioner shall cause a notice  
741 of the hearing to be published for 4 successive weeks on a  
742 newspaper's website and the statewide legal notice website  
743 provided in s. 50.0211(5) or, if published in print, in a  
744 newspaper at least once a week for the 4 successive weeks  
745 immediately prior to the hearing as provided in chapter 50. Such  
746 notice shall give the time and place for the hearing, a  
747 description of the area to be included in the district, which  
748 description shall include a map showing clearly the area to be  
749 covered by the district, and any other relevant information  
750 which the establishing governing bodies may require. If  
751 published in the print edition of a newspaper, the advertisement  
752 may shall not be placed in the that portion of the newspaper  
753 where legal notices and classified advertisements appear. The  
754 advertisement must shall be published in a newspaper ~~of general~~  
755 ~~paid circulation~~ in the county and of general interest and  
756 readership in the community, not one of limited subject matter,  
757 pursuant to chapter 50. Whenever possible, the advertisement  
758 shall appear in a newspaper that is published at least weekly 5  
759 ~~days a week~~, unless the only newspaper in the community is  
760 published less than weekly fewer than 5 days a week. If the  
761 notice is In addition to being published in the print edition of  
762 the newspaper, the map referenced above must also be included in  
763 any part of the online advertisement ~~required~~ pursuant to s.  
764 50.0211. All affected units of general-purpose local government



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765 and the general public shall be given an opportunity to appear  
766 at the hearing and present oral or written comments on the  
767 petition.

768 Section 18. Paragraph (h) of subsection (1) of section  
769 190.046, Florida Statutes, is amended to read:

770 190.046 Termination, contraction, or expansion of  
771 district.—

772 (1) A landowner or the board may petition to contract or  
773 expand the boundaries of a community development district in the  
774 following manner:

775 (h) For a petition to establish a new community development  
776 district of less than 2,500 acres on land located solely in one  
777 county or one municipality, sufficiently contiguous lands  
778 located within the county or municipality which the petitioner  
779 anticipates adding to the boundaries of the district within 10  
780 years after the effective date of the ordinance establishing the  
781 district may also be identified. If such sufficiently contiguous  
782 land is identified, the petition must include a legal  
783 description of each additional parcel within the sufficiently  
784 contiguous land, the current owner of the parcel, the acreage of  
785 the parcel, and the current land use designation of the parcel.  
786 At least 14 days before the hearing required under s.  
787 190.005(2)(b), the petitioner must give the current owner of  
788 each such parcel notice of filing the petition to establish the  
789 district, the date and time of the public hearing on the  
790 petition, and the name and address of the petitioner. A parcel  
791 may not be included in the district without the written consent  
792 of the owner of the parcel.

793 1. After establishment of the district, a person may



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794 petition the county or municipality to amend the boundaries of  
795 the district to include a previously identified parcel that was  
796 a proposed addition to the district before its establishment. A  
797 filing fee may not be charged for this petition. Each such  
798 petition must include:

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

801 b. A new legal description by metes and bounds of the  
802 district;

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

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

805 e. A description of the development proposed on the  
806 additional parcel; and

807 f. A copy of the original petition identifying the parcel  
808 to be added.

809 2. Before filing with the county or municipality, the  
810 person must provide the petition to the district and to the  
811 owner of the proposed additional parcel, if the owner is not the  
812 petitioner.

813 3. Once the petition is determined sufficient and complete,  
814 the county or municipality must process the addition of the  
815 parcel to the district as an amendment to the ordinance that  
816 establishes the district. The county or municipality may process  
817 all petitions to amend the ordinance for parcels identified in  
818 the original petition, even if, by adding such parcels, the  
819 district exceeds 2,500 acres.

820 4. The petitioner shall cause to be published in a  
821 newspaper of general circulation in the proposed district a  
822 notice of the intent to amend the ordinance that establishes the



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823 district. The notice must be in addition to any notice required  
824 for adoption of the ordinance amendment. Such notice must be  
825 published as provided in chapter 50 at least 10 days before the  
826 scheduled hearing on the ordinance amendment ~~and may be~~  
827 ~~published in the section of the newspaper reserved for legal~~  
828 ~~notices~~. The notice must include a general description of the  
829 land to be added to the district and the date and time of the  
830 scheduled hearing to amend the ordinance. The petitioner shall  
831 deliver, including by mail or hand delivery, the notice of the  
832 hearing on the ordinance amendment to the owner of the parcel  
833 and to the district at least 14 days before the scheduled  
834 hearing.

835         5. The amendment of a district by the addition of a parcel  
836 pursuant to this paragraph does not alter the transition from  
837 landowner voting to qualified elector voting pursuant to s.  
838 190.006, even if the total size of the district after the  
839 addition of the parcel exceeds 5,000 acres. Upon adoption of the  
840 ordinance expanding the district, the petitioner must cause to  
841 be recorded a notice of boundary amendment which reflects the  
842 new boundaries of the district.

843         6. This paragraph is intended to facilitate the orderly  
844 addition of lands to a district under certain circumstances and  
845 does not preclude the addition of lands to any district using  
846 the procedures in the other provisions of this section.

847         Section 19. Subsection (1) of section 194.037, Florida  
848 Statutes, is amended to read:

849             194.037 Disclosure of tax impact.—

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



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852 results of the board as provided in chapter 50. If published in  
853 the print edition of a newspaper, the notice must be in at least  
854 a quarter-page size advertisement of a standard size or tabloid  
855 size newspaper, and the headline shall be in a type no smaller  
856 than 18 point. The advertisement shall not be placed in that  
857 portion of the newspaper where legal notices and classified  
858 advertisements appear. The advertisement shall be published in a  
859 newspaper ~~of general paid circulation~~ in the county. The  
860 newspaper selected shall be one of general interest and  
861 readership in the community, and not one of limited subject  
862 matter, pursuant to chapter 50. For all advertisements published  
863 pursuant to this section, the headline shall read: TAX IMPACT OF  
864 VALUE ADJUSTMENT BOARD. The public notice shall list the members  
865 of the value adjustment board and the taxing authorities to  
866 which they are elected. The form shall show, in columnar form,  
867 for each of the property classes listed under subsection (2),  
868 the following information, with appropriate column totals:  
869       (a) In the first column, the number of parcels for which  
870 the board granted exemptions that had been denied or that had  
871 not been acted upon by the property appraiser.  
872       (b) In the second column, the number of parcels for which  
873 petitions were filed concerning a property tax exemption.  
874       (c) In the third column, the number of parcels for which  
875 the board considered the petition and reduced the assessment  
876 from that made by the property appraiser on the initial  
877 assessment roll.  
878       (d) In the fourth column, the number of parcels for which  
879 petitions were filed but not considered by the board because  
880 such petitions were withdrawn or settled prior to the board's



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881 consideration.

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

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

888 (g) In the seventh column, the net shift in taxes to  
889 parcels not granted relief by the board. The shift shall be  
890 computed as the amount shown in column 6 multiplied by the  
891 applicable millage rates adopted by the taxing authorities in  
892 hearings held pursuant to s. 200.065(2) (d) or adopted by vote of  
893 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State  
894 Constitution, but without adjustment as authorized pursuant to  
895 s. 200.065(6). If for any taxing authority the hearing has not  
896 been completed at the time the notice required herein is  
897 prepared, the millage rate used shall be that adopted in the  
898 hearing held pursuant to s. 200.065(2) (c).

899 Section 20. Subsection (1) of section 197.402, Florida  
900 Statutes, is amended to read:

901 197.402 Advertisement of real or personal property with  
902 delinquent taxes.—

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

908 Section 21. Subsection (3) of section 200.065, Florida  
909 Statutes, is amended to read:





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910           200.065 Method of fixing millage.-  
911           (3) The advertisement shall be published as provided in  
912 chapter 50. If the advertisement is published in the print  
913 edition of a newspaper, the advertisement must be no less than  
914 one-quarter page in size of a standard size or a tabloid size  
915 newspaper, and the headline in the advertisement shall be in a  
916 type no smaller than 18 point. The advertisement shall not be  
917 placed in that portion of the newspaper where legal notices and  
918 classified advertisements appear. The advertisement shall be  
919 published in a newspaper ~~of general paid circulation~~ in the  
920 county or in a geographically limited insert of such newspaper.  
921 The geographic boundaries in which such insert is circulated  
922 shall include the geographic boundaries of the taxing authority.  
923 It is the legislative intent that, whenever possible, the  
924 advertisement appear in a newspaper that is published at least  
925 weekly ~~5 days a week~~ unless the only newspaper in the county is  
926 published less than weekly ~~5 days a week~~, or that the  
927 advertisement appear in a geographically limited insert of such  
928 newspaper which insert is published throughout the taxing  
929 authority's jurisdiction at least twice each week. It is further  
930 the legislative intent that the newspaper selected be one of  
931 general interest and readership in the community and not one of  
932 limited subject matter, pursuant to chapter 50.

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

937                           NOTICE OF PROPOSED TAX INCREASE  
938



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

941 Last year's property tax levy:

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

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

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

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

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

950  
951 A FINAL DECISION on the proposed tax increase and the  
952 budget will be made at this hearing.

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

956  
957 NOTICE OF BUDGET HEARING

958  
959 The ...(name of taxing authority)... has tentatively  
960 adopted a budget for ...(fiscal year).... A public hearing to  
961 make a FINAL DECISION on the budget AND TAXES will be held on  
962 ...(date and time)... at ...(meeting place)....

963  
964 (c) For school districts which have proposed a millage rate  
965 in excess of 100 percent of the rolled-back rate computed  
966 pursuant to subsection (1) and which propose to levy nonvoted  
967 millage in excess of the minimum amount required pursuant to s.



968 1011.60(6), the advertisement shall be in the following form:

969 NOTICE OF PROPOSED TAX INCREASE

970

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

973 Last year's property tax levy:

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

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

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

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

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

984 The remainder of the taxes is proposed solely at the  
985 discretion of the school board.

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

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

991 1. AMOUNT A shall be an estimate, provided by the  
992 Department of Education, of the amount to be received in the  
993 current fiscal year by the district from state appropriations  
994 for the Florida Education Finance Program.

995 2. AMOUNT B shall be the percent increase over the rolled-  
996 back rate necessary to levy only the required local effort in



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997 the current fiscal year, computed as though in the preceding  
998 fiscal year only the required local effort was levied.

999 3. AMOUNT C shall be the quotient of required local-effort  
1000 millage divided by the total proposed nonvoted millage, rounded  
1001 to the nearest tenth and stated in words; however, the stated  
1002 amount shall not exceed nine-tenths.

1003 (d) For school districts which have proposed a millage rate  
1004 in excess of 100 percent of the rolled-back rate computed  
1005 pursuant to subsection (1) and which propose to levy as nonvoted  
1006 millage only the minimum amount required pursuant to s.  
1007 1011.60(6), the advertisement shall be the same as provided in  
1008 paragraph (c), except that the second and third paragraphs shall  
1009 be replaced with the following paragraph:

1010  
1011 This increase is required under state law in order for the  
1012 school board to receive \$...(amount A)... in state education  
1013 grants.

1014  
1015 (e) In all instances in which the provisions of paragraphs  
1016 (c) and (d) are inapplicable for school districts, the  
1017 advertisement shall be in the following form:

1018  
1019 NOTICE OF BUDGET HEARING

1020  
1021 The ...(name of school district)... will soon consider a  
1022 budget for ...(fiscal year).... A public hearing to make a  
1023 DECISION on the budget AND TAXES will be held on ...(date and  
1024 time)... at ...(meeting place)....

1025



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1026 (f) In lieu of publishing the notice set out in this  
1027 subsection, the taxing authority may mail a copy of the notice  
1028 to each elector residing within the jurisdiction of the taxing  
1029 authority.

1030 (g) In the event that the mailing of the notice of proposed  
1031 property taxes is delayed beyond September 3 in a county, any  
1032 multicounty taxing authority which levies ad valorem taxes  
1033 within that county shall advertise its intention to adopt a  
1034 tentative budget and millage rate in a newspaper of paid general  
1035 circulation within that county, as provided in this subsection,  
1036 and shall hold the hearing required pursuant to paragraph (2)(c)  
1037 not less than 2 days or more than 5 days thereafter, and not  
1038 later than September 18. The advertisement shall be in the  
1039 following form, unless the proposed millage rate is less than or  
1040 equal to the rolled-back rate, computed pursuant to subsection  
1041 (1), in which case the advertisement shall be as provided in  
1042 paragraph (e):

1043 NOTICE OF TAX INCREASE

1044  
1045 The ...(name of the taxing authority)... proposes to  
1046 increase its property tax levy by ...(percentage of increase  
1047 over rolled-back rate)... percent.

1048 All concerned citizens are invited to attend a public  
1049 hearing on the proposed tax increase to be held on ...(date and  
1050 time)... at ...(meeting place)....

1051  
1052 (h) In no event shall any taxing authority add to or delete  
1053 from the language of the advertisements as specified herein  
1054 unless expressly authorized by law, except that, if an increase



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1055 in ad valorem tax rates will affect only a portion of the  
1056 jurisdiction of a taxing authority, advertisements may include a  
1057 map or geographical description of the area to be affected and  
1058 the proposed use of the tax revenues under consideration. In  
1059 addition, if published in the print edition of the newspaper or  
1060 only published on the Internet in accordance with s. 50.0211(5),  
1061 the map must be included in ~~part of~~ the online advertisement  
1062 required by s. 50.0211. The advertisements required herein shall  
1063 not be accompanied, preceded, or followed by other advertising  
1064 or notices which conflict with or modify the substantive content  
1065 prescribed herein.

1066 (i) The advertisements required pursuant to paragraphs (b)  
1067 and (e) need not be one-quarter page in size or have a headline  
1068 in type no smaller than 18 point.

1069 (j) The amounts to be published as percentages of increase  
1070 over the rolled-back rate pursuant to this subsection shall be  
1071 based on aggregate millage rates and shall exclude voted millage  
1072 levies unless expressly provided otherwise in this subsection.

1073 (k) Any taxing authority which will levy an ad valorem tax  
1074 for an upcoming budget year but does not levy an ad valorem tax  
1075 currently shall, in the advertisement specified in paragraph  
1076 (a), paragraph (c), paragraph (d), or paragraph (g), replace the  
1077 phrase "increase its property tax levy by ... (percentage of  
1078 increase over rolled-back rate)... percent" with the phrase  
1079 "impose a new property tax levy of \$...(amount)... per \$1,000  
1080 value."

1081 (l) Any advertisement required pursuant to this section  
1082 shall be accompanied by an adjacent notice meeting the budget  
1083 summary requirements of s. 129.03(3)(b). Except for those taxing



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1084 authorities proposing to levy ad valorem taxes for the first  
1085 time, the following statement shall appear in the budget summary  
1086 in boldfaced type immediately following the heading, if the  
1087 applicable percentage is greater than zero:

1088

1089 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of  
1090 taxing authority)... ARE ...(percent rounded to one decimal  
1091 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

1092

1093 For purposes of this paragraph, "proposed operating budget  
1094 expenditures" or "operating expenditures" means all moneys of  
1095 the local government, including dependent special districts,  
1096 that:

1097 1. Were or could be expended during the applicable fiscal  
1098 year, or

1099 2. Were or could be retained as a balance for future  
1100 spending in the fiscal year.

1101

1102 Provided, however, those moneys held in or used in trust,  
1103 agency, or internal service funds, and expenditures of bond  
1104 proceeds for capital outlay or for advanced refunded debt  
1105 principal, shall be excluded.

1106 Section 22. Paragraph (c) of subsection (1) of section  
1107 338.223, Florida Statutes, is amended to read:

1108 338.223 Proposed turnpike projects.—

1109 (1)

1110 (c) Prior to requesting legislative approval of a proposed  
1111 turnpike project, the environmental feasibility of the proposed  
1112 project shall be reviewed by the Department of Environmental



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1113 Protection. The department shall submit its Project Development  
1114 and Environmental Report to the Department of Environmental  
1115 Protection, along with a draft copy of a public notice. Within  
1116 14 days of receipt of the draft public notice, the Department of  
1117 Environmental Protection shall return the draft public notice to  
1118 the Department of Transportation with an approval of the  
1119 language or modifications to the language. Upon receipt of the  
1120 approved or modified draft, or if no comments are provided  
1121 within 14 days, the Department of Transportation shall publish  
1122 the notice as provided in chapter 50 in a newspaper to provide a  
1123 30-day public comment period. If published in the print edition  
1124 of a newspaper, the headline of the required notice shall be in  
1125 a type no smaller than 18 point, ~~the notice~~ shall be placed in  
1126 that portion of the newspaper where legal notices appear, and ~~-~~  
1127 ~~The notice~~ shall be published in a newspaper of general  
1128 circulation in the county or counties of general interest and  
1129 readership in the community as provided in s. 50.031, not one of  
1130 limited subject matter. Whenever possible, the notice shall  
1131 appear in a newspaper that is published at least weekly ~~5 days a~~  
1132 ~~week~~. All notices published pursuant to this section ~~The notice~~  
1133 shall include, at a minimum ~~but is not limited to~~, the following  
1134 information:

1135 1. The purpose of the notice is to provide for a 30-day  
1136 period for written public comments on the environmental impacts  
1137 of a proposed turnpike project.

1138 2. The name and description of the project, along with a  
1139 geographic location map clearly indicating the area where the  
1140 proposed project will be located.

1141 3. The address where such comments must be sent and the





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1142 date such comments are due.

1143

1144 After a review of the department's report and any public  
1145 comments, the Department of Environmental Protection shall  
1146 submit a statement of environmental feasibility to the  
1147 department within 30 days after the date on which public  
1148 comments are due. The notice and the statement of environmental  
1149 feasibility shall not give rise to any rights to a hearing or  
1150 other rights or remedies provided pursuant to chapter 120 or  
1151 chapter 403, and shall not bind the Department of Environmental  
1152 Protection in any subsequent environmental permit review.

1153 Section 23. Subsection (3) of section 348.0308, Florida  
1154 Statutes, is amended to read:

1155 348.0308 Public-private partnership.—The Legislature  
1156 declares that there is a public need for the rapid construction  
1157 of safe and efficient transportation facilities for traveling  
1158 within the state and that it is in the public's interest to  
1159 provide for public-private partnership agreements to effectuate  
1160 the construction of additional safe, convenient, and economical  
1161 transportation facilities.

1162 (3) The agency may request proposals for public-private  
1163 transportation projects or, if it receives an unsolicited  
1164 proposal, it must publish a notice in the Florida Administrative  
1165 Register and, as provided in chapter 50, by Internet publication  
1166 or by print in a newspaper of general circulation in the county  
1167 in which the project ~~it~~ is located at least once a week for 2  
1168 weeks stating that it has received the proposal and will accept,  
1169 for 60 days after the initial date of publication, other  
1170 proposals for the same project purpose. A copy of the notice



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1171 must be mailed to each local government in the affected areas.  
1172 After the public notification period has expired, the agency  
1173 shall rank the proposals in order of preference. In ranking the  
1174 proposals, the agency shall consider professional  
1175 qualifications, general business terms, innovative engineering  
1176 or cost-reduction terms, finance plans, and the need for state  
1177 funds to deliver the proposal. If the agency is not satisfied  
1178 with the results of the negotiations, it may, at its sole  
1179 discretion, terminate negotiations with the proposer. If these  
1180 negotiations are unsuccessful, the agency may go to the second  
1181 and lower-ranked firms, in order, using the same procedure. If  
1182 only one proposal is received, the agency may negotiate in good  
1183 faith, and if it is not satisfied with the results, it may, at  
1184 its sole discretion, terminate negotiations with the proposer.  
1185 The agency may, at its discretion, reject all proposals at any  
1186 point in the process up to completion of a contract with the  
1187 proposer.

1188 Section 24. Subsection (3) of section 348.635, Florida  
1189 Statutes, is amended to read:

1190 348.635 Public-private partnership.—The Legislature  
1191 declares that there is a public need for the rapid construction  
1192 of safe and efficient transportation facilities for traveling  
1193 within the state and that it is in the public's interest to  
1194 provide for public-private partnership agreements to effectuate  
1195 the construction of additional safe, convenient, and economical  
1196 transportation facilities.

1197 (3) The authority may request proposals for public-private  
1198 transportation projects or, if it receives an unsolicited  
1199 proposal, it must publish a notice in the Florida Administrative



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1200 Register and, as provided in chapter 50, by either Internet  
1201 publication or by print in and a newspaper of general  
1202 circulation in the county in which the project ~~it~~ is located at  
1203 least once a week for 2 weeks stating that it has received the  
1204 proposal and will accept, for 60 days after the initial date of  
1205 publication, other proposals for the same project purpose. A  
1206 copy of the notice must be mailed to each local government in  
1207 the affected areas. After the public notification period has  
1208 expired, the authority shall rank the proposals in order of  
1209 preference. In ranking the proposals, the authority shall  
1210 consider professional qualifications, general business terms,  
1211 innovative engineering or cost-reduction terms, finance plans,  
1212 and the need for state funds to deliver the proposal. If the  
1213 authority is not satisfied with the results of the negotiations,  
1214 it may, at its sole discretion, terminate negotiations with the  
1215 proposer. If these negotiations are unsuccessful, the authority  
1216 may go to the second and lower-ranked firms, in order, using the  
1217 same procedure. If only one proposal is received, the authority  
1218 may negotiate in good faith, and if it is not satisfied with the  
1219 results, it may, at its sole discretion, terminate negotiations  
1220 with the proposer. The authority may, at its discretion, reject  
1221 all proposals at any point in the process up to completion of a  
1222 contract with the proposer.

1223 Section 25. Subsection (3) of section 348.7605, Florida  
1224 Statutes, is amended to read:

1225 348.7605 Public-private partnership.—The Legislature  
1226 declares that there is a public need for the rapid construction  
1227 of safe and efficient transportation facilities for traveling  
1228 within the state and that it is in the public's interest to



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1229 provide for public-private partnership agreements to effectuate  
1230 the construction of additional safe, convenient, and economical  
1231 transportation facilities.

1232 (3) The authority may request proposals for public-private  
1233 transportation projects or, if it receives an unsolicited  
1234 proposal, it must publish a notice in the Florida Administrative  
1235 Register and, as provided in chapter 50, by either Internet  
1236 publication or by print in a newspaper of general circulation in  
1237 the county in which the project ~~is~~ is located at least once a  
1238 week for 2 weeks stating that it has received the proposal and  
1239 will accept, for 60 days after the initial date of publication,  
1240 other proposals for the same project purpose. A copy of the  
1241 notice must be mailed to each local government in the affected  
1242 areas. After the public notification period has expired, the  
1243 authority shall rank the proposals in order of preference. In  
1244 ranking the proposals, the authority shall consider professional  
1245 qualifications, general business terms, innovative engineering  
1246 or cost-reduction terms, finance plans, and the need for state  
1247 funds to deliver the proposal. If the authority is not satisfied  
1248 with the results of the negotiations, it may, at its sole  
1249 discretion, terminate negotiations with the proposer. If these  
1250 negotiations are unsuccessful, the authority may go to the  
1251 second and lower-ranked firms, in order, using the same  
1252 procedure. If only one proposal is received, the authority may  
1253 negotiate in good faith, and if it is not satisfied with the  
1254 results, it may, at its sole discretion, terminate negotiations  
1255 with the proposer. The authority may, at its discretion, reject  
1256 all proposals at any point in the process up to completion of a  
1257 contract with the proposer.



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1258 Section 26. Section 373.0397, Florida Statutes, is amended  
1259 to read:

1260 373.0397 Floridan and Biscayne aquifers; designation of  
1261 prime groundwater recharge areas.—Upon preparation of an  
1262 inventory of prime groundwater recharge areas for the Floridan  
1263 or Biscayne aquifers, but prior to adoption by the governing  
1264 board, the water management district shall publish a legal  
1265 notice of public hearing on the designated areas for the  
1266 Floridan and Biscayne aquifers, with a map delineating the  
1267 boundaries of the areas, as provided ~~in newspapers defined in~~  
1268 ~~chapter 50 as having general circulation within the area to be~~  
1269 ~~affected~~. The notice shall be at least one-fourth page and shall  
1270 read as follows:

1271  
1272 NOTICE OF PRIME RECHARGE  
1273 AREA DESIGNATION  
1274

1275 The ...(name of taxing authority)... proposes to designate  
1276 specific land areas as areas of prime recharge to the ...(name  
1277 of aquifer)... Aquifer.

1278 All concerned citizens are invited to attend a public  
1279 hearing on the proposed designation to be held on ...(date and  
1280 time)... at ...(meeting place)....

1281 A map of the affected areas follows.

1282  
1283 The governing board of the water management district shall adopt  
1284 a designation of prime groundwater recharge areas to the  
1285 Floridan and Biscayne aquifers by rule within 120 days after the  
1286 public hearing, subject to the provisions of chapter 120.



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1287 Section 27. Section 373.146, Florida Statutes, is amended  
1288 to read:

1289 373.146 Publication of notices, process, and papers.—

1290 (1) Whenever in this chapter the publication of any notice,  
1291 process, or paper is required or provided for, unless otherwise  
1292 provided by law, the publication thereof ~~in some newspaper or~~  
1293 ~~newspapers~~ as provided ~~defined~~ in chapter 50 ~~is having general~~  
1294 ~~circulation within the area to be affected shall be taken and~~  
1295 considered as being sufficient.

1296 (2) Notwithstanding any other provision of law to the  
1297 contrary, and except in the case of emergency meetings, water  
1298 management districts may provide reasonable notice of public  
1299 meetings held to evaluate responses to solicitations issued by  
1300 the water management district, by publication as provided in  
1301 chapter 50 ~~in a newspaper of general paid circulation in the~~  
1302 ~~county where the principal office of the water management~~  
1303 ~~district is located, or in the county or counties where the~~  
1304 ~~public work will be performed~~, no less than 7 days before such  
1305 meeting.

1306 Section 28. Subsection (12) of section 403.722, Florida  
1307 Statutes, is amended to read:

1308 403.722 Permits; hazardous waste disposal, storage, and  
1309 treatment facilities.—

1310 (12) On the same day of filing with the department of an  
1311 application for a permit for the construction modification, or  
1312 operation of a hazardous waste facility, the applicant shall  
1313 notify each city and county within 1 mile of the facility of the  
1314 filing of the application and shall publish notice of the filing  
1315 of the application. The applicant shall publish a second notice



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1316 of the filing within 14 days after the date of filing. Each  
1317 notice shall be published as provided in chapter 50 ~~in a~~  
1318 ~~newspaper of general circulation in the county in which the~~  
1319 ~~facility is located or is proposed to be located.~~  
1320 ~~Notwithstanding the provisions of chapter 50, for purposes of~~  
1321 ~~this section, a "newspaper of general circulation" shall be the~~  
1322 ~~newspaper within the county in which the installation or~~  
1323 ~~facility is proposed which has the largest daily circulation in~~  
1324 ~~that county and has its principal office in that county. If the~~  
1325 ~~newspaper with the largest daily circulation has its principal~~  
1326 ~~office outside the county, the notice shall appear in both the~~  
1327 ~~newspaper with the largest daily circulation in that county, and~~  
1328 ~~a newspaper authorized to publish legal notices in that county.~~  
1329 The notice shall contain:

1330 (a) The name of the applicant and a brief description of  
1331 the project and its location.

1332 (b) The location of the application file and when it is  
1333 available for public inspection.

1334  
1335 The notice shall be prepared by the applicant and shall comply  
1336 with the following format:

1337  
1338 Notice of Application  
1339 The Department of Environmental Protection announces receipt of  
1340 an application for a permit from ...(name of applicant)... to  
1341 ...(brief description of project).... This proposed project will  
1342 be located at ...(location)... in ...(county)... ...(city)....

1343  
1344 This application is being processed and is available for public



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1345 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,  
1346 Monday through Friday, except legal holidays, at ...(name and  
1347 address of office)....

1348 Section 29. Paragraph (b) of subsection (3) of section  
1349 712.06, Florida Statutes, is amended to read:

1350 712.06 Contents of notice; recording and indexing.—

1351 (3) The person providing the notice referred to in s.  
1352 712.05, other than a notice for preservation of a community  
1353 covenant or restriction, shall:

1354 (b) Publish the notice referred to in s. 712.05 by Internet  
1355 publication as provided in s. 50.0211(5) or printed once a week,  
1356 for 2 consecutive weeks, in a newspaper as defined in chapter  
1357 50, the notice referred to in s. 712.05, with the official  
1358 record book and page number in which such notice was recorded,  
1359 ~~in a newspaper as defined in chapter 50~~ in the county in which  
1360 the property is located.

1361 Section 30. Subsection (5) of section 849.38, Florida  
1362 Statutes, is amended to read:

1363 849.38 Proceedings for forfeiture; notice of seizure and  
1364 order to show cause.—

1365 (5) If the value of the property seized is shown by the  
1366 sheriff's return to have an appraised value of \$1,000 or less,  
1367 the above citation shall be served by posting at three public  
1368 places in the county, one of which shall be the front door of  
1369 the courthouse; if the value of the property is shown by the  
1370 sheriff's return to have an approximate value of more than  
1371 \$1,000, the citation shall be posted for at least 2 consecutive  
1372 weeks on a newspaper's website and the statewide legal notice  
1373 website in accordance with s. 50.0211(5) or published in print





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1374 at least once each week for 2 consecutive weeks in a ~~some~~  
1375 newspaper of general publication published in the county, if  
1376 there is ~~be~~ such a newspaper published in the county. and If  
1377 there is no newspaper of general circulation ~~not, the then said~~  
1378 notice of such publication shall be made by certificate of the  
1379 clerk if publication is made by posting, and by affidavit as  
1380 provided in chapter 50, if made by publication as provided in  
1381 chapter 50 ~~in a newspaper~~, which affidavit or certificate shall  
1382 be filed and become a part of the record in the cause. Failure  
1383 of the record to show proof of such publication shall not affect  
1384 any judgment made in the cause unless it shall affirmatively  
1385 appear that no such publication was made.

1386 Section 31. Paragraph (a) of subsection (3) of section  
1387 865.09, Florida Statutes, is amended to read:

1388 865.09 Fictitious name registration.—

1389 (3) REGISTRATION.—

1390 (a) A person may not engage in business under a fictitious  
1391 name unless the person first registers the name with the  
1392 division by filing a registration listing:

1393 1. The name to be registered.

1394 2. The mailing address of the business.

1395 3. The name and address of each registrant.

1396 4. If the registrant is a business entity that was required  
1397 to file incorporation or similar documents with its state of  
1398 organization when it was organized, such entity must be  
1399 registered with the division and in active status with the  
1400 division; provide its Florida document registration number; and  
1401 provide its federal employer identification number if the entity  
1402 has such a number.



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1403           5. Certification by at least one registrant that the  
1404 intention to register such fictitious name has been advertised  
1405 as provided at least once in a newspaper as defined in chapter  
1406 50 in the county in which the principal place of business of the  
1407 registrant is or will be located.

1408           6. Any other information the division may reasonably deem  
1409 necessary to adequately inform other governmental agencies and  
1410 the public as to the registrant so conducting business.

1411           Section 32. Paragraph (a) of subsection (6) of section  
1412 932.704, Florida Statutes, is amended to read:

1413           932.704 Forfeiture proceedings.—

1414           (6) (a) If the property is required by law to be titled or  
1415 registered, or if the owner of the property is known in fact to  
1416 the seizing agency, or if the seized property is subject to a  
1417 perfected security interest in accordance with the Uniform  
1418 Commercial Code, chapter 679, the attorney for the seizing  
1419 agency shall serve the forfeiture complaint as an original  
1420 service of process under the Florida Rules of Civil Procedure  
1421 and other applicable law to each person having an ownership or  
1422 security interest in the property. The seizing agency shall also  
1423 publish, in accordance with chapter 50, notice of the forfeiture  
1424 complaint for 2 consecutive weeks on a newspaper's website and  
1425 the statewide legal notice website in accordance with s.  
1426 50.0211(5) or, if published in print, once each week for 2  
1427 consecutive weeks in a newspaper of general circulation,~~as~~  
1428 ~~defined in s. 165.031,~~ in the county where the seizure occurred.

1429           Section 33. This act shall take effect July 1, 2022.

1430  
1431 ===== T I T L E   A M E N D M E N T =====



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1432 And the title is amended as follows:

1433 Delete everything before the enacting clause  
1434 and insert:

1435 A bill to be entitled

1436 An act relating to legal notices; amending s. 50.011,  
1437 F.S.; revising requirements for newspapers that are  
1438 qualified to publish legal notices; authorizing the  
1439 Internet publication of legal notices on certain  
1440 websites in lieu of print publication in a newspaper;  
1441 amending s. 50.021, F.S.; conforming provisions to  
1442 changes made by the act; amending s. 50.0211, F.S.;  
1443 defining the term "governmental agency"; authorizing a  
1444 governmental agency to opt for Internet-only  
1445 publication of legal notices with any newspaper of  
1446 general circulation within the state if certain  
1447 conditions are met; specifying requirements for the  
1448 placement, format, and accessibility of any such legal  
1449 notices; requiring the newspaper to display a  
1450 specified disclaimer regarding the posting of legal  
1451 notices; authorizing a newspaper to charge for  
1452 Internet-only publication, subject to specified  
1453 limitations; specifying applicable penalties for  
1454 unauthorized rebates, commissions, or refunds in  
1455 connection with publication charges; requiring a  
1456 governmental agency that publishes certain legal  
1457 notices by Internet-only publication to publish a  
1458 specified notice in the print edition of a local  
1459 newspaper; amending s. 50.031, F.S.; conforming  
1460 provisions to changes made by the act; amending ss.



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1461 50.041 and 50.051, F.S.; revising provisions governing  
1462 the uniform affidavit establishing proof of  
1463 publication to conform to changes made by the act;  
1464 amending s. 83.806, F.S.; providing that an  
1465 advertisement of a sale or disposition of property may  
1466 be published on certain websites for a specified time  
1467 period; amending ss. 11.02, 45.031, 120.81, 121.0511,  
1468 121.055, 125.66, 162.12, 166.041, 189.015, 190.005,  
1469 190.046, 194.037, 197.402, 200.065, 338.223, 348.0308,  
1470 348.635, 348.7605, 373.0397, 373.146, 403.722, 712.06,  
1471 849.38, 865.09, and 932.704, F.S.; conforming  
1472 provisions to changes made by the act; providing an  
1473 effective date.