

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED

Committee on Community Affairs

CS/CS/HB 937 — Legal Notices

by Economic Affairs Committee; State Affairs Committee; and Rep. Workman and others (CS/CS/SB 292 by Judiciary Committee; Community Affairs Committee; and Senator Bennett)

Current law provides requirements for publishing legal notices and official advertisements. Publications must be in a newspaper that is printed and published at least once a week and that contains at least 25 percent of its words in the English language. In addition, the newspaper must qualify or be entered to qualify as periodicals matter at the post office in the county where published, and be generally available to the public for the purpose of publication of official or other notices.

The bill creates a new section of law requiring a legal notice to be placed on a newspaper's website on the same day the notice appears in the newspaper, at no additional charge. Effective July 1, 2013, a newspaper that publishes legal notices must provide a free link to access legal notices on its website; optimize online visibility; dominantly present the notices on the website; provide a search function for the notices; upon request, provide free e-mail notification of the notices; and place the notice on the Florida Press Association website established for such notices, www.floridapublicnotices.com.

The bill also:

- Authorizes electronic proof of publication affidavits;
- Limits the rate that may be charged for certain government notices required to be published more than once;
- Requires certain local governmental maps that appear in newspaper advertisements to be noticed online;
- Deletes the requirement that a legal notice be published in Leon County for agency licensee actions, bond validation actions, market offerings for state owned oil or gas leases, and certain administrative complaints;
- Requires that notice to certain professional licensees be posted on a newspaper website and provided to certain broadcast network affiliates;
- Amending requirements relating to the publication of certain notices relating to the sale of bonds by the Division of Bond Finance within the State Board of Administration;
- Deletes requirements relating to newspaper publication of certain notices relating to Department of Agriculture and Consumer Services marketing orders and provides for Internet publication and for information to certain broadcast network affiliates; and
- Allows the Department of Financial Services to require notification of insurer insolvency by e-mail or telephone, instead of by newspaper.

If approved by the Governor, these provisions take effect July 1, 2012, except as otherwise expressly provided. The act applies to legal notices published on or after that date.

Vote: Senate 23-13; House 113-0