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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to legal notices; amending s. 50.011, F.S.; revising requirements for newspapers that are qualified to publish legal notices; authorizing the Internet publication of legal notices on certain websites in lieu of print publication in a newspaper; amending s. 50.021, F.S.; conforming provisions to changes made by the act; amending s. 50.0211, F.S.; defining the term "governmental agency"; requiring the Florida Press Association to consult with the Black Press Association of Florida for a specified purpose; authorizing a governmental agency to choose between print publication or Internet-only publication of legal notices with specified newspapers if certain conditions are met; specifying requirements for the placement, format, and accessibility of any such legal notices; requiring the newspaper to display a specified disclaimer regarding the posting of legal notices; authorizing a newspaper to charge for Internet-only publication, subject to specified limitations; specifying applicable penalties for unauthorized rebates, commissions, or refunds in connection with publication charges; requiring a governmental agency that publishes certain legal notices by Internet-only publication to publish a specified notice in the print edition of a local newspaper; amending s. 50.031, F.S.; conforming



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28 provisions to changes made by the act; amending ss.
29 50.041 and 50.051, F.S.; revising provisions governing
30 the uniform affidavit establishing proof of
31 publication to conform to changes made by the act;
32 amending ss. 11.02, 120.81, 121.0511, 121.055, 125.66,
33 162.12, 166.041, 189.015, 190.005, 190.046, 194.037,
34 197.402, 200.065, 338.223, 348.0308, 348.635,
35 348.7605, 373.0397, 373.146, 403.722, 712.06, 849.38,
36 865.09, and 932.704, F.S.; conforming provisions to
37 changes made by the act; providing an effective date.
38

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

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

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

55 (1) A publication in a newspaper printed and published
56 periodically at least once a week; which contains ~~or oftener,~~



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57 ~~containing~~ at least 25 percent of its words in the English
58 language; which has a net distribution of at least 1,000 net
59 print copies per week; which has a website averaging at least
60 1,000 unique users per week; which has its distribution and
61 website readership audited and certified biannually by an
62 independent third-party auditor who is qualified and accredited;
63 ~~which is, entered or qualified to be admitted and entered as~~
64 ~~periodicals matter at a post office in the county where~~
65 ~~published, for sale to the public generally, available to the~~
66 public generally in the county or nearby counties to which the
67 legal notice pertains; and which publishes for the publication
68 ~~of~~ official or other notices and customarily dedicates at least
69 25 percent of its content to local and regional news and
70 ~~containing~~ information of a public character or of interest or
71 of value to the residents or owners of property in the county
72 where published, or of interest or of value to the general
73 public; or

74 (2) By Internet publication on the website of any newspaper
75 of general circulation in the county or nearby counties to which
76 the legal notice pertains which otherwise meets the criteria
77 specified in subsection (1) and on the statewide legal notice
78 website as provided under s. 50.0211(5).

79 Section 2. Section 50.021, Florida Statutes, is amended to
80 read:

81 50.021 Publication when no newspaper in county.—When any
82 law, or order or decree of court, directs ~~shall direct~~
83 advertisements to be made in a any county and there is ~~be~~ no
84 newspaper published in the ~~said~~ county, the advertisement may be
85 made by posting on the website of any newspaper of general



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86 circulation in an adjoining county and on the statewide legal
87 notice website as provided in s. 50.0211(5) or posting three
88 copies thereof in three different places in the said county, one
89 of which shall be at the front door of the courthouse, and by
90 publication in the nearest county in which a newspaper is
91 published.

92 Section 3. Section 50.0211, Florida Statutes, is amended to
93 read:

94 50.0211 Internet website publication.—

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

98 (2) This section applies to legal notices that must be
99 published in accordance with this chapter unless otherwise
100 specified.

101 (3) ~~(2)~~ If a governmental agency publishes a legal notice in
102 the print edition of a newspaper, each legal notice must be
103 posted on the newspaper's website on the same day that the
104 printed notice appears in the newspaper, at no additional
105 charge, in a separate web page titled "Legal Notices," "Legal
106 Advertising," or comparable identifying language. A link to the
107 legal notices web page shall be provided on the front page of
108 the newspaper's website that provides access to the legal
109 notices. If there is a specified size and placement required for
110 a printed legal notice, the size and placement of the notice on
111 the newspaper's website must optimize its online visibility in
112 keeping with the print requirements. The newspaper's web pages
113 that contain legal notices must present the legal notices as the
114 dominant and leading subject matter of those pages. The



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115 newspaper's website must contain a search function to facilitate
116 searching the legal notices. A fee may not be charged, and
117 registration may not be required, for viewing or searching legal
118 notices on a newspaper's website if the legal notice is
119 published in a newspaper.

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

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

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

131 (c) The statewide website created under this subsection
132 shall maintain a searchable archive of all legal notices posted
133 on the publicly accessible website ~~on or after October 1, 2014,~~
134 for 18 months after the first day of posting. Such searchable
135 archive shall be provided and accessible to the general public
136 without charge.

137 (d) In its operation of the statewide website, the Florida
138 Press Association shall consult with the Black Press Association
139 of Florida to ensure that minority populations throughout the
140 state have equitable access to legal notices that are posted on
141 the Internet.

142 (5) (a) In lieu of publishing a legal notice in the print
143 edition of a newspaper of general circulation, a governmental



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144 agency may opt for Internet-only publication with any newspaper
145 of general circulation within the jurisdiction of the affected
146 governmental agency so long as the governmental agency
147 determines that the Internet publication of such notice would
148 not unreasonably restrict public access. Any such notice that is
149 published only on the Internet in accordance with this
150 subsection must be placed in the legal notices section of the
151 newspaper's website and the statewide legal notice website
152 established under subsection (4). All requirements regarding the
153 format and accessibility of legal notices placed on the
154 newspaper's website and the statewide legal notice website in
155 subsections (3) and (4) also apply to legal notices that are
156 published only on the Internet in accordance with this
157 subsection.

158 (b) The legal notices section of the print edition of a
159 newspaper must include a disclaimer stating that additional
160 legal notices may be accessed on the newspaper's website and the
161 statewide legal notice website. The legal notices section of the
162 newspaper's website must also include a disclaimer stating that
163 legal notices are also published in the print edition of the
164 newspaper and on the statewide legal notice website.

165 (c) A newspaper may charge for the publication of any legal
166 notice that is published only on the newspaper's website,
167 without rebate, commission, or refund; however, the newspaper
168 may not charge any higher rate for publication than the amount
169 that would be authorized under s. 50.061 if the legal notice had
170 been printed in the newspaper. The penalties prescribed in s.
171 50.061(7) for allowing or accepting any rebate, commission, or
172 refund in connection to the amounts charged for publication also



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173 apply to any legal notices that are published only on the
174 Internet in accordance with this subsection.

175 (d) If a governmental agency exercises the option to
176 publish legal notices on the Internet in accordance with this
177 subsection, such agency must provide notice at least once per
178 week in the print edition of a newspaper of general circulation
179 within the region in which the governmental agency is located
180 which states that legal notices pertaining to the agency do not
181 all appear in the print edition of the local newspaper and that
182 additional legal notices may be accessed on the newspaper's
183 website and that a full listing of any legal notices may be
184 accessed on the statewide legal notice website located at
185 www.floridapublicnotices.com.

186 (6)~~(4)~~ Newspapers that publish legal notices shall, upon
187 request, provide e-mail notification of new legal notices when
188 they are published ~~printed~~ in the newspaper or on ~~and added to~~
189 the newspaper's website. Such e-mail notification shall be
190 provided without charge, and notification for such an e-mail
191 registry shall be available on the front page of the legal
192 notices section of the newspaper's website.

193 Section 4. Section 50.031, Florida Statutes, is amended to
194 read:

195 50.031 Newspapers in which legal notices and process may be
196 published.—No notice or publication required to be published in
197 the print edition of a newspaper or on a newspaper's website in
198 the nature of or in lieu of process of any kind, nature,
199 character or description provided for under any law of the
200 state, whether heretofore or hereafter enacted, and whether
201 pertaining to constructive service, or the initiating, assuming,



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202 reviewing, exercising or enforcing jurisdiction or power, by any
203 court in this state, or any notice of sale of property, real or
204 personal, for taxes, state, county or municipal, or sheriff's,
205 guardian's or administrator's or any sale made pursuant to any
206 judicial order, decree or statute or any other publication or
207 notice pertaining to any affairs of the state, or any county,
208 municipality or other political subdivision thereof, shall be
209 deemed to have been published in accordance with the statutes
210 providing for such publication, unless the same shall have been
211 published for the prescribed period of time required for such
212 publication, in a newspaper which at the time of such
213 publication shall have been in existence for 1 year ~~and shall~~
214 ~~have been entered as periodicals matter at a post office in the~~
215 ~~county where published,~~ or in a newspaper which is a direct
216 successor of a newspaper which has ~~together have~~ been so
217 published; provided, however, that nothing herein contained
218 shall apply where in any county there shall be no newspaper in
219 existence which shall have been published for the length of time
220 above prescribed. No legal publication of any kind, nature or
221 description, as herein defined, shall be valid or binding or
222 held to be in compliance with the statutes providing for such
223 publication unless the same shall have been published in
224 accordance with the provisions of this section or s. 50.0211(5).
225 Proof of such publication shall be made by uniform affidavit.

226 Section 5. Section 50.041, Florida Statutes, is amended to
227 read:

228 50.041 Proof of publication; uniform affidavits required.—

229 (1) All affidavits ~~of publishers of newspapers (or their~~
230 ~~official representatives)~~ made for the purpose of establishing



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231 proof of publication of public notices or legal advertisements
232 shall be uniform throughout the state.

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

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

250 Section 6. Section 50.051, Florida Statutes, is amended to
251 read:

252 50.051 Proof of publication; form of uniform affidavit.—The
253 printed form upon which all such affidavits establishing proof
254 of publication are to be executed shall be substantially as
255 follows:

256 NAME OF COUNTY NEWSPAPER
257 Published ~~(Weekly or Daily)~~
258 ~~(Town or City) (County) FLORIDA~~
259 STATE OF FLORIDA



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COUNTY OF

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

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

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

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



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

290

291 ... (Notary Public)...

292 Section 7. Section 11.02, Florida Statutes, is amended to
293 read:

294 11.02 Notice of special or local legislation or certain
295 relief acts.—The notice required to obtain special or local
296 legislation or any relief act specified in s. 11.065 shall be by
297 publishing the identical notice ~~in each county involved in some~~
298 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~
299 circulated throughout the county or counties where the matter or
300 thing to be affected by such legislation shall be situated one
301 time at least 30 days before introduction of the proposed law
302 into the Legislature or, if the notice is not made by Internet
303 publication as provided in s. 50.0211(5) and there being no
304 newspaper circulated throughout or published in the county, by
305 posting for at least 30 days at not less than three public
306 places in the county or each of the counties, one of which
307 places shall be at the courthouse in the county or counties
308 where the matter or thing to be affected by such legislation
309 shall be situated. Notice of special or local legislation shall
310 state the substance of the contemplated law, as required by s.
311 10, Art. III of the State Constitution. Notice of any relief act
312 specified in s. 11.065 shall state the name of the claimant, the
313 nature of the injury or loss for which the claim is made, and
314 the amount of the claim against the affected municipality's
315 revenue-sharing trust fund.

316 Section 8. Paragraph (d) of subsection (1) of section
317 120.81, Florida Statutes, is amended to read:



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318 120.81 Exceptions and special requirements; general areas.-

319 (1) EDUCATIONAL UNITS.-

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

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

328 2. By mail to all persons who have made requests of the
329 educational unit for advance notice of its proceedings and to
330 organizations representing persons affected by the proposed
331 rule; and

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

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

337 121.0511 Revocation of election and alternative plan.—The
338 governing body of any municipality or independent special
339 district that has elected to participate in the Florida
340 Retirement System may revoke its election in accordance with the
341 following procedure:

342 (2) At least 7 days, but not more than 15 days, before the
343 hearing, notice of intent to revoke, specifying the time and
344 place of the hearing, must be published as provided in chapter
345 50 in a newspaper of general circulation in the area affected,
346 as provided by ss. 50.011-50.031. Proof of publication of the



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347 notice must be submitted to the Department of Management
348 Services.

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

351 121.055 Senior Management Service Class.—There is hereby
352 established a separate class of membership within the Florida
353 Retirement System to be known as the “Senior Management Service
354 Class,” which shall become effective February 1, 1987.

355 (1)

356 (b)1. Except as provided in subparagraph 2., effective
357 January 1, 1990, participation in the Senior Management Service
358 Class is compulsory for the president of each community college,
359 the manager of each participating municipality or county, and
360 all appointed district school superintendents. Effective January
361 1, 1994, additional positions may be designated for inclusion in
362 the Senior Management Service Class if:

363 a. Positions to be included in the class are designated by
364 the local agency employer. Notice of intent to designate
365 positions for inclusion in the class must be published for at
366 least 2 consecutive weeks if published by Internet publication
367 as provided in s. 50.0211(5) or, if published in print, once a
368 week for 2 consecutive weeks in a newspaper of general
369 circulation published in the county or counties affected, as
370 provided in chapter 50.

371 b. Up to 10 nonelective full-time positions may be
372 designated for each local agency employer reporting to the
373 department; for local agencies with 100 or more regularly
374 established positions, additional nonelective full-time
375 positions may be designated, not to exceed 1 percent of the



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376 regularly established positions within the agency.

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

381 (I) Heads an organizational unit; or

382 (II) Has responsibility to effect or recommend personnel,
383 budget, expenditure, or policy decisions in his or her areas of
384 responsibility.

385 2. In lieu of participation in the Senior Management
386 Service Class, members of the Senior Management Service Class,
387 pursuant to subparagraph 1., may withdraw from the Florida
388 Retirement System altogether. The decision to withdraw from the
389 system is irrevocable as long as the employee holds the
390 position. Any service creditable under the Senior Management
391 Service Class shall be retained after the member withdraws from
392 the system; however, additional service credit in the Senior
393 Management Service Class may not be earned after such
394 withdrawal. Such members are not eligible to participate in the
395 Senior Management Service Optional Annuity Program.

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

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

403 b. If the employee elects to participate in the pension
404 plan, the employee shall, upon payment to the system trust fund



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405 of the amount calculated under sub-sub-subparagraph (I), receive
406 service credit for prior service based upon the time during
407 which the employee had withdrawn from the system.

408 (I) The cost for such credit shall be an amount
409 representing the actuarial accrued liability for the affected
410 period of service. The cost shall be calculated using the
411 discount rate and other relevant actuarial assumptions that were
412 used to value the pension plan liabilities in the most recent
413 actuarial valuation. The calculation must include any service
414 already maintained under the pension plan in addition to the
415 period of withdrawal. The actuarial accrued liability
416 attributable to any service already maintained under the pension
417 plan shall be applied as a credit to the total cost resulting
418 from the calculation. The division must ensure that the transfer
419 sum is prepared using a formula and methodology certified by an
420 actuary.

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

426 (h)1. Except as provided in subparagraph 3., effective
427 January 1, 1994, participation in the Senior Management Service
428 Class shall be compulsory for the State Courts Administrator and
429 the Deputy State Courts Administrators, the Clerk of the Supreme
430 Court, the Marshal of the Supreme Court, the Executive Director
431 of the Justice Administrative Commission, the capital collateral
432 regional counsel, the clerks of the district courts of appeals,
433 the marshals of the district courts of appeals, and the trial



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434 court administrator and the Chief Deputy Court Administrator in
435 each judicial circuit. Effective January 1, 1994, additional
436 positions in the offices of the state attorney and public
437 defender in each judicial circuit may be designated for
438 inclusion in the Senior Management Service Class of the Florida
439 Retirement System, provided that:

440 a. Positions to be included in the class shall be
441 designated by the state attorney or public defender, as
442 appropriate. Notice of intent to designate positions for
443 inclusion in the class shall be published for at least 2
444 consecutive weeks by Internet publication as provided in s.
445 50.0211(5) or, if published in print, once a week for 2
446 consecutive weeks in a newspaper of general circulation
447 published in the county or counties affected, as provided in
448 chapter 50.

449 b. One nonelective full-time position may be designated for
450 each state attorney and public defender reporting to the
451 Department of Management Services; for agencies with 200 or more
452 regularly established positions under the state attorney or
453 public defender, additional nonelective full-time positions may
454 be designated, not to exceed 0.5 percent of the regularly
455 established positions within the agency.

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

460 (I) Heads an organizational unit; or

461 (II) Has responsibility to effect or recommend personnel,
462 budget, expenditure, or policy decisions in his or her areas of



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463 responsibility.

464 2. Participation in this class shall be compulsory, except
465 as provided in subparagraph 3., for any judicial employee who
466 holds a position designated for coverage in the Senior
467 Management Service Class, and such participation shall continue
468 until the employee terminates employment in a covered position.
469 Effective January 1, 2001, participation in this class is
470 compulsory for assistant state attorneys, assistant statewide
471 prosecutors, assistant public defenders, and assistant capital
472 collateral regional counsel. Effective January 1, 2002,
473 participation in this class is compulsory for assistant
474 attorneys general.

475 3. In lieu of participation in the Senior Management
476 Service Class, such members, excluding assistant state
477 attorneys, assistant public defenders, assistant statewide
478 prosecutors, assistant attorneys general, and assistant capital
479 collateral regional counsel, may participate in the Senior
480 Management Service Optional Annuity Program as established in
481 subsection (6).

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

485 125.66 Ordinances; enactment procedure; emergency
486 ordinances; rezoning or change of land use ordinances or
487 resolutions.—

488 (2) (a) The regular enactment procedure shall be as follows:
489 The board of county commissioners at any regular or special
490 meeting may enact or amend any ordinance, except as provided in
491 subsection (4), if notice of intent to consider such ordinance



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492 is given at least 10 days before such ~~prior to said~~ meeting by
493 publication as provided in chapter 50 ~~in a newspaper of general~~
494 ~~circulation in the county~~. A copy of such notice shall be kept
495 available for public inspection during the regular business
496 hours of the office of the clerk of the board of county
497 commissioners. The notice of proposed enactment shall state the
498 date, time, and place of the meeting; the title or titles of
499 proposed ordinances; and the place or places within the county
500 where such proposed ordinances may be inspected by the public.
501 The notice shall also advise that interested parties may appear
502 at the meeting and be heard with respect to the proposed
503 ordinance.

504 (4) Ordinances or resolutions, initiated by other than the
505 county, that change the actual zoning map designation of a
506 parcel or parcels of land shall be enacted pursuant to
507 subsection (2). Ordinances or resolutions that change the actual
508 list of permitted, conditional, or prohibited uses within a
509 zoning category, or ordinances or resolutions initiated by the
510 county that change the actual zoning map designation of a parcel
511 or parcels of land shall be enacted pursuant to the following
512 procedure:

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

519 1. The board of county commissioners shall hold two
520 advertised public hearings on the proposed ordinance or



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521 resolution. At least one hearing shall be held after 5 p.m. on a
522 weekday, unless the board of county commissioners, by a majority
523 plus one vote, elects to conduct that hearing at another time of
524 day. The first public hearing shall be held at least 7 days
525 after the day that the first advertisement is published. The
526 second hearing shall be held at least 10 days after the first
527 hearing and shall be advertised at least 5 days prior to the
528 public hearing.

529 2. If published in the print edition of a newspaper, the
530 required advertisements shall be no less than 2 columns wide by
531 10 inches long in a standard size or a tabloid size newspaper,
532 and the headline in the advertisement shall be in a type no
533 smaller than 18 point. The advertisement shall not be placed in
534 that portion of the newspaper where legal notices and classified
535 advertisements appear. The advertisement shall be placed in a
536 newspaper ~~of general paid circulation~~ in the county and of
537 general interest and readership in the community pursuant to
538 chapter 50, ~~not one of limited subject matter~~. It is the
539 legislative intent that, whenever possible, the advertisement
540 shall appear in a newspaper that is published at least weekly ~~5~~
541 ~~days a week~~ unless the only newspaper in the community is
542 published less than weekly ~~5 days a week~~. The advertisement
543 shall be in substantially the following form:

544 NOTICE OF (TYPE OF) CHANGE

545
546 The ...(name of local governmental unit)... proposes to
547 adopt the following by ordinance or resolution:...(title of
548 ordinance or resolution)....

549 A public hearing on the ordinance or resolution will be



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550 held on ...(date and time)... at ...(meeting place)....

551
552 Except for amendments which change the actual list of permitted,
553 conditional, or prohibited uses within a zoning category, the
554 advertisement shall contain a geographic location map which
555 clearly indicates the area within the local government covered
556 by the proposed ordinance or resolution. The map shall include
557 major street names as a means of identification of the general
558 area. ~~If in addition to being~~ published in the print edition of
559 the newspaper, the map must be part of any ~~the~~ online notice
560 made required pursuant to s. 50.0211.

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

568 Section 12. Paragraph (a) of subsection (2) of section
569 162.12, Florida Statutes, is amended to read:

570 162.12 Notices.—

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

575 (a)1. Such notice shall be published by print, or on a
576 newspaper's website and the statewide legal notice website as
577 provided in s. 50.0211(5) for 4 consecutive weeks. If published
578 in print, the notice shall be published once during each week



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579 for 4 consecutive weeks (four publications being sufficient) in
580 a newspaper of general circulation in the county where the code
581 enforcement board is located. The newspaper shall meet such
582 requirements as are prescribed under chapter 50 for legal and
583 official advertisements.

584 2. Proof of publication shall be made as provided in ss.
585 50.041 and 50.051.

586 Section 13. Paragraph (c) of subsection (3) of section
587 166.041, Florida Statutes, is amended to read:

588 166.041 Procedures for adoption of ordinances and
589 resolutions.-

590 (3)

591 (c) Ordinances initiated by other than the municipality
592 that change the actual zoning map designation of a parcel or
593 parcels of land shall be enacted pursuant to paragraph (a).
594 Ordinances that change the actual list of permitted,
595 conditional, or prohibited uses within a zoning category, or
596 ordinances initiated by the municipality that change the actual
597 zoning map designation of a parcel or parcels of land shall be
598 enacted pursuant to the following procedure:

599 1. In cases in which the proposed ordinance changes the
600 actual zoning map designation for a parcel or parcels of land
601 involving less than 10 contiguous acres, the governing body
602 shall direct the clerk of the governing body to notify by mail
603 each real property owner whose land the municipality will
604 redesignate by enactment of the ordinance and whose address is
605 known by reference to the latest ad valorem tax records. The
606 notice shall state the substance of the proposed ordinance as it
607 affects that property owner and shall set a time and place for



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608 one or more public hearings on such ordinance. Such notice shall
609 be given at least 30 days prior to the date set for the public
610 hearing, and a copy of the notice shall be kept available for
611 public inspection during the regular business hours of the
612 office of the clerk of the governing body. The governing body
613 shall hold a public hearing on the proposed ordinance and may,
614 upon the conclusion of the hearing, immediately adopt the
615 ordinance.

616 2. In cases in which the proposed ordinance changes the
617 actual list of permitted, conditional, or prohibited uses within
618 a zoning category, or changes the actual zoning map designation
619 of a parcel or parcels of land involving 10 contiguous acres or
620 more, the governing body shall provide for public notice and
621 hearings as follows:

622 a. The local governing body shall hold two advertised
623 public hearings on the proposed ordinance. At least one hearing
624 shall be held after 5 p.m. on a weekday, unless the local
625 governing body, by a majority plus one vote, elects to conduct
626 that hearing at another time of day. The first public hearing
627 shall be held at least 7 days after the day that the first
628 advertisement is published. The second hearing shall be held at
629 least 10 days after the first hearing and shall be advertised at
630 least 5 days prior to the public hearing.

631 b. If published in the print edition of a newspaper, the
632 required advertisements shall be no less than 2 columns wide by
633 10 inches long in a standard size or a tabloid size newspaper,
634 and the headline in the advertisement shall be in a type no
635 smaller than 18 point. The advertisement shall not be placed in
636 that portion of the newspaper where legal notices and classified



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637 advertisements appear. The advertisement shall be placed in a
638 newspaper ~~of general paid circulation~~ in the municipality and of
639 general interest and readership in the municipality, ~~not one of~~
640 ~~limited subject matter~~, pursuant to chapter 50. It is the
641 legislative intent that, whenever possible, the advertisement
642 appear in a newspaper that is published at least weekly ~~5 days a~~
643 ~~week~~ unless the only newspaper in the municipality is published
644 less than weekly ~~5 days a week~~. The advertisement shall be in
645 substantially the following form:

646
647 NOTICE OF (TYPE OF) CHANGE
648

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

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

653
654 Except for amendments which change the actual list of permitted,
655 conditional, or prohibited uses within a zoning category, the
656 advertisement shall contain a geographic location map which
657 clearly indicates the area covered by the proposed ordinance.
658 The map shall include major street names as a means of
659 identification of the general area. If ~~In addition to being~~
660 published in the print edition of the newspaper, the map must
661 also be part of any ~~the~~ online notice made ~~required~~ pursuant to
662 s. 50.0211.

663 c. In lieu of publishing the advertisement set out in this
664 paragraph, the municipality may mail a notice to each person
665 owning real property within the area covered by the ordinance.



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666 Such notice shall clearly explain the proposed ordinance and
667 shall notify the person of the time, place, and location of any
668 public hearing on the proposed ordinance.

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

671 189.015 Meetings; notice; required reports.—

672 (1) The governing body of each special district shall file
673 quarterly, semiannually, or annually a schedule of its regular
674 meetings with the local governing authority or authorities. The
675 schedule shall include the date, time, and location of each
676 scheduled meeting. The schedule shall be published quarterly,
677 semiannually, or annually ~~in a newspaper of general paid~~
678 ~~circulation~~ in the manner required in this subsection. The
679 governing body of an independent special district shall
680 advertise the day, time, place, and purpose of any meeting other
681 than a regular meeting or any recessed and reconvened meeting of
682 the governing body, at least 7 days before such meeting as
683 provided in chapter 50, ~~in a newspaper of general paid~~
684 ~~circulation~~ in the county or counties in which the special
685 district is located, unless a bona fide emergency situation
686 exists, in which case a meeting to deal with the emergency may
687 be held as necessary, with reasonable notice, so long as it is
688 subsequently ratified by the governing body. No approval of the
689 annual budget shall be granted at an emergency meeting. The
690 notice shall be posted as provided in advertisement shall be
691 ~~placed in that portion of the newspaper where legal notices and~~
692 ~~classified advertisements appear. The advertisement shall appear~~
693 ~~in a newspaper that is published at least 5 days a week, unless~~
694 ~~the only newspaper in the county is published fewer than 5 days~~



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695 ~~a week. The newspaper selected must be one of general interest~~
696 ~~and readership in the community and not one of limited subject~~
697 ~~matter, pursuant to chapter 50. Any other provision of law to~~
698 ~~the contrary notwithstanding, and except in the case of~~
699 ~~emergency meetings, water management districts may provide~~
700 ~~reasonable notice of public meetings held to evaluate responses~~
701 ~~to solicitations issued by the water management district, by~~
702 ~~publication as provided in chapter 50 by Internet publication or~~
703 ~~by publication in a newspaper ~~of general paid circulation~~ in the~~
704 ~~county where the principal office of the water management~~
705 ~~district is located, or in the county or counties where the~~
706 ~~public work will be performed, no less than 7 days before such~~
707 ~~meeting.~~

708 Section 15. Paragraph (d) of subsection (1) of section
709 190.005, Florida Statutes, is amended to read:

710 190.005 Establishment of district.—

711 (1) The exclusive and uniform method for the establishment
712 of a community development district with a size of 2,500 acres
713 or more shall be pursuant to a rule, adopted under chapter 120
714 by the Florida Land and Water Adjudicatory Commission, granting
715 a petition for the establishment of a community development
716 district.

717 (d) A local public hearing on the petition shall be
718 conducted by a hearing officer in conformance with the
719 applicable requirements and procedures of the Administrative
720 Procedure Act. The hearing shall include oral and written
721 comments on the petition pertinent to the factors specified in
722 paragraph (e). The hearing shall be held at an accessible
723 location in the county in which the community development



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724 district is to be located. The petitioner shall cause a notice
725 of the hearing to be published for 4 successive weeks on a
726 newspaper's website and the statewide legal notice website
727 provided in s. 50.0211(5) or, if published in print, in a
728 newspaper at least once a week for the 4 successive weeks
729 immediately prior to the hearing as provided in chapter 50. Such
730 notice shall give the time and place for the hearing, a
731 description of the area to be included in the district, which
732 description shall include a map showing clearly the area to be
733 covered by the district, and any other relevant information
734 which the establishing governing bodies may require. If
735 published in the print edition of a newspaper, the advertisement
736 may shall not be placed in the that portion of the newspaper
737 where legal notices and classified advertisements appear. The
738 advertisement must shall be published in a newspaper ~~of general~~
739 ~~paid circulation~~ in the county and of general interest and
740 readership in the community, ~~not one of limited subject matter,~~
741 pursuant to chapter 50. Whenever possible, the advertisement
742 shall appear in a newspaper that is published at least weekly 5
743 ~~days a week~~, unless the only newspaper in the community is
744 published less than weekly fewer than 5 days a week. If the
745 notice is ~~In addition to being~~ published in the print edition of
746 the newspaper, the map referenced above must also be included in
747 any part of the online advertisement ~~required~~ pursuant to s.
748 50.0211. All affected units of general-purpose local government
749 and the general public shall be given an opportunity to appear
750 at the hearing and present oral or written comments on the
751 petition.

752 Section 16. Paragraph (h) of subsection (1) of section



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753 190.046, Florida Statutes, is amended to read:

754 190.046 Termination, contraction, or expansion of
755 district.—

756 (1) A landowner or the board may petition to contract or
757 expand the boundaries of a community development district in the
758 following manner:

759 (h) For a petition to establish a new community development
760 district of less than 2,500 acres on land located solely in one
761 county or one municipality, sufficiently contiguous lands
762 located within the county or municipality which the petitioner
763 anticipates adding to the boundaries of the district within 10
764 years after the effective date of the ordinance establishing the
765 district may also be identified. If such sufficiently contiguous
766 land is identified, the petition must include a legal
767 description of each additional parcel within the sufficiently
768 contiguous land, the current owner of the parcel, the acreage of
769 the parcel, and the current land use designation of the parcel.
770 At least 14 days before the hearing required under s.
771 190.005(2)(b), the petitioner must give the current owner of
772 each such parcel notice of filing the petition to establish the
773 district, the date and time of the public hearing on the
774 petition, and the name and address of the petitioner. A parcel
775 may not be included in the district without the written consent
776 of the owner of the parcel.

777 1. After establishment of the district, a person may
778 petition the county or municipality to amend the boundaries of
779 the district to include a previously identified parcel that was
780 a proposed addition to the district before its establishment. A
781 filing fee may not be charged for this petition. Each such



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782 petition must include:

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

785 b. A new legal description by metes and bounds of the
786 district;

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

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

789 e. A description of the development proposed on the
790 additional parcel; and

791 f. A copy of the original petition identifying the parcel
792 to be added.

793 2. Before filing with the county or municipality, the
794 person must provide the petition to the district and to the
795 owner of the proposed additional parcel, if the owner is not the
796 petitioner.

797 3. Once the petition is determined sufficient and complete,
798 the county or municipality must process the addition of the
799 parcel to the district as an amendment to the ordinance that
800 establishes the district. The county or municipality may process
801 all petitions to amend the ordinance for parcels identified in
802 the original petition, even if, by adding such parcels, the
803 district exceeds 2,500 acres.

804 4. The petitioner shall cause to be published in a
805 newspaper of general circulation in the proposed district a
806 notice of the intent to amend the ordinance that establishes the
807 district. The notice must be in addition to any notice required
808 for adoption of the ordinance amendment. Such notice must be
809 published as provided in chapter 50 at least 10 days before the
810 scheduled hearing on the ordinance amendment ~~and may be~~



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811 ~~published in the section of the newspaper reserved for legal~~
812 ~~notices.~~ The notice must include a general description of the
813 land to be added to the district and the date and time of the
814 scheduled hearing to amend the ordinance. The petitioner shall
815 deliver, including by mail or hand delivery, the notice of the
816 hearing on the ordinance amendment to the owner of the parcel
817 and to the district at least 14 days before the scheduled
818 hearing.

819 5. The amendment of a district by the addition of a parcel
820 pursuant to this paragraph does not alter the transition from
821 landowner voting to qualified elector voting pursuant to s.
822 190.006, even if the total size of the district after the
823 addition of the parcel exceeds 5,000 acres. Upon adoption of the
824 ordinance expanding the district, the petitioner must cause to
825 be recorded a notice of boundary amendment which reflects the
826 new boundaries of the district.

827 6. This paragraph is intended to facilitate the orderly
828 addition of lands to a district under certain circumstances and
829 does not preclude the addition of lands to any district using
830 the procedures in the other provisions of this section.

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

833 194.037 Disclosure of tax impact.—

834 (1) After hearing all petitions, complaints, appeals, and
835 disputes, the clerk shall make public notice of the findings and
836 results of the board as provided in chapter 50. If published in
837 the print edition of a newspaper, the notice must be in at least
838 a quarter-page size advertisement of a standard size or tabloid
839 size newspaper, and the headline shall be in a type no smaller



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840 than 18 point. The advertisement shall not be placed in that
841 portion of the newspaper where legal notices and classified
842 advertisements appear. The advertisement shall be published in a
843 newspaper ~~of general paid circulation~~ in the county. The
844 newspaper selected shall be one of general interest and
845 readership in the community, ~~and not one of limited subject~~
846 ~~matter~~, pursuant to chapter 50. For all advertisements published
847 pursuant to this section, the headline shall read: TAX IMPACT OF
848 VALUE ADJUSTMENT BOARD. The public notice shall list the members
849 of the value adjustment board and the taxing authorities to
850 which they are elected. The form shall show, in columnar form,
851 for each of the property classes listed under subsection (2),
852 the following information, with appropriate column totals:

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

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

858 (c) In the third column, the number of parcels for which
859 the board considered the petition and reduced the assessment
860 from that made by the property appraiser on the initial
861 assessment roll.

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

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



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

872 (g) In the seventh column, the net shift in taxes to
873 parcels not granted relief by the board. The shift shall be
874 computed as the amount shown in column 6 multiplied by the
875 applicable millage rates adopted by the taxing authorities in
876 hearings held pursuant to s. 200.065(2) (d) or adopted by vote of
877 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
878 Constitution, but without adjustment as authorized pursuant to
879 s. 200.065(6). If for any taxing authority the hearing has not
880 been completed at the time the notice required herein is
881 prepared, the millage rate used shall be that adopted in the
882 hearing held pursuant to s. 200.065(2) (c).

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

885 197.402 Advertisement of real or personal property with
886 delinquent taxes.—

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

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

894 200.065 Method of fixing millage.—

895 (3) The advertisement shall be published as provided in
896 chapter 50. If the advertisement is published in the print
897 edition of a newspaper, the advertisement must be no less than



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898 one-quarter page in size of a standard size or a tabloid size
899 newspaper, and the headline in the advertisement shall be in a
900 type no smaller than 18 point. The advertisement shall not be
901 placed in that portion of the newspaper where legal notices and
902 classified advertisements appear. The advertisement shall be
903 published in a newspaper ~~of general paid circulation~~ in the
904 county or in a geographically limited insert of such newspaper.
905 The geographic boundaries in which such insert is circulated
906 shall include the geographic boundaries of the taxing authority.
907 It is the legislative intent that, whenever possible, the
908 advertisement appear in a newspaper that is published at least
909 weekly ~~5 days a week~~ unless the only newspaper in the county is
910 published less than weekly ~~5 days a week~~, or that the
911 advertisement appear in a geographically limited insert of such
912 newspaper which insert is published throughout the taxing
913 authority's jurisdiction at least twice each week. It is further
914 the legislative intent that the newspaper selected be one of
915 general interest and readership in the community ~~and not one of~~
916 ~~limited subject matter~~, pursuant to chapter 50.

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

921 NOTICE OF PROPOSED TAX INCREASE

922
923 The ...(name of the taxing authority)... has tentatively
924 adopted a measure to increase its property tax levy.
925 Last year's property tax levy:

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



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

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

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

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

934

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

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

940

941 NOTICE OF BUDGET HEARING

942

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

947

948 (c) For school districts which have proposed a millage rate
949 in excess of 100 percent of the rolled-back rate computed
950 pursuant to subsection (1) and which propose to levy nonvoted
951 millage in excess of the minimum amount required pursuant to s.
952 1011.60(6), the advertisement shall be in the following form:

953 NOTICE OF PROPOSED TAX INCREASE

954

955 The ...(name of school district)... will soon consider a



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956 measure to increase its property tax levy.
957 Last year's property tax levy:
958 A. Initially proposed tax levy.....\$XX,XXX,XXX
959 B. Less tax reductions due to Value Adjustment Board and
960 other assessment changes..... (\$XX,XXX,XXX)
961 C. Actual property tax levy.....\$XX,XXX,XXX
962 This year's proposed tax levy.....\$XX,XXX,XXX
963 A portion of the tax levy is required under state law in
964 order for the school board to receive \$...(amount A)... in state
965 education grants. The required portion has ...(increased or
966 decreased)... by ...(amount B)... percent and represents
967 approximately ...(amount C)... of the total proposed taxes.
968 The remainder of the taxes is proposed solely at the
969 discretion of the school board.
970 All concerned citizens are invited to a public hearing on
971 the tax increase to be held on ...(date and time)... at
972 ...(meeting place)....
973 A DECISION on the proposed tax increase and the budget will
974 be made at this hearing.
975 1. AMOUNT A shall be an estimate, provided by the
976 Department of Education, of the amount to be received in the
977 current fiscal year by the district from state appropriations
978 for the Florida Education Finance Program.
979 2. AMOUNT B shall be the percent increase over the rolled-
980 back rate necessary to levy only the required local effort in
981 the current fiscal year, computed as though in the preceding
982 fiscal year only the required local effort was levied.
983 3. AMOUNT C shall be the quotient of required local-effort
984 millage divided by the total proposed nonvoted millage, rounded



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985 to the nearest tenth and stated in words; however, the stated
986 amount shall not exceed nine-tenths.

987 (d) For school districts which have proposed a millage rate
988 in excess of 100 percent of the rolled-back rate computed
989 pursuant to subsection (1) and which propose to levy as nonvoted
990 millage only the minimum amount required pursuant to s.
991 1011.60(6), the advertisement shall be the same as provided in
992 paragraph (c), except that the second and third paragraphs shall
993 be replaced with the following paragraph:

994
995 This increase is required under state law in order for the
996 school board to receive \$...(amount A)... in state education
997 grants.

998
999 (e) In all instances in which the provisions of paragraphs
1000 (c) and (d) are inapplicable for school districts, the
1001 advertisement shall be in the following form:

1002
1003 NOTICE OF BUDGET HEARING

1004
1005 The ...(name of school district)... will soon consider a
1006 budget for ...(fiscal year).... A public hearing to make a
1007 DECISION on the budget AND TAXES will be held on ...(date and
1008 time)... at ...(meeting place)....

1009
1010 (f) In lieu of publishing the notice set out in this
1011 subsection, the taxing authority may mail a copy of the notice
1012 to each elector residing within the jurisdiction of the taxing
1013 authority.



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1014 (g) In the event that the mailing of the notice of proposed
1015 property taxes is delayed beyond September 3 in a county, any
1016 multicounty taxing authority which levies ad valorem taxes
1017 within that county shall advertise its intention to adopt a
1018 tentative budget and millage rate in a newspaper ~~of paid general~~
1019 ~~circulation~~ within that county which meets the requirements of
1020 chapter 50, as provided in this subsection, and shall hold the
1021 hearing required pursuant to paragraph (2)(c) not less than 2
1022 days or more than 5 days thereafter, and not later than
1023 September 18. The advertisement shall be in the following form,
1024 unless the proposed millage rate is less than or equal to the
1025 rolled-back rate, computed pursuant to subsection (1), in which
1026 case the advertisement shall be as provided in paragraph (e):

1027 NOTICE OF TAX INCREASE

1028
1029 The ...(name of the taxing authority)... proposes to
1030 increase its property tax levy by ...(percentage of increase
1031 over rolled-back rate)... percent.

1032 All concerned citizens are invited to attend a public
1033 hearing on the proposed tax increase to be held on ...(date and
1034 time)... at ...(meeting place)....

1035
1036 (h) In no event shall any taxing authority add to or delete
1037 from the language of the advertisements as specified herein
1038 unless expressly authorized by law, except that, if an increase
1039 in ad valorem tax rates will affect only a portion of the
1040 jurisdiction of a taxing authority, advertisements may include a
1041 map or geographical description of the area to be affected and
1042 the proposed use of the tax revenues under consideration. In



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1043 addition, if published in the print edition of the newspaper or
1044 only published on the Internet in accordance with s. 50.0211(5),
1045 the map must be included in ~~part of~~ the online advertisement
1046 required by s. 50.0211. The advertisements required herein shall
1047 not be accompanied, preceded, or followed by other advertising
1048 or notices which conflict with or modify the substantive content
1049 prescribed herein.

1050 (i) The advertisements required pursuant to paragraphs (b)
1051 and (e) need not be one-quarter page in size or have a headline
1052 in type no smaller than 18 point.

1053 (j) The amounts to be published as percentages of increase
1054 over the rolled-back rate pursuant to this subsection shall be
1055 based on aggregate millage rates and shall exclude voted millage
1056 levies unless expressly provided otherwise in this subsection.

1057 (k) Any taxing authority which will levy an ad valorem tax
1058 for an upcoming budget year but does not levy an ad valorem tax
1059 currently shall, in the advertisement specified in paragraph
1060 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
1061 phrase "increase its property tax levy by ... (percentage of
1062 increase over rolled-back rate)... percent" with the phrase
1063 "impose a new property tax levy of \$...(amount)... per \$1,000
1064 value."

1065 (l) Any advertisement required pursuant to this section
1066 shall be accompanied by an adjacent notice meeting the budget
1067 summary requirements of s. 129.03(3)(b). Except for those taxing
1068 authorities proposing to levy ad valorem taxes for the first
1069 time, the following statement shall appear in the budget summary
1070 in boldfaced type immediately following the heading, if the
1071 applicable percentage is greater than zero:



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

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

1. Were or could be expended during the applicable fiscal year, or
2. Were or could be retained as a balance for future spending in the fiscal year.

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

Section 20. Paragraph (c) of subsection (1) of section 338.223, Florida Statutes, is amended to read:

338.223 Proposed turnpike projects.—

(1)

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



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1101 Environmental Protection shall return the draft public notice to
1102 the Department of Transportation with an approval of the
1103 language or modifications to the language. Upon receipt of the
1104 approved or modified draft, or if no comments are provided
1105 within 14 days, the Department of Transportation shall publish
1106 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1107 30-day public comment period. If published in the print edition
1108 of a newspaper, the headline of the required notice shall be in
1109 a type no smaller than 18 point, ~~The notice~~ shall be placed in
1110 that portion of the newspaper where legal notices appear, and ~~-~~
1111 ~~The notice~~ shall be published in a newspaper of general
1112 circulation in the county or counties of general interest and
1113 readership in the community as provided in s. 50.031, ~~not one of~~
1114 ~~limited subject matter~~. Whenever possible, the notice shall
1115 appear in a newspaper that is published at least weekly ~~5 days a~~
1116 ~~week~~. All notices published pursuant to this section ~~The notice~~
1117 shall include, at a minimum ~~but is not limited to,~~ the following
1118 information:

1119 1. The purpose of the notice is to provide for a 30-day
1120 period for written public comments on the environmental impacts
1121 of a proposed turnpike project.

1122 2. The name and description of the project, along with a
1123 geographic location map clearly indicating the area where the
1124 proposed project will be located.

1125 3. The address where such comments must be sent and the
1126 date such comments are due.

1127

1128 After a review of the department's report and any public
1129 comments, the Department of Environmental Protection shall



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1130 submit a statement of environmental feasibility to the
1131 department within 30 days after the date on which public
1132 comments are due. The notice and the statement of environmental
1133 feasibility shall not give rise to any rights to a hearing or
1134 other rights or remedies provided pursuant to chapter 120 or
1135 chapter 403, and shall not bind the Department of Environmental
1136 Protection in any subsequent environmental permit review.

1137 Section 21. Subsection (3) of section 348.0308, Florida
1138 Statutes, is amended to read:

1139 348.0308 Public-private partnership.—The Legislature
1140 declares that there is a public need for the rapid construction
1141 of safe and efficient transportation facilities for traveling
1142 within the state and that it is in the public's interest to
1143 provide for public-private partnership agreements to effectuate
1144 the construction of additional safe, convenient, and economical
1145 transportation facilities.

1146 (3) The agency may request proposals for public-private
1147 transportation projects or, if it receives an unsolicited
1148 proposal, it must publish a notice in the Florida Administrative
1149 Register and, as provided in chapter 50, by Internet publication
1150 or by print in a newspaper of general circulation in the county
1151 in which ~~the~~ the project is located at least once a week for 2
1152 weeks stating that it has received the proposal and will accept,
1153 for 60 days after the initial date of publication, other
1154 proposals for the same project purpose. A copy of the notice
1155 must be mailed to each local government in the affected areas.
1156 After the public notification period has expired, the agency
1157 shall rank the proposals in order of preference. In ranking the
1158 proposals, the agency shall consider professional



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1159 qualifications, general business terms, innovative engineering
1160 or cost-reduction terms, finance plans, and the need for state
1161 funds to deliver the proposal. If the agency is not satisfied
1162 with the results of the negotiations, it may, at its sole
1163 discretion, terminate negotiations with the proposer. If these
1164 negotiations are unsuccessful, the agency may go to the second
1165 and lower-ranked firms, in order, using the same procedure. If
1166 only one proposal is received, the agency may negotiate in good
1167 faith, and if it is not satisfied with the results, it may, at
1168 its sole discretion, terminate negotiations with the proposer.
1169 The agency may, at its discretion, reject all proposals at any
1170 point in the process up to completion of a contract with the
1171 proposer.

1172 Section 22. Subsection (3) of section 348.635, Florida
1173 Statutes, is amended to read:

1174 348.635 Public-private partnership.—The Legislature
1175 declares that there is a public need for the rapid construction
1176 of safe and efficient transportation facilities for traveling
1177 within the state and that it is in the public's interest to
1178 provide for public-private partnership agreements to effectuate
1179 the construction of additional safe, convenient, and economical
1180 transportation facilities.

1181 (3) The authority may request proposals for public-private
1182 transportation projects or, if it receives an unsolicited
1183 proposal, it must publish a notice in the Florida Administrative
1184 Register and, as provided in chapter 50, by either Internet
1185 publication or by print in ~~and~~ a newspaper of general
1186 circulation in the county in which the project ~~it~~ is located at
1187 least once a week for 2 weeks stating that it has received the



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1188 proposal and will accept, for 60 days after the initial date of
1189 publication, other proposals for the same project purpose. A
1190 copy of the notice must be mailed to each local government in
1191 the affected areas. After the public notification period has
1192 expired, the authority shall rank the proposals in order of
1193 preference. In ranking the proposals, the authority shall
1194 consider professional qualifications, general business terms,
1195 innovative engineering or cost-reduction terms, finance plans,
1196 and the need for state funds to deliver the proposal. If the
1197 authority is not satisfied with the results of the negotiations,
1198 it may, at its sole discretion, terminate negotiations with the
1199 proposer. If these negotiations are unsuccessful, the authority
1200 may go to the second and lower-ranked firms, in order, using the
1201 same procedure. If only one proposal is received, the authority
1202 may negotiate in good faith, and if it is not satisfied with the
1203 results, it may, at its sole discretion, terminate negotiations
1204 with the proposer. The authority may, at its discretion, reject
1205 all proposals at any point in the process up to completion of a
1206 contract with the proposer.

1207 Section 23. Subsection (3) of section 348.7605, Florida
1208 Statutes, is amended to read:

1209 348.7605 Public-private partnership.—The Legislature
1210 declares that there is a public need for the rapid construction
1211 of safe and efficient transportation facilities for traveling
1212 within the state and that it is in the public's interest to
1213 provide for public-private partnership agreements to effectuate
1214 the construction of additional safe, convenient, and economical
1215 transportation facilities.

1216 (3) The authority may request proposals for public-private



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1217 transportation projects or, if it receives an unsolicited
1218 proposal, it must publish a notice in the Florida Administrative
1219 Register and, as provided in chapter 50, by either Internet
1220 publication or by print in a newspaper of general circulation in
1221 the county in which the project ~~is~~ is located at least once a
1222 week for 2 weeks stating that it has received the proposal and
1223 will accept, for 60 days after the initial date of publication,
1224 other proposals for the same project purpose. A copy of the
1225 notice must be mailed to each local government in the affected
1226 areas. After the public notification period has expired, the
1227 authority shall rank the proposals in order of preference. In
1228 ranking the proposals, the authority shall consider professional
1229 qualifications, general business terms, innovative engineering
1230 or cost-reduction terms, finance plans, and the need for state
1231 funds to deliver the proposal. If the authority is not satisfied
1232 with the results of the negotiations, it may, at its sole
1233 discretion, terminate negotiations with the proposer. If these
1234 negotiations are unsuccessful, the authority may go to the
1235 second and lower-ranked firms, in order, using the same
1236 procedure. If only one proposal is received, the authority may
1237 negotiate in good faith, and if it is not satisfied with the
1238 results, it may, at its sole discretion, terminate negotiations
1239 with the proposer. The authority may, at its discretion, reject
1240 all proposals at any point in the process up to completion of a
1241 contract with the proposer.

1242 Section 24. Section 373.0397, Florida Statutes, is amended
1243 to read:

1244 373.0397 Floridan and Biscayne aquifers; designation of
1245 prime groundwater recharge areas.—Upon preparation of an



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1246 inventory of prime groundwater recharge areas for the Floridan
1247 or Biscayne aquifers, but prior to adoption by the governing
1248 board, the water management district shall publish a legal
1249 notice of public hearing on the designated areas for the
1250 Floridan and Biscayne aquifers, with a map delineating the
1251 boundaries of the areas, as provided ~~in newspapers defined in~~
1252 ~~chapter 50 as having general circulation within the area to be~~
1253 ~~affected~~. The notice shall be at least one-fourth page and shall
1254 read as follows:

1255
1256 NOTICE OF PRIME RECHARGE
1257 AREA DESIGNATION
1258

1259 The ...(name of taxing authority)... proposes to designate
1260 specific land areas as areas of prime recharge to the ...(name
1261 of aquifer)... Aquifer.

1262 All concerned citizens are invited to attend a public
1263 hearing on the proposed designation to be held on ...(date and
1264 time)... at ...(meeting place)....

1265 A map of the affected areas follows.

1266
1267 The governing board of the water management district shall adopt
1268 a designation of prime groundwater recharge areas to the
1269 Floridan and Biscayne aquifers by rule within 120 days after the
1270 public hearing, subject to the provisions of chapter 120.

1271 Section 25. Section 373.146, Florida Statutes, is amended
1272 to read:

1273 373.146 Publication of notices, process, and papers.-

1274 (1) Whenever in this chapter the publication of any notice,



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1275 process, or paper is required or provided for, unless otherwise
1276 provided by law, the publication thereof ~~in some newspaper or~~
1277 ~~newspapers~~ as provided ~~defined~~ in chapter 50 ~~is having general~~
1278 ~~circulation within the area to be affected shall be taken and~~
1279 considered as being sufficient.

1280 (2) Notwithstanding any other provision of law to the
1281 contrary, and except in the case of emergency meetings, water
1282 management districts may provide reasonable notice of public
1283 meetings held to evaluate responses to solicitations issued by
1284 the water management district, by publication as provided in
1285 chapter 50 ~~in a newspaper of general paid circulation in the~~
1286 ~~county where the principal office of the water management~~
1287 ~~district is located, or in the county or counties where the~~
1288 ~~public work will be performed~~, no less than 7 days before such
1289 meeting.

1290 Section 26. Subsection (12) of section 403.722, Florida
1291 Statutes, is amended to read:

1292 403.722 Permits; hazardous waste disposal, storage, and
1293 treatment facilities.-

1294 (12) On the same day of filing with the department of an
1295 application for a permit for the construction modification, or
1296 operation of a hazardous waste facility, the applicant shall
1297 notify each city and county within 1 mile of the facility of the
1298 filing of the application and shall publish notice of the filing
1299 of the application. The applicant shall publish a second notice
1300 of the filing within 14 days after the date of filing. Each
1301 notice shall be published as provided in chapter 50 ~~in a~~
1302 ~~newspaper of general circulation~~ in the county in which the
1303 facility is located or is proposed to be located.



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1304 ~~Notwithstanding the provisions of chapter 50, for purposes of~~
1305 ~~this section, a "newspaper of general circulation" shall be the~~
1306 ~~newspaper within the county in which the installation or~~
1307 ~~facility is proposed which has the largest daily circulation in~~
1308 ~~that county and has its principal office in that county. If the~~
1309 ~~newspaper with the largest daily circulation has its principal~~
1310 ~~office outside the county, the notice shall appear in both the~~
1311 ~~newspaper with the largest daily circulation in that county, and~~
1312 ~~a newspaper authorized to publish legal notices in that county.~~

1313 The notice shall contain:

1314 (a) The name of the applicant and a brief description of
1315 the project and its location.

1316 (b) The location of the application file and when it is
1317 available for public inspection.

1318
1319 The notice shall be prepared by the applicant and shall comply
1320 with the following format:

1321
1322 Notice of Application
1323 The Department of Environmental Protection announces receipt of
1324 an application for a permit from ...(name of applicant)... to
1325 ...(brief description of project).... This proposed project will
1326 be located at ...(location)... in ...(county)... ...(city)....

1327
1328 This application is being processed and is available for public
1329 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
1330 Monday through Friday, except legal holidays, at ...(name and
1331 address of office)....

1332 Section 27. Paragraph (b) of subsection (3) of section



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1333 712.06, Florida Statutes, is amended to read:

1334 712.06 Contents of notice; recording and indexing.—

1335 (3) The person providing the notice referred to in s.
1336 712.05, other than a notice for preservation of a community
1337 covenant or restriction, shall:

1338 (b) Publish the notice referred to in s. 712.05 by Internet
1339 publication as provided in s. 50.0211(5) or printed once a week,
1340 for 2 consecutive weeks, in a newspaper as defined in chapter
1341 50, the notice referred to in s. 712.05, with the official
1342 record book and page number in which such notice was recorded,
1343 ~~in a newspaper as defined in chapter 50~~ in the county in which
1344 the property is located.

1345 Section 28. Subsection (5) of section 849.38, Florida
1346 Statutes, is amended to read:

1347 849.38 Proceedings for forfeiture; notice of seizure and
1348 order to show cause.—

1349 (5) If the value of the property seized is shown by the
1350 sheriff's return to have an appraised value of \$1,000 or less,
1351 the above citation shall be served by posting at three public
1352 places in the county, one of which shall be the front door of
1353 the courthouse; if the value of the property is shown by the
1354 sheriff's return to have an approximate value of more than
1355 \$1,000, the citation shall be published by print or posted for
1356 at least 2 consecutive weeks on a newspaper's website and the
1357 statewide legal notice website in accordance with s. 50.0211(5).
1358 If published in print, the citation shall appear at least once
1359 each week for 2 consecutive weeks in a ~~some~~ newspaper of general
1360 publication published in the county, if there is ~~be~~ such a
1361 newspaper published in the county. ~~and~~ If there is no newspaper



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1362 of general circulation ~~not, the then-said~~ notice of such
1363 publication shall be made by certificate of the clerk if
1364 publication is made by posting, and by affidavit as provided in
1365 chapter 50, if made by publication as provided in chapter 50 ~~in~~
1366 ~~a newspaper~~, which affidavit or certificate shall be filed and
1367 become a part of the record in the cause. Failure of the record
1368 to show proof of such publication shall not affect any judgment
1369 made in the cause unless it shall affirmatively appear that no
1370 such publication was made.

1371 Section 29. Paragraph (a) of subsection (3) of section
1372 865.09, Florida Statutes, is amended to read:

1373 865.09 Fictitious name registration.—

1374 (3) REGISTRATION.—

1375 (a) A person may not engage in business under a fictitious
1376 name unless the person first registers the name with the
1377 division by filing a registration listing:

1378 1. The name to be registered.

1379 2. The mailing address of the business.

1380 3. The name and address of each registrant.

1381 4. If the registrant is a business entity that was required
1382 to file incorporation or similar documents with its state of
1383 organization when it was organized, such entity must be
1384 registered with the division and in active status with the
1385 division; provide its Florida document registration number; and
1386 provide its federal employer identification number if the entity
1387 has such a number.

1388 5. Certification by at least one registrant that the
1389 intention to register such fictitious name has been advertised
1390 as provided ~~at least once in a newspaper as defined in chapter~~



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1391 50 in the county in which the principal place of business of the
1392 registrant is or will be located.

1393 6. Any other information the division may reasonably deem
1394 necessary to adequately inform other governmental agencies and
1395 the public as to the registrant so conducting business.

1396 Section 30. Paragraph (a) of subsection (6) of section
1397 932.704, Florida Statutes, is amended to read:

1398 932.704 Forfeiture proceedings.—

1399 (6) (a) If the property is required by law to be titled or
1400 registered, or if the owner of the property is known in fact to
1401 the seizing agency, or if the seized property is subject to a
1402 perfected security interest in accordance with the Uniform
1403 Commercial Code, chapter 679, the attorney for the seizing
1404 agency shall serve the forfeiture complaint as an original
1405 service of process under the Florida Rules of Civil Procedure
1406 and other applicable law to each person having an ownership or
1407 security interest in the property. The seizing agency shall also
1408 publish, in accordance with chapter 50, notice of the forfeiture
1409 complaint for 2 consecutive weeks on a newspaper's website and
1410 the statewide legal notice website in accordance with s.
1411 50.0211(5) or, if published in print, once each week for 2
1412 consecutive weeks in a newspaper of general circulation,~~as~~
1413 ~~defined in s. 165.031,~~ in the county where the seizure occurred.

1414 Section 31. This act shall take effect July 1, 2022.