

By the Committees on Community Affairs; and Judiciary; and Senator Trumbull

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30 forfeiture of property, due public notice for district
31 school board meetings, and notice for public budget
32 hearings of the district school board, respectively,
33 to incorporate the amendment made to s. 50.0311, F.S.,
34 in references thereto; providing an effective date.

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

38 Section 1. Section 50.0311, Florida Statutes, is amended to
39 read:

40 50.0311 Publication of advertisements and public notices on
41 a publicly accessible website and governmental access channels.—

(2) For purposes of notices and advertisements required under s. 50.011, the term "publicly accessible website" means a county's official website or other private website designated by the county for the publication of legal notices and advertisements which that is accessible through via the Internet. For legal notices and advertisements required under s. 50.011 by a municipality, clerk of the circuit court, tax collector, or water management district, the term "publicly accessible website" means such entity's official website, a private website designated by such entity, a county's official website, or a private website designated by the county in which such entity is located.

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59 (3) All advertisements and public notices published on a
60 website as provided in this chapter must be in searchable form
61 and indicate the date on which the advertisement or public
62 notice was first published on the website.

63 (4) Any legal notice or advertisement that is published on
64 a publicly accessible website must, unless otherwise specified
65 by law, be published continuously for at least 2 weeks when the
66 purpose is to provide notice of the status of a government
67 activity or be published continuously from the date of initial
68 publication through the date of the proposed event or activity.

69 (5)-(3) A governmental agency may use the publicly
70 accessible website of the county in which it lies to publish
71 legally required advertisements and public notices if the cost
72 of publishing advertisements and public notices on such website
73 is less than the cost of publishing advertisements and public
74 notices in a newspaper.

75 (6)-(4) ~~A governmental agency with at least 75 percent of~~
76 ~~its population located within a county having with a population~~
77 ~~of less fewer than 160,000; a municipality, school board, clerk~~
78 ~~of the circuit court, or tax collector that is located within a~~
79 ~~county having a population of less than 160,000; or any other~~
80 ~~unit of local government or political subdivision in this state~~
81 ~~having at least 75 percent of its population located within a~~
82 ~~county having a population of less than 160,000 may use a~~
83 ~~publicly accessible website to publish legally required~~
84 ~~advertisements and public notices only if the governing body of~~
85 ~~the governmental agency, at a public hearing that has been~~
86 ~~noticed in a newspaper as provided in this chapter, determines~~
87 ~~that the residents of the governmental agency have sufficient~~

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88 access to the Internet by broadband service, as defined in s.
89 364.02, or by any other means, such that publishing
90 advertisements and public notices on a publicly accessible
91 website will not unreasonably restrict public access.

92 (7)-(5) A special district spanning the geographic
93 boundaries of more than one county that satisfies the criteria
94 for publishing and publishes ~~chooses to publish~~ legally required
95 advertisements and public notices on a publicly accessible
96 website must publish such advertisements and public notices on
97 the publicly accessible website of each county it spans. For
98 purposes of this subsection, the term "special district" has the
99 same meaning as in s. 189.012 but does not include a water
100 management district operating pursuant to chapter 373.

101 (8)-(6) A governmental agency that uses a publicly
102 accessible website to publish legally required advertisements
103 and public notices must shall provide notice at least once per
104 year in a newspaper of general circulation or another
105 publication that is mailed or delivered to all residents and
106 property owners throughout the government's jurisdiction,
107 indicating that property owners and residents may receive
108 legally required advertisements and public notices from the
109 governmental agency by first-class mail or e-mail upon
110 registering their name and address or e-mail address with the
111 governmental agency. The governmental agency must shall maintain
112 a registry of names, addresses, and e-mail addresses of property
113 owners and residents who have requested in writing that they
114 receive legally required advertisements and public notices from
115 the governmental agency by first-class mail or e-mail.

116 (9)-(7) A link to advertisements and public notices

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117 published on a publicly accessible website must shall be
118 conspicuously placed:

119 (a) On the website's homepage or on a page accessible
120 through a direct link from the homepage.

121 (b) On the homepage of the website of each governmental
122 agency publishing notices on the publicly accessible website or
123 on a page accessible through a direct link from the homepage.

124 (10)(+8) A governmental agency that has a governmental
125 access channel authorized under s. 610.109 may also include on
126 its governmental access channel a summary of all advertisements
127 and public notices that are published on a publicly accessible
128 website.

129 (11)(+9) A public bid advertisement made by a governmental
130 agency on a publicly accessible website must include a method to
131 accept electronic bids.

132 Section 2. For the purpose of incorporating the amendment
133 made by this act to section 50.0311, Florida Statutes, in a
134 reference thereto, section 11.02, Florida Statutes, is reenacted
135 to read:

136 11.02 Notice of special or local legislation or certain
137 relief acts.—The notice required to obtain special or local
138 legislation or any relief act specified in s. 11.065 shall be by
139 publishing the identical notice as provided in chapter 50 or
140 circulated throughout the county or counties where the matter or
141 thing to be affected by such legislation shall be situated one
142 time at least 30 days before introduction of the proposed law
143 into the Legislature or, if the notice is not published on a
144 publicly accessible website as provided in s. 50.0311 and there
145 is no newspaper circulated throughout or published in the

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146 county, by posting for at least 30 days at not fewer than three
147 public places in the county or each of the counties, one of
148 which places shall be at the courthouse in the county or
149 counties where the matter or thing to be affected by such
150 legislation shall be situated. Notice of special or local
151 legislation shall state the substance of the contemplated law,
152 as required by s. 10, Art. III of the State Constitution. Notice
153 of any relief act specified in s. 11.065 shall state the name of
154 the claimant, the nature of the injury or loss for which the
155 claim is made, and the amount of the claim against the affected
156 municipality's revenue-sharing trust fund.

157 Section 3. For the purpose of incorporating the amendment
158 made by this act to section 50.0311, Florida Statutes, in a
159 reference thereto, subsection (2) of section 45.031, Florida
160 Statutes, is reenacted to read:

161 45.031 Judicial sales procedure.—In any sale of real or
162 personal property under an order or judgment, the procedures
163 provided in this section and ss. 45.0315-45.035 may be followed
164 as an alternative to any other sale procedure if so ordered by
165 the court.

166 (2) PUBLICATION OF SALE.—Notice of sale shall be published
167 on a publicly accessible website as provided in s. 50.0311 for
168 at least 2 consecutive weeks before the sale or once a week for
169 2 consecutive weeks in a newspaper of general circulation, as
170 provided in chapter 50, published in the county where the sale
171 is to be held. The second publication by newspaper shall be at
172 least 5 days before the sale. The notice shall contain:

173 (a) A description of the property to be sold.
174 (b) The time and place of sale.

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

177 (d) The caption of the action.

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

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

183

184 The court, in its discretion, may enlarge the time of the sale.
185 Notice of the changed time of sale shall be published as
186 provided herein.

187 Section 4. For the purpose of incorporating the amendment
188 made by this act to section 50.0311, Florida Statutes, in a
189 reference thereto, subsection (2) of section 50.011, Florida
190 Statutes, is reenacted to read:

191 50.011 Publication of legal notices.—Whenever by statute an
192 official or legal advertisement or a publication or notice in a
193 newspaper or on a governmental agency website has been or is
194 directed or permitted in the nature of or in lieu of process, or
195 for constructive service, or in initiating, assuming, reviewing,
196 exercising, or enforcing jurisdiction or power, or for any
197 purpose, including all legal notices and advertisements of
198 sheriffs and tax collectors, such legislation, whether existing
199 or repealed, means either of the following:

200 (2) A publication on a publicly accessible website under s.
201 50.0311.

202 Section 5. For the purpose of incorporating the amendment
203 made by this act to section 50.0311, Florida Statutes, in a

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204 reference thereto, subsection (12) of section 90.902, Florida
205 Statutes, is reenacted to read:

206 90.902 Self-authentication.—Extrinsic evidence of
207 authenticity as a condition precedent to admissibility is not
208 required for:

209 (12) A legal notice published in accordance with the
210 requirements of chapter 50 in the print edition of a qualified
211 newspaper or on a publicly accessible website as provided in s.
212 50.0311.

213 Section 6. For the purpose of incorporating the amendment
214 made by this act to section 50.0311, Florida Statutes, in a
215 reference thereto, paragraph (d) of subsection (1) of section
216 120.81, Florida Statutes, is reenacted to read:

217 120.81 Exceptions and special requirements; general areas.—

218 (1) EDUCATIONAL UNITS.—

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

224 1. By publication in a newspaper qualified under chapter 50
225 in the affected area or on a publicly accessible website as
226 provided in s. 50.0311;

227 2. By mail to all persons who have made requests of the
228 educational unit for advance notice of its proceedings and to
229 organizations representing persons affected by the proposed
230 rule; and

231 3. By posting in appropriate places so that those
232 particular classes of persons to whom the intended action is

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233 directed may be duly notified.

234 Section 7. For the purpose of incorporating the amendment
235 made by this act to section 50.0311, Florida Statutes, in
236 references thereto, paragraphs (b) and (h) of subsection (1) of
237 section 121.055, Florida Statutes, are reenacted to read:

238 121.055 Senior Management Service Class.—There is hereby
239 established a separate class of membership within the Florida
240 Retirement System to be known as the "Senior Management Service
241 Class," which shall become effective February 1, 1987.

242 (1)

243 (b)1. Except as provided in subparagraph 2., effective
244 January 1, 1990, participation in the Senior Management Service
245 Class is compulsory for the president of each community college,
246 the manager of each participating municipality or county, and
247 all appointed district school superintendents. Effective January
248 1, 1994, additional positions may be designated for inclusion in
249 the Senior Management Service Class if:

250 a. Positions to be included in the class are designated by
251 the local agency employer. Notice of intent to designate
252 positions for inclusion in the class must be published for at
253 least 2 consecutive weeks if published on a publicly accessible
254 website as provided in s. 50.0311 or, if published in print,
255 once a week for 2 consecutive weeks in a newspaper qualified
256 under chapter 50 that is published in the county or counties
257 affected.

258 b. Up to 10 nonelective full-time positions may be
259 designated for each local agency employer reporting to the
260 department; for local agencies with 100 or more regularly
261 established positions, additional nonelective full-time

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262 positions may be designated, not to exceed 1 percent of the
263 regularly established positions within the agency.

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

268 (I) Heads an organizational unit; or

269 (II) Has responsibility to effect or recommend personnel,
270 budget, expenditure, or policy decisions in his or her areas of
271 responsibility.

272 2. In lieu of participation in the Senior Management
273 Service Class, members of the Senior Management Service Class,
274 pursuant to subparagraph 1., may withdraw from the Florida
275 Retirement System altogether. The decision to withdraw from the
276 system is irrevocable as long as the employee holds the
277 position. Any service creditable under the Senior Management
278 Service Class shall be retained after the member withdraws from
279 the system; however, additional service credit in the Senior
280 Management Service Class may not be earned after such
281 withdrawal. Such members are not eligible to participate in the
282 Senior Management Service Optional Annuity Program.

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

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

290 b. If the employee elects to participate in the pension

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291 plan, the employee shall, upon payment to the system trust fund
292 of the amount calculated under sub-sub-subparagraph (I), receive
293 service credit for prior service based upon the time during
294 which the employee had withdrawn from the system.

295 (I) The cost for such credit shall be an amount
296 representing the actuarial accrued liability for the affected
297 period of service. The cost shall be calculated using the
298 discount rate and other relevant actuarial assumptions that were
299 used to value the pension plan liabilities in the most recent
300 actuarial valuation. The calculation must include any service
301 already maintained under the pension plan in addition to the
302 period of withdrawal. The actuarial accrued liability
303 attributable to any service already maintained under the pension
304 plan shall be applied as a credit to the total cost resulting
305 from the calculation. The division must ensure that the transfer
306 sum is prepared using a formula and methodology certified by an
307 actuary.

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

313 (h)1. Except as provided in subparagraph 3., effective
314 January 1, 1994, participation in the Senior Management Service
315 Class shall be compulsory for the State Courts Administrator and
316 the Deputy State Courts Administrators, the Clerk of the Supreme
317 Court, the Marshal of the Supreme Court, the Executive Director
318 of the Justice Administrative Commission, the capital collateral
319 regional counsel, the clerks of the district courts of appeals,

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320 the marshals of the district courts of appeals, and the trial
321 court administrator and the Chief Deputy Court Administrator in
322 each judicial circuit. Effective January 1, 1994, additional
323 positions in the offices of the state attorney and public
324 defender in each judicial circuit may be designated for
325 inclusion in the Senior Management Service Class of the Florida
326 Retirement System, provided that:

327 a. Positions to be included in the class shall be
328 designated by the state attorney or public defender, as
329 appropriate. Notice of intent to designate positions for
330 inclusion in the class shall be published for at least 2
331 consecutive weeks on a publicly accessible website as provided
332 in s. 50.0311 or, if published in print, once a week for 2
333 consecutive weeks in a newspaper qualified under chapter 50 in
334 the county or counties affected.

335 b. One nonelective full-time position may be designated for
336 each state attorney and public defender reporting to the
337 Department of Management Services; for agencies with 200 or more
338 regularly established positions under the state attorney or
339 public defender, additional nonelective full-time positions may
340 be designated, not to exceed 0.5 percent of the regularly
341 established positions within the agency.

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

346 (I) Heads an organizational unit; or
347 (II) Has responsibility to effect or recommend personnel,
348 budget, expenditure, or policy decisions in his or her areas of

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349 responsibility.

350 2. Participation in this class shall be compulsory, except
351 as provided in subparagraph 3., for any judicial employee who
352 holds a position designated for coverage in the Senior
353 Management Service Class, and such participation shall continue
354 until the employee terminates employment in a covered position.
355 Effective January 1, 2001, participation in this class is
356 compulsory for assistant state attorneys, assistant statewide
357 prosecutors, assistant public defenders, and assistant capital
358 collateral regional counsel. Effective January 1, 2002,
359 participation in this class is compulsory for assistant
360 attorneys general.

361 3. In lieu of participation in the Senior Management
362 Service Class, such members, excluding assistant state
363 attorneys, assistant public defenders, assistant statewide
364 prosecutors, assistant attorneys general, and assistant capital
365 collateral regional counsel, may participate in the Senior
366 Management Service Optional Annuity Program as established in
367 subsection (6).

368 Section 8. For the purpose of incorporating the amendment
369 made by this act to section 50.0311, Florida Statutes, in a
370 reference thereto, paragraph (a) of subsection (2) of section
371 162.12, Florida Statutes, is reenacted to read:

372 162.12 Notices.—

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

377 (a)1. Such notice shall be published in print in a

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378 newspaper or on a publicly accessible website as provided in s.
379 50.0311 for 4 consecutive weeks. If published in print, the
380 notice shall be published once during each week for 4
381 consecutive weeks (four publications being sufficient) in a
382 newspaper in the county where the code enforcement board is
383 located. The newspaper shall meet such requirements as are
384 prescribed under chapter 50 for legal and official
385 advertisements.

386 2. Proof of publication shall be made as provided in ss.
387 50.041 and 50.051.

388 Section 9. For the purpose of incorporating the amendment
389 made by this act to section 50.0311, Florida Statutes, in a
390 reference thereto, paragraph (d) of subsection (1) of section
391 190.005, Florida Statutes, is reenacted to read:

392 190.005 Establishment of district.—

393 (1) The exclusive and uniform method for the establishment
394 of a community development district with a size of 2,500 acres
395 or more shall be pursuant to a rule, adopted under chapter 120
396 by the Florida Land and Water Adjudicatory Commission, granting
397 a petition for the establishment of a community development
398 district.

399 (d) A local public hearing on the petition shall be
400 conducted by a hearing officer in conformance with the
401 applicable requirements and procedures of the Administrative
402 Procedure Act. The hearing shall include oral and written
403 comments on the petition pertinent to the factors specified in
404 paragraph (e). The hearing shall be held at an accessible
405 location in the county in which the community development
406 district is to be located. The petitioner shall cause a notice

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407 of the hearing to be published for 4 successive weeks on a
408 publicly accessible website as provided in s. 50.0311 or, if
409 published in print, in a newspaper at least once a week for the
410 4 successive weeks immediately prior to the hearing as provided
411 in chapter 50. Such notice shall give the time and place for the
412 hearing, a description of the area to be included in the
413 district, which description shall include a map showing clearly
414 the area to be covered by the district, and any other relevant
415 information which the establishing governing bodies may require.
416 If published in the print edition of a newspaper, the
417 advertisement may not be placed in the portion of the newspaper
418 where legal notices and classified advertisements appear. The
419 advertisement must be published in a newspaper in the county and
420 of general interest and readership in the community pursuant to
421 chapter 50. Whenever possible, the advertisement shall appear in
422 a newspaper that is published at least weekly, unless the only
423 newspaper in the community is published less than weekly. If the
424 notice is published in the print edition of the newspaper, the
425 map must also be included in any online advertisement pursuant
426 to s. 50.0211. All affected units of general-purpose local
427 government and the general public shall be given an opportunity
428 to appear at the hearing and present oral or written comments on
429 the petition.

430 Section 10. For the purpose of incorporating the amendment
431 made by this act to section 50.0311, Florida Statutes, in
432 references thereto, paragraph (f) of subsection (2) of section
433 200.065, Florida Statutes, is reenacted to read:

434 200.065 Method of fixing millage.—

435 (2) No millage shall be levied until a resolution or

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436 ordinance has been approved by the governing board of the taxing
437 authority which resolution or ordinance must be approved by the
438 taxing authority according to the following procedure:

439 (f)1. Notwithstanding any provisions of paragraph (c) to
440 the contrary, each school district shall advertise its intent to
441 adopt a tentative budget on a publicly accessible website
442 pursuant to s. 50.0311 or in a newspaper of general circulation
443 pursuant to subsection (3) within 29 days after certification of
444 value pursuant to subsection (1). For the purpose of this
445 paragraph, the term "publicly accessible website" includes a
446 district school board's official website if the school board
447 website satisfies the remaining requirements of s. 50.0311. Not
448 less than 2 days or more than 5 days thereafter, the district
449 shall hold a public hearing on the tentative budget pursuant to
450 the applicable provisions of paragraph (c). In the event of
451 postponement or recess due to a declared state of emergency, the
452 school district may postpone or recess the hearing for up to 7
453 days and shall post a prominent notice at the place of the
454 original hearing showing the date, time, and place where the
455 hearing will be reconvened. The posted notice shall measure not
456 less than 8.5 by 11 inches. The school district shall make every
457 reasonable effort to provide reasonable notification of the
458 continued hearing to the taxpayers. The information must also be
459 posted on the school district's website if the district school
460 board uses a different method of advertisement.

461 2. Notwithstanding any provisions of paragraph (b) to the
462 contrary, each school district shall advise the property
463 appraiser of its recomputed proposed millage rate within 35 days
464 of certification of value pursuant to subsection (1). The

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465 recomputed proposed millage rate of the school district shall be
466 considered its proposed millage rate for the purposes of
467 paragraph (b).

468 3. Notwithstanding any provisions of paragraph (d) to the
469 contrary, each school district shall hold a public hearing to
470 finalize the budget and adopt a millage rate within 80 days of
471 certification of value pursuant to subsection (1), but not
472 earlier than 65 days after certification. The hearing shall be
473 held in accordance with the applicable provisions of paragraph
474 (d), except that a newspaper advertisement need not precede the
475 hearing.

476 Section 11. For the purpose of incorporating the amendment
477 made by this act to section 50.0311, Florida Statutes, in a
478 reference thereto, subsection (5) of section 849.38, Florida
479 Statutes, is reenacted to read:

480 849.38 Proceedings for forfeiture; notice of seizure and
481 order to show cause.—

482 (5) If the value of the property seized is shown by the
483 sheriff's return to have an appraised value of \$1,000 or less,
484 the above citation shall be served by posting at three public
485 places in the county, one of which shall be the front door of
486 the courthouse; if the value of the property is shown by the
487 sheriff's return to have an approximate value of more than
488 \$1,000, the citation shall be published by print or posted for
489 at least 2 consecutive weeks on a publicly accessible website as
490 provided in s. 50.0311. If published in print, the citation
491 shall appear at least once each week for 2 consecutive weeks in
492 a newspaper qualified to publish legal notices under chapter 50
493 that is published in the county, if there is such a newspaper

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494 published in the county. If there is no such newspaper, the
495 notice of such publication shall be made by certificate of the
496 clerk if publication is made by posting, and by affidavit as
497 provided in chapter 50, if made by publication as provided in
498 chapter 50, which affidavit or certificate shall be filed and
499 become a part of the record in the cause. Failure of the record
500 to show proof of such publication shall not affect any judgment
501 made in the cause unless it shall affirmatively appear that no
502 such publication was made.

503 Section 12. For the purpose of incorporating the amendment
504 made by this act to section 50.0311, Florida Statutes, in a
505 reference thereto, paragraph (c) of subsection (2) of section
506 1001.372, Florida Statutes, is reenacted to read:

507 1001.372 District school board meetings.—

508 (2) PLACE OF MEETINGS.—

509 (c) For the purpose of this section, due public notice
510 shall consist of, at least 2 days prior to the meeting:
511 continuous publication on a publicly accessible website as
512 provided in s. 50.0311 or the official district school board
513 website; publication in a newspaper of general circulation in
514 the county, or in each county where there is no newspaper of
515 general circulation in the county, an announcement over at least
516 one radio station whose signal is generally received in the
517 county, a reasonable number of times daily during the 48 hours
518 immediately preceding the date of such meeting; or posting a
519 notice at the courthouse door if no newspaper is published in
520 the county.

521 Section 13. For the purpose of incorporating the amendment
522 made by this act to section 50.0311, Florida Statutes, in a

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523 reference thereto, subsection (1) of section 1011.03, Florida
524 Statutes, is reenacted to read:

525 1011.03 Public hearings; budget to be submitted to
526 Department of Education.—

527 (1) Each district school board shall cause a summary of its
528 tentative budget, including the proposed millage levies as
529 provided for by law, to be posted on the district's official
530 website or on a publicly accessible website as provided in s.
531 50.0311.

532 Section 14. This act shall take effect July 1, 2026.