

Committee on Governmental Oversight And Accountability

CS/HB 781 — Legal Notices

by Civil Justice Subcommittee; and Rep. Powell and others (CS/SB 834 by Governmental Oversight and Accountability Committee; and Senator Latvala)

This bill provides that the public cannot be charged a fee or be required to register in order to view legal notices posted on a newspaper's website. In addition, this bill also provides that legal notices published on the statewide website maintained by the Florida Press Association must be searchable and posted on-line for certain periods of time. Finally, this bill repeals a provision clarifying that the printed version of a legal notice controls if there is an error in the electronic version.

Currently, legal notices published in a newspaper must also be posted on the newspaper's website. This bill provides that a newspaper's legal notices webpage must be clearly titled and that legal notices must be the predominant feature of the webpage. In addition, newspapers will not be permitted to charge a fee or require registration by members of the public in order to view or search legal notices.

Current law also provides that legal notices posted on a newspaper's website must also be posted on a statewide website maintained by the Florida Press Association. This bill provides that the statewide website must make legal notices searchable by case name and number and each legal notice must be on-line for 90 days. Legal notices posted on the statewide website after October 1, 2014, must be searchable, free to the public, and on-line for 18 months.

This bill repeals a section of the law which provided that the printed version of a legal notice controlled if there were mistakes in the electronic versions. The law provided that the requirements of legal notice were deemed met if the printed version of a legal notice was correct. Any mistakes which appeared in a legal notice posted on a newspaper's website or on the statewide website were considered harmless error.

If approved by the Governor, these provisions take effect October 1, 2014.

Vote: Senate 38-0; House 118-0