

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 1009](#)

**TITLE:** Governmental Agency Publication of Advertisements and Public Notices

**SPONSOR(S):** Griffitts

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

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Civil Justice & Claims](#)

12 Y, 3 N

[Intergovernmental Affairs](#)

10 Y, 3 N, As CS

[Judiciary](#)

## SUMMARY

### Effect of the Bill:

HB 1009 modifies provisions pertaining to legal notice publication to:

- Expand the definition of “governmental agency” to include clerks of the circuit court, tax collectors, and water management districts.
- Allow governmental agencies to use their official website or a private website designated by that entity, in addition to the county's official website or a private website designated by the county for posting legal notices.
- Establish timeframes for how long public notices must appear on a governmental agency's website.

### Fiscal or Economic Impact:

The bill may have an indeterminate positive 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 the publication of [legal notices](#). Specifically, the bill expands the definition of “[governmental agency](#)” provided in that section to include [clerks of the circuit court](#), [tax collectors](#), and [water management districts](#).

The bill allows a municipality, clerk of the circuit court, tax collector, water management district, or other unit of local government to use their official website or a private website designated by the entity as an alternative to the county's official website or a private website designated by the county for posting legal notices and advertisements required by law. In doing so, the bill expands the options which a local government unit would have for publishing its own legal notices, as government agencies 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, the county's official website, or on a private, Internet-accessible website designated by the governmental entity or the county for legal notices publication. (Section [1](#))

The bill establishes timeframes for how long a public notice must appear on a governmental agency's website. A legal notice or advertisement published on a website must be published continuously for 2 weeks if providing notice of the status of a government activity or be published continuously from the date of initial publication through the date of the event or activity. (Section [1](#))

**STORAGE NAME:** h1009c.IAS

**DATE:** 1/28/2026

The bill provides that the requirement for a special district spanning more than one county to publish legal notices on the website of each county which it spans does not apply to water management districts. (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 - 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 or 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,<sup>1</sup> 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 must be open to the public and properly noticed.<sup>2</sup> Further, certain statutory provisions require that public notices and advertisements must be given for certain other local government and judicial actions.<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup> The website had to have a search function, and the newspaper publisher could not charge a fee or require registration to view or search legal notices.<sup>6</sup> Further, the newspaper had to place a copy of the notice on the Florida Press

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<sup>1</sup> 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.](#)

<sup>2</sup> [Id.](#)

<sup>3</sup> 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).

<sup>4</sup> S. 50.011, F.S. (2020).

<sup>5</sup> S. 50.0211, F.S. (2020).

<sup>6</sup> [Id.](#)

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.<sup>7</sup> The public could then register to receive e-mailed notifications of notice publication.<sup>8</sup>

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.<sup>9</sup> Florida law also required that the notice be published in a newspaper in the nearest county in which a newspaper was published.<sup>10</sup>

### *2021 Legislative Changes*

In 2021, the Legislature passed CS/HB 35, which took effect on January 1, 2022.<sup>11</sup> Therein, the Legislature significantly modified the criteria a newspaper had to satisfy to publish legal notices; moreover, the Legislature authorized a governmental agency<sup>12</sup> to publish its legal notices on the website of any newspaper in the county to which the legal notice pertained<sup>13</sup> 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,<sup>14</sup> 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.<sup>15</sup>

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.<sup>16</sup>

### *Current Law*

In 2022, the Legislature passed CS/HB 7049<sup>17</sup> 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;<sup>18</sup> moreover, a **governmental agency**<sup>19</sup> may now publish its legal notices on the publicly accessible

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<sup>7</sup> Id.; The Florida Press Association's repository is available at <https://floridapublicnotices.com/> (last visited Jan. 28, 2026).

<sup>8</sup> S. 50.0211, F.S. (2020).

<sup>9</sup> S. 50.021, F.S. (2020).

<sup>10</sup> *Id.*

<sup>11</sup> [Ch. 2021-17, Laws of Fla.](#)

<sup>12</sup> "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.*

<sup>13</sup> 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.*

<sup>14</sup> 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.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> [Ch. 2022-103, Laws of Fla.](#)

<sup>18</sup> See [s. 50.011, F.S.](#)

<sup>19</sup> 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<sup>20</sup> 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.<sup>21</sup> 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.<sup>22</sup>
- Special district<sup>23</sup> 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.<sup>24</sup>

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.<sup>25</sup>

A governmental agency with an authorized governmental access channel<sup>26</sup> may also include on such channel a summary of all legal notices posted on its publicly accessible website.<sup>27</sup>

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.<sup>28</sup> 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.<sup>29</sup>

### Local Government Officers

At the County level, constitutionally-mandated public officers serve various functions, which 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 Circuit Court

The Florida Constitution mandates that there be an elected Clerk of the Court ("Clerk") in each of Florida's 67 counties.<sup>30</sup> As court officers, the Clerks serve in a ministerial capacity, with their duties and authority conferred entirely by law.<sup>31</sup> These duties include the performance of court-related functions, such as:

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<sup>20</sup> "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.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> "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.*

<sup>24</sup> *S. 50.0311, F.S.*

<sup>25</sup> *Id.*

<sup>26</sup> A government access channel is authorized under *s. 610.109, F.S.*

<sup>27</sup> *S. 50.0311, F.S.*

<sup>28</sup> 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.*

<sup>29</sup> *Id.*

<sup>30</sup> *Art. VIII, s. 1, Fla. Const.*

<sup>31</sup> "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

- 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;<sup>32</sup> and
- Paying reasonable administrative costs to enable the clerks to carry out these functions.<sup>33</sup>

In addition to his or her court role, the Clerk also serves as *ex officio* clerk of the board of county commissioners, auditor, official records recorder, and custodian of all county funds, unless these duties have been assigned to another office pursuant to general or special law.<sup>34</sup> This role is often referred to as the Comptroller.<sup>35</sup>

#### *Tax Collectors*

The Florida Constitution mandates that there be an elected Tax Collector in each of Florida's 67 counties.<sup>36</sup> 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.<sup>37</sup>

#### Water Management Districts

Florida's water management districts (WMDs) are responsible for administering water resources at a regional level.<sup>38</sup> The state is divided into five WMDs, including the Northwest WMD, the Suwannee River WMD, the St. Johns River WMD, the Southwest Florida WMD, and the South Florida WMD.<sup>39</sup> The Department of Environmental Protection exercises general supervisory authority over the WMDs through a cooperative working relationship and guidance memos. The core focus of WMDs is on water supply, water quality, flood protection and floodplain management, and natural systems.

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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.](#)

<sup>32</sup> 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.](#)

<sup>33</sup> [S. 28.35\(3\)\(a\), F.S.](#)

<sup>34</sup> [Art. VIII, s. 1, and Art. V, s. 16, Fla. Const.](#)

<sup>35</sup> Fla. Court Clerks & Comptrollers, *Role of the Clerk and Comptroller*, <https://www.flclerks.com/page/RoleoftheClerk> (last visited Jan. 28, 2026). These duties are performed by the Clerk in all counties except Orange County.

<sup>36</sup> [Art. VIII, s. 1, Fla. Const.](#)

<sup>37</sup> Florida Tax Collectors Association, *About Us*, <https://floridataxcollectors.com/about/> (last visited Jan. 28, 2026).

<sup>38</sup> Dept. of Environmental Protection, *Water Management Districts*, <https://floridadep.gov/owper/water-policy/content/water-management-districts> (last visited Jan. 28, 2026).

<sup>39</sup> *Id.*

**RECENT LEGISLATION:**

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

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Civil Justice &amp; Claims Subcommittee</a>	12 Y, 3 N	1/21/2026	Jones	Mawn
<a href="#">Intergovernmental Affairs Subcommittee</a>	10 Y, 3 N, As CS	1/28/2026	Darden	Hilliard

THE CHANGES ADOPTED BY THE COMMITTEE:

- Removes comptrollers and adds water management districts to the definition of a “governmental agency.”
- Allows a municipality, clerk of the circuit court, tax collector, water management district, or other unit of local government to use their official website or a private website designated by them in place of the county’s official website or a private website designated by the county.
- Requires legal notices to be published continuously for specified periods.
- Removes proposed revisions relating governmental agencies maintaining a registry of property owners and residents who have requested to receive legally required advertisements and public notices by first-class mail.

[Judiciary Committee](#)

**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**