

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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BILL #: [HB 1009](#)

TITLE: Governmental Agency Publication of Advertisements and Public Notices

SPONSOR(S): Griffiths

COMPANION BILL: [CS/SB 380](#) (Trumbull)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Civil Justice & Claims](#)

12 Y, 3 N



[Intergovernmental Affairs](#)



[Judiciary](#)

SUMMARY

Effect of the Bill:

HB 1009 modifies provisions pertaining to legal notices publication to:

- Expand the definition of “governmental agency” to include clerks of the court, comptrollers, and tax collectors.
- Modify the definition of “publicly accessible website” to mean a governmental agency’s official website or other private, Internet-accessible website designated by the governmental agency, rather than the county’s official website or other private, Internet-accessible website designated by the county.
- Eliminate the requirement that a governmental agency publishing legal notices on a publicly-accessible website maintain a registry of all persons who registered to receive legal notices from the governmental agency by first-class mail.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on local governments.

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ANALYSIS

EFFECT OF THE BILL:

HB 1009 amends [s. 50.0311, F.S.](#), to modify provisions pertaining to [legal notices](#) publication. Specifically, the bill expands the definition of “[governmental agency](#)” provided in that section to include [Clerks of the Court](#), [Comptrollers](#), and [Tax Collectors](#). The bill also modifies the definition of “[publicly accessible website](#)” to mean a [governmental agency’s](#) official website (rather than a [county’s](#) official website, as provided in current law) or other private, Internet-accessible website designated by the [governmental agency](#) for legal notices publication (rather than designated by the [county](#), as provided in current law). In doing so, the bill expands the options which a local government unit would have for publishing its own legal notices, as any entity designated as a “governmental agency” under the bill would no longer be limited to publishing legal notices in a newspaper or, if the cost of doing so is less than newspaper publication and it so chooses, on the [county’s](#) publicly accessible website. Instead, the bill would continue to authorize a governmental agency to publish its legal notices in a newspaper but would now provide that, if the cost of doing so is less than the cost of newspaper publication, a governmental agency may publish its legal notices on its [own](#) official website or on a private, Internet-accessible website which [it](#) designates for legal notices publication, instead of on a county-designated website. (Section [1](#))

The bill also eliminates the requirement that a governmental agency using a publicly accessible website to publish legal notices maintain a [registry](#) of names, addresses, and e-mail addresses of property owners and residents who have requested in writing that they receive legal notices from the governmental agency by [first-class mail](#).

However, the bill still retains the requirement that, where a governmental agency uses a publicly accessible website to publish legal notices, all residents and property owners throughout the governmental agency’s jurisdiction must be given [notice](#) of their right to receive legal notices from the governmental agency by first-class

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DATE: 1/21/2026

mail or e-mail upon registering their name and address or e-mail address with the governmental agency. Further, the bill retains the requirement that the governmental agency using a publicly accessible website to publish legal notices must maintain a registry of names, addresses, and e-mail addresses of property owners and residents who have requested in writing that they receive legal notices from the governmental agency by e-mail. (Section [1](#))

Finally, the bill:

- Reenacts numerous provisions of Florida law for the purpose of incorporating the amendment made by the bill to [s. 50.0311, F.S.](#) (Sections [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#), [24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), and [31](#))
- Provides an effective date of July 1, 2026. (Section [32](#))

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The bill may have a positive fiscal impact on local government to the extent that it results in cost savings for a local government unit designated as a “governmental agency” under the expanded definition provided in the bill. This is because, under the bill, such a governmental agency would be allowed to publish its legal notices on its own publicly accessible website, rather than on the county’s publicly accessible website, where doing so costs less than newspaper publication.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Legal Notices

The Florida Constitution requires that, absent a properly-enacted public meetings exemption,¹ all meetings of a county, municipality, school board, or special district at which official acts are to be taken or at which public business is to be discussed or transacted to be open to the public and properly noticed.² Further, certain statutory provisions require that public notices and advertisements must be given for certain other local government and judicial actions.³ Collectively, these notices and advertisements are referred to as “[legal notices](#).”

Legal Notice Publication Requirements Before January 1, 2022

Before January 1, 2022, Florida law required a legal notice to be published in a newspaper that:

- Was published at least once a week;
- Had at least 25 percent of its words in English;
- Was considered a periodical by a post office in its county of publication;
- Was available to the public generally for the publication of legal and other notices;
- Was for sale to the general public; and
- Contained information of interest or value to the general public in the affected area.⁴

Florida law also required that a legal notice published in a newspaper must appear on the newspaper’s website the same day it appeared in the print edition at no additional charge, on a separate webpage with a specific title.⁵ The website had to have a search function, and the newspaper publisher could not charge a fee or require registration

¹ The Legislature may provide for public meeting exemptions in a bill which includes a statement of public necessity justifying the exemption and which passes both chambers by a two-thirds vote. [Art. I, s. 24, Fla. Const.](#)

² *Id.*

³ See, e.g., [s. 45.031, F.S.](#) (requiring publication of notice of judicial sales) and [s. 125.66, F.S.](#) (requiring publication of the tax impact of a value adjustment board’s decisions regarding petitions to adjust property taxes).

⁴ [S. 50.011, F.S. \(2020\)](#).

⁵ [S. 50.0211, F.S. \(2020\)](#).

to view or search legal notices.⁶ Further, the newspaper had to place a copy of the notice on the Florida Press Association's ("FPA") free repository website, and the FPA had to maintain the copy in a searchable archive for 18 months after the first day of posting.⁷ The public could then register to receive e-mailed notifications of notice publication.⁸

However, if no newspaper was published in the county where the legal notice was to be given, at least three copies of the legal notice had to be posted in the county, with one copy posted on the county courthouse's front door and two copies posted at other locations in the county.⁹ Florida law also required that the notice be published in a newspaper in the nearest county in which a newspaper was published.¹⁰

2021 Legislative Changes

In 2021, the Legislature passed CS/HB 35, which took effect on January 1, 2022.¹¹ Therein, the Legislature significantly modified the criteria a newspaper had to satisfy to publish legal notices; moreover, the Legislature authorized a governmental agency¹² to publish its legal notices on the website of any newspaper in the county to which the legal notice pertained¹³ and on the FPA's repository website in lieu of publishing the notice in a newspaper's print edition if the governmental agency, after holding a public hearing noticed in a print edition of a newspaper of general circulation in the affected governmental agency's jurisdiction,¹⁴ determined that:

- Internet publication of legal notices is in the public interest; and
- Residents within the governmental agency's jurisdiction have sufficient internet access such that internet-only legal notices publication would not unreasonably restrict public access.¹⁵

Further, the Legislature required the FPA to seek to ensure that Florida's minority populations had equitable access to legal notices posted on the FPA's repository website and publish a report:

- Listing all newspapers that placed notices on the repository website in the preceding calendar quarter.
- Identifying which criteria each newspaper satisfied to become qualified to publish legal notices.
- Including the number of unique visitors to the repository website during the quarter and the number of legal notices that were published during that quarter by Internet-only publication or by publication in a printed newspaper and on the repository website.¹⁶

Current Law

In 2022, the Legislature passed CS/HB 7049¹⁷ to once again modify legal notice publication requirements, which requirements remain current law. As a result of these changes, the criteria which a newspaper must satisfy to publish legal notices generally reverted back to the criteria in place before January 1, 2022, with minor exceptions;¹⁸ moreover, a [governmental agency](#)¹⁹ may now publish its legal notices on the [publicly accessible](#)

⁶ [Id.](#)

⁷ [Id.](#); The Florida Press Association's repository is available at <https://floridapublicnotices.com/> (last visited Jan. 21, 2026).

⁸ [S. 50.0211, F.S. \(2020\).](#)

⁹ [S. 50.021, F.S. \(2020\).](#)

¹⁰ [Id.](#)

¹¹ [Ch. 2021-17, Laws of Fla.](#)

¹² "Governmental agency," as used here, meant a county, a municipality, a district school board, or any other unit of local government or political subdivision in this state. [Id.](#)

¹³ A newspaper was deemed to be a newspaper in the county to which the legal notice pertains if it satisfies the criteria to publish legal notices in print. [Id.](#)

¹⁴ A newspaper was deemed to be a newspaper of general circulation within the jurisdiction of the affected governmental agency if it satisfies the criteria to public legal notices in print. [Id.](#)

¹⁵ [Id.](#)

¹⁶ [Id.](#)

¹⁷ [Ch. 2022-103, Laws of Fla.](#)

¹⁸ See [s. 50.011, F.S.](#)

¹⁹ As used in current law, "governmental agency" means a county, municipality, school board, or other unit of local government or political subdivision in the state. This definition carried over from the 2021 legislative changes. [S. 50.0311, F.S.](#)

[website](#)²⁰ of the county in which it lies instead of in a printed newspaper or on a newspaper's website if doing so would cost less than publishing legal notices in a newspaper.²¹ However, a:

- Governmental agency with at least 75 percent of its population located in a county with a population of fewer than 160,000 people must first hold a public hearing and determine that the governmental agency's residents have sufficient Internet access before publishing legal notices on a publicly accessible website.²²
- Special district²³ spanning the geographic boundaries of more than one county and opting to publish legal notices on a publicly accessible website must publish its legal notices on the publicly accessible website of each county it spans.²⁴

In any event, each legal notice published on a publicly accessible website must be in searchable form and indicate the date of first publication, and a link to legal notices published on a publicly accessible website must be conspicuously placed on or accessible through a direct link from the:

- Publicly accessible website's homepage; and
- Homepage of the website of each governmental agency publishing legal notices online.²⁵

A governmental agency with an authorized governmental access channel²⁶ may also include on such channel a summary of all legal notices posted on its publicly accessible website.²⁷

Further, a governmental agency publishing legal notices on a publicly accessible website must give [notice](#) in a newspaper or in a mailed or delivered publication, at least annually, that property owners and residents may receive legal notices from the governmental agency by first-class mail or e-mail upon registering with the agency.²⁸ Such a governmental agency must also maintain a [registry](#) of property owners and residents who request in writing to receive legal notices from the governmental agency by first-class mail or e-mail.²⁹

Local Government Officers

At the County level, certain constitutionally-mandated public officers serve various functions, which functions may include the sending of legal notices relating to areas within their respective purviews. These public officers include Clerks of the Court, Comptrollers, and Tax Collectors, discussed in greater detail below.

Clerks of the Court

The Florida Constitution mandates that there be an elected Clerk of the Court ("Clerk") in each of Florida's 67 counties to serve as *ex officio* of the board of county commissioners, auditor, official records recorder, and

²⁰ "Publicly accessible website" means a county's official website or other private website designated by the county for the posting of legal notices and advertisements that is accessible via the Internet. [Id.](#)

²¹ [Id.](#)

²² [Id.](#)

²³ "Special district" means a unit of local government created for a particular purpose with jurisdiction to operate within a limited geographic boundary. A special district is created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. *See Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547 (Fla. 2019).; *see also* ss. [189.02\(1\)](#), [189.031\(3\)](#), and [190.005\(1\), F.S.](#); *see generally* [s. 189.012\(6\), F.S.](#)

²⁴ [S. 50.0311, F.S.](#)

²⁵ [Id.](#)

²⁶ A government access channel is authorized under [s. 610.109, F.S.](#)

²⁷ [S. 50.0311, F.S.](#)

²⁸ Such notice must be made in a newspaper of general circulation or another publication that is mailed or delivered to all residents and property owners in the government's jurisdiction. [Id.](#)

²⁹ [Id.](#)

custodian of all county funds.³⁰ As court officers, the Clerks serve in a ministerial capacity, with their duties and authority conferred entirely by law.³¹ These duties include the performance of court-related functions, such as:

- Collecting and distributing certain fines, fees, service charges, and court costs;
- Case maintenance;
- Records management;
- Court preparation and attendance;
- Processing case assignment, reopening, reassignment, and appeals;
- Processing of bond forfeiture payments;
- Data collection and reporting;
- Determination of indigent status;³² and
- Paying reasonable administrative costs to enable the clerks to carry out these functions.³³

Comptrollers

The Florida Constitution mandates that there be an elected Comptroller in each of Florida's 67 counties to serve as Chief Financial Officer, accountant, and custodian of county funds.³⁴ However, under the Florida Constitution, unless otherwise provided by special law approved by vote of the electors, or pursuant to Article V, s. 16 of the Florida Constitution, the Clerk of the Circuit Court serves concurrently as Comptroller in his or her county.³⁵ Currently, there are 67 Clerks of Court, most of whom also serve as the County Comptroller, as well as one independently-elected Comptroller (in Orange County).³⁶

Tax Collectors

The Florida Constitution mandates that there be an elected Tax Collector in each of Florida's 67 counties to provide financial and services management at the local level.³⁷ Duties of the Tax Collector may include:

- Collecting local taxes and assessments;
- Registering and processing applications for title for motor vehicles, mobile homes, and vessels;
- Issuing hunting and fishing licenses;
- Issuing driver licenses;
- Processing concealed weapons permit applications and permit renewal applications;
- Issuing birth certificates; and
- Processing voter applications.³⁸

³⁰ The Clerk of the Circuit Court is elected by the county's electors to serve a four-year term. [Art. V, s. 16](#) and [Art. VIII, s. 1, Fla. Const.](#); Florida Department of State, *County Governments*, <https://dos.myflorida.com/library-archives/research/florida-information/government/local-resources/fl-counties/> (last visited Jan. 21, 2026).

³¹ "Ministerial" means acting "in a prescribed manner in obedience to the mandate of legal authority, without the exercise of the person's own judgment or discretion as the propriety of the action taken." The clerk may appoint deputies, for whose acts the clerk is liable, which deputies have the same power as the clerk, excepting the power to appoint deputies. Ss. [28.06](#) and [112.312\(17\), F.S.](#)

³² Florida law exempts an indigent person from paying specified fees, charges, and costs in any judicial proceeding. A person seeking to be designated indigent must apply to the clerk for a determination of his or her status, which application must meet specified statutory requirements. A person is considered "indigent" if he or she has an annual income equal to or below 200 percent of the federal poverty guidelines or is receiving Temporary Assistance for Needy Families-Cash Assistance, poverty-related veterans' benefits, or supplemental Social Security income. Ss. [57.081](#) and [57.082, F.S.](#)

³³ [S. 28.35\(3\)\(a\), F.S.](#)

³⁴ [Art. VIII, s. 1, Fla. Const.](#)

³⁵ *Id.*

³⁶ Florida Court Clerks & Comptrollers, *Role of the Clerk and Comptroller*, <https://www.flclerks.com/page/RoleoftheClerk> (last visited Jan. 21, 2026).

³⁷ [Art. VIII, s. 1, Fla. Const.](#)

³⁸ Florida Tax Collectors Association, *About Us*, <https://floridatxcollectors.com/about/> (last visited Jan. 21, 2026).

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2021	CS/HB 35 - Legal Notices	Fine, Fischer/ <i>Rodrigues</i>	Became law and took effect on January 1, 2022.
2022	CS/HB 7049 - Legal Notices	Fine/ <i>Grall</i>	Became law and took effect on January 1, 2023.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Civil Justice & Claims Subcommittee	12 Y, 3 N	1/21/2026	Jones	Mawn
Intergovernmental Affairs Subcommittee				
Judiciary Committee				