

By Senator Bennett

21-01181-11

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1 A bill to be entitled
2 An act relating to effective public notices by
3 governmental entities; creating s. 50.0311, F.S.;
4 defining the term "publicly accessible website";
5 authorizing a local government to use its publicly
6 accessible website for legally required advertisements
7 and public notices; providing conditions for such use;
8 providing for optional receipt of legally required
9 advertisements and public notices by first-class mail
10 or e-mail; providing requirements for advertisements
11 and public notices published on a publicly accessible
12 website; amending s. 50.011, F.S.; providing that a
13 notice, advertisement, or publication on a publicly
14 accessible website of a local government in accordance
15 with s. 50.0311, F.S., constitutes legal notice;
16 amending s. 50.021, F.S.; providing that
17 advertisements directed by law or order or decree of
18 court to be made in a county in which no newspaper is
19 published may be made by publication on a publicly
20 accessible website; amending s. 50.051, F.S.;
21 providing clarifying provisions; amending s. 50.061,
22 F.S.; providing clarifying provisions; amending s.
23 100.342, F.S.; providing for notice of special
24 election or referendum on a publicly accessible
25 website; amending s. 125.66, F.S.; providing for
26 notice of consideration of an ordinance by a board of
27 county commissioners to be published on a publicly
28 accessible website; requiring maintenance of the
29 advertisement for a specified period; providing

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30 clarifying provisions; amending s. 129.03, F.S.;

31 providing for the advertisement of a summary statement

32 of adopted tentative county budgets on a publicly

33 accessible website; amending s. 129.06, F.S.;

34 providing for advertisement of a public hearing

35 relating to the amendment of a county budget on a

36 publicly accessible website; amending s. 153.79, F.S.;

37 providing for public advertisement by a county water

38 and sewer system district of projects to construct,

39 reconstruct, acquire, or improve a water system or a

40 sewer system, and of a call for sealed bids for such

41 projects, on a publicly accessible website; amending

42 s. 159.32, F.S.; providing for advertisement for

43 competitive bids for contracts for the construction of

44 a project under the Florida Industrial Development

45 Financing Act on a publicly accessible website;

46 amending s. 162.12, F.S.; providing for optional

47 serving of notice by a code enforcement board of a

48 violation of a county or municipal code via a publicly

49 accessible website; amending s. 163.3184, F.S.;

50 providing for notice of public hearings on the

51 adoption of a local government comprehensive plan or

52 plan amendment or the approval of a compliance

53 agreement under the Local Government Comprehensive

54 Planning and Land Development Regulation Act via a

55 publicly accessible website; amending s. 166.041,

56 F.S.; providing for notice of adoption of a municipal

57 ordinance via a publicly accessible website; providing

58 clarifying provisions; amending s. 170.05, F.S.;

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59 providing for publication on a publicly accessible
60 website of a resolution relating to municipal public
61 improvements financed by special assessments; amending
62 s. 170.07, F.S.; providing for publication on a
63 publicly accessible website of notice of hearing on
64 municipal public improvements financed by special
65 assessments; amending s. 180.24, F.S.; providing for
66 advertisement via a publicly accessible website of
67 specified construction contracts for utilities or
68 extensions to a previously constructed utility;
69 amending s. 197.3632, F.S.; providing for publication
70 on a publicly accessible website of a local
71 government's notice of intent to use the uniform
72 method of collecting non-ad valorem assessments;
73 amending s. 200.065, F.S.; providing for advertisement
74 on a publicly accessible website of a taxing
75 authority's intent to adopt a millage rate and budget;
76 providing for advertisement on a publicly accessible
77 website of the intention of a specified multicounty
78 taxing authority to adopt a tentative budget and
79 millage rate; providing clarifying and conforming
80 provisions; providing for notice via a publicly
81 accessible website of correction of a specified error
82 contained in a notice of proposed property taxes
83 mailed to taxpayers; amending s. 255.0525, F.S.;

84 providing for advertisement via a publicly accessible
85 website for the solicitation of competitive bids or
86 proposals for construction projects of a county,
87 municipality, or other political subdivision which are

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88 projected to exceed specified costs; amending s.
89 380.06, F.S.; providing for publication of an
90 advertisement on a publicly accessible website of a
91 public hearing by a local government on an areawide
92 development of regional impact under the Florida
93 Environmental Land and Water Management Act of 1972;
94 amending s. 403.7049, F.S.; prescribing procedures for
95 fulfilling public disclosure system requirements with
96 respect to the duty of a municipality to disclose
97 costs for solid waste management; amending s. 403.973,
98 F.S.; redefining the term "duly noticed" to include
99 publication on a publicly accessible website;
100 providing conforming provisions; amending s. 420.9075,
101 F.S.; providing for advertisement of notice on a
102 publicly accessible website of funding availability
103 through a local housing assistance plan under the
104 State Housing Initiatives Partnership Act; providing
105 an effective date.

106
107 Be It Enacted by the Legislature of the State of Florida:

108
109 Section 1. Section 50.0311, Florida Statutes, is created to
110 read:

111 50.0311 Publication of advertisements and public notices on
112 a local government's publicly accessible website and government
113 access channels.-

114 (1) For purposes of notices and advertisements required by
115 statute to be published by a local government, the term
116 "publicly accessible website" means a county or municipal

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117 government's official website that is accessible via the
118 Internet.

119 (2) If specifically authorized by ordinance, a local
120 government may use its website for legally required
121 advertisements and public notices if:

122 (a) A public library or other governmental facility
123 providing free access to the Internet during regular business
124 hours exists within the jurisdictional boundaries of such county
125 or municipality;

126 (b) The local government provides notice to its residents
127 at least once per year in a newspaper of general circulation,
128 the county or municipality's newsletter or periodical, or
129 another publication that is mailed or delivered to all residents
130 or property owners throughout the local government's
131 jurisdiction, indicating that residents may receive legally
132 required advertisements and public notices from the local
133 government by first-class mail or e-mail upon registering their
134 name and address or e-mail address with the local governmental
135 entity; and

136 (c) The local government maintains a registry of names,
137 addresses, and e-mail addresses of residents who request in
138 writing that they receive legally required advertisements and
139 public notices from the local government by first-class mail or
140 e-mail.

141 (3) Advertisements and public notices published on a
142 publicly accessible website shall be conspicuously placed on the
143 website's homepage or accessible through a direct link from the
144 homepage. The advertisement shall indicate the date on which the
145 advertisement was first published on the publicly accessible

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146 website.

147 (4) The local government that has a government access
148 channel authorized under s. 610.109 may also include on its
149 government access channel a summary of all advertisements and
150 public notices that are published on its website.

151 Section 2. Section 50.011, Florida Statutes, is amended to
152 read:

153 50.011 Where and in what language legal notices to be
154 published.—Whenever by statute an official or legal
155 advertisement or a publication, or notice in a newspaper has
156 been or is directed or permitted in the nature of or in lieu of
157 process, or for constructive service, or in initiating,
158 assuming, reviewing, exercising or enforcing jurisdiction or
159 power, or for any purpose, including all legal notices and
160 advertisements of sheriffs and tax collectors, the
161 contemporaneous and continuous intent and meaning of such
162 legislation all and singular, existing or repealed, is and has
163 been and is hereby declared to be and to have been, and the rule
164 of interpretation is and has been, a publication in a newspaper
165 printed and published periodically once a week or oftener,
166 containing at least 25 percent of its words in the English
167 language, entered or qualified to be admitted and entered as
168 periodicals matter at a post office in the county where
169 published, for sale to the public generally, available to the
170 public generally for the publication of official or other
171 notices and customarily containing information of a public
172 character or of interest or of value to the residents or owners
173 of property in the county where published, or of interest or of
174 value to the general public. Notwithstanding any provisions to

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175 the contrary, and as specifically authorized by s. 50.0311, a
 176 notice, advertisement, or publication on a publicly accessible
 177 website of a local government in accordance with s. 50.0311
 178 constitutes legal notice.

179 Section 3. Section 50.021, Florida Statutes, is amended to
 180 read:

181 50.021 Publication when no newspaper in county.—When any
 182 law, or order or decree of court, shall direct advertisements to
 183 be made in any county and there be no newspaper published in the
 184 said county, the advertisement may be made, in the case of a
 185 county or municipality, by publishing such advertisement on a
 186 publicly accessible website maintained by the entity responsible
 187 for publication or posting three copies thereof in three
 188 different places in said county, one of which shall be at the
 189 front door of the courthouse, and by publication in the nearest
 190 county in which a newspaper is published.

191 Section 4. Section 50.051, Florida Statutes, is amended to
 192 read:

193 50.051 Proof of publication; form of uniform affidavit.—The
 194 printed form upon which all such affidavits establishing proof
 195 of publication in a newspaper are to be executed shall be
 196 substantially as follows:

197
 198 NAME OF NEWSPAPER

199
 200 Published (Weekly or Daily)

201
 202 (Town or City) (County) FLORIDA

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204 STATE OF FLORIDA

205

206 COUNTY OF

207 Before the undersigned authority personally appeared,
208 who on oath says that he or she is of the, a
209 newspaper published at in County, Florida; that the
210 attached copy of advertisement, being a in the matter of
211 in the Court, was published in said newspaper in the
212 issues of

213 Affiant further says that the said is a newspaper
214 published at, in said County, Florida, and that the
215 said newspaper has heretofore been continuously published in
216 said County, Florida, each and has been entered as
217 periodicals matter at the post office in, in said
218 County, Florida, for a period of 1 year next preceding the first
219 publication of the attached copy of advertisement; and affiant
220 further says that he or she has neither paid nor promised any
221 person, firm or corporation any discount, rebate, commission or
222 refund for the purpose of securing this advertisement for
223 publication in the said newspaper.

224

225 Sworn to and subscribed before me this day of,
226 ...(year)..., by, who is personally known to me or who has
227 produced (type of identification) as identification.

228

229 ...(Signature of Notary Public)...

230

231 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

232

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233 ... (Notary Public) ...

234 Section 5. Subsection (4) of section 50.061, Florida
235 Statutes, is amended to read:

236 50.061 Amounts chargeable.—

237 (4) All official public notices and legal advertisements
238 published in a newspaper shall be charged and paid for on the
239 basis of 6-point type on 6-point body, unless otherwise
240 specified by statute.

241 Section 6. Section 100.342, Florida Statutes, is amended to
242 read:

243 100.342 Notice of special election or referendum.—In any
244 special election or referendum not otherwise provided for there
245 shall be at least 30 days' notice of the election or referendum
246 by publication in a newspaper of general circulation in the
247 county, district, or municipality, as the case may be, or, in
248 the case of a county or municipality, publication on a publicly
249 accessible website maintained by the local government
250 responsible for publication and published daily during the 5
251 weeks immediately preceding the election or referendum. If
252 advertised in the newspaper, the publication shall be made at
253 least twice, once in the fifth week and once in the third week
254 prior to the week in which the election or referendum is to be
255 held. If there is no newspaper of general circulation in the
256 county, district, or municipality and publication is not made on
257 a publicly accessible website maintained by the local government
258 responsible for publication, the notice shall be posted in no
259 fewer ~~less~~ than five places within the territorial limits of the
260 county, district, or municipality.

261 Section 7. Paragraph (a) of subsection (2) and paragraph

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262 (b) of subsection (4) of section 125.66, Florida Statutes, are
263 amended to read:

264 125.66 Ordinances; enactment procedure; emergency
265 ordinances; rezoning or change of land use ordinances or
266 resolutions.—

267 (2) (a) The regular enactment procedure shall be as follows:
268 The board of county commissioners at any regular or special
269 meeting may enact or amend any ordinance, except as provided in
270 subsection (4), if notice of intent to consider such ordinance
271 is given at least 10 days before the ~~prior to said~~ meeting on a
272 publicly accessible website maintained by the county or by
273 publication in a newspaper of general circulation in the county.
274 If advertised on a publicly accessible website, the
275 advertisement shall be published daily during the 10 days
276 immediately preceding the meeting. A copy of such notice shall
277 be kept available for public inspection during the regular
278 business hours of the office of the clerk of the board of county
279 commissioners. The notice of proposed enactment shall state the
280 date, time, and place of the meeting; the title or titles of
281 proposed ordinances; and the place or places within the county
282 where such proposed ordinances may be inspected by the public.
283 The notice shall also advise that interested parties may appear
284 at the meeting and be heard with respect to the proposed
285 ordinance.

286 (4) Ordinances or resolutions, initiated by other than the
287 county, that change the actual zoning map designation of a
288 parcel or parcels of land shall be enacted pursuant to
289 subsection (2). Ordinances or resolutions that change the actual
290 list of permitted, conditional, or prohibited uses within a

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291 zoning category, or ordinances or resolutions initiated by the
292 county that change the actual zoning map designation of a parcel
293 or parcels of land shall be enacted pursuant to the following
294 procedure:

295 (b) In cases in which the proposed ordinance or resolution
296 changes the actual list of permitted, conditional, or prohibited
297 uses within a zoning category, or changes the actual zoning map
298 designation of a parcel or parcels of land involving 10
299 contiguous acres or more, the board of county commissioners
300 shall provide for public notice and hearings as follows:

301 1. The board of county commissioners shall hold two
302 advertised public hearings on the proposed ordinance or
303 resolution. At least one hearing shall be held after 5 p.m. on a
304 weekday, unless the board of county commissioners, by a majority
305 plus one vote, elects to conduct that hearing at another time of
306 day. The first public hearing shall be held at least 7 days
307 after the day that the first advertisement is published. The
308 second hearing shall be held at least 10 days after the first
309 hearing and shall be advertised at least 5 days prior to the
310 public hearing.

311 2. The required newspaper advertisements shall be no less
312 than 2 columns wide by 10 inches long in a standard size or a
313 tabloid size newspaper, and the headline in the advertisement
314 shall be in a type no smaller than 18 point. The newspaper
315 advertisement shall not be placed in that portion of the
316 newspaper where legal notices and classified advertisements
317 appear. The newspaper advertisement shall be placed in a
318 newspaper of general paid circulation in the county and of
319 general interest and readership in the community pursuant to

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320 chapter 50, not one of limited subject matter. It is the
321 legislative intent that, whenever possible, the newspaper
322 advertisement shall appear in a newspaper that is published at
323 least 5 days a week unless the only newspaper in the community
324 is published less than 5 days a week. The newspaper
325 advertisement shall be in substantially the following form:
326

327 NOTICE OF (TYPE OF) CHANGE
328

329 The ...(name of local governmental unit)... proposes to
330 adopt the following by ordinance or resolution:...(title of
331 ordinance or resolution)....

332 A public hearing on the ordinance or resolution will be
333 held on ...(date and time)... at ...(meeting place)....
334

335 Except for amendments which change the actual list of permitted,
336 conditional, or prohibited uses within a zoning category, the
337 advertisement shall contain a geographic location map which
338 clearly indicates the area within the local government covered
339 by the proposed ordinance or resolution. The map shall include
340 major street names as a means of identification of the general
341 area.

342 3. In lieu of publishing the advertisements set out in this
343 paragraph, the board of county commissioners may mail a notice
344 to each person owning real property within the area covered by
345 the ordinance or resolution. Such notice shall clearly explain
346 the proposed ordinance or resolution and shall notify the person
347 of the time, place, and location of both public hearings on the
348 proposed ordinance or resolution.

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349 Section 8. Paragraph (b) of subsection (3) of section
350 129.03, Florida Statutes, is amended to read:

351 129.03 Preparation and adoption of budget.—

352 (3) No later than 15 days after certification of value by
353 the property appraiser pursuant to s. 200.065(1), the county
354 budget officer, after tentatively ascertaining the proposed
355 fiscal policies of the board for the ensuing fiscal year, shall
356 prepare and present to the board a tentative budget for the
357 ensuing fiscal year for each of the funds provided in this
358 chapter, including all estimated receipts, taxes to be levied,
359 and balances expected to be brought forward and all estimated
360 expenditures, reserves, and balances to be carried over at the
361 end of the year.

362 (b) Upon receipt of the tentative budgets and completion of
363 any revisions made by the board, the board shall prepare a
364 statement summarizing all of the adopted tentative budgets. This
365 summary statement shall show, for each budget and the total of
366 all budgets, the proposed tax millages, the balances, the
367 reserves, and the total of each major classification of receipts
368 and expenditures, classified according to the classification of
369 accounts prescribed by the appropriate state agency. The board
370 shall cause this summary statement to be advertised one time in
371 a newspaper of general circulation published in the county, on a
372 publicly accessible website maintained by the county, or by
373 posting at the courthouse door if there is no such newspaper or
374 website, and the advertisement shall appear adjacent to the
375 advertisement required pursuant to s. 200.065.

376 Section 9. Paragraph (f) of subsection (2) of section
377 129.06, Florida Statutes, is amended to read:

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378 129.06 Execution and amendment of budget.—

379 (2) The board at any time within a fiscal year may amend a
380 budget for that year, and may within the first 60 days of a
381 fiscal year amend the budget for the prior fiscal year, as
382 follows:

383 (f) If an amendment to a budget is required for a purpose
384 not specifically authorized in paragraphs (a)-(e), unless
385 otherwise prohibited by law, the amendment may be authorized by
386 resolution or ordinance of the board of county commissioners
387 adopted following a public hearing. ~~The public hearing must be~~
388 ~~advertised at least 2 days, but not more than 5 days, before the~~
389 ~~date of the hearing.~~ The advertisement must appear on a publicly
390 accessible website maintained by the county or in a newspaper of
391 paid general circulation and must identify the name of the
392 taxing authority, the date, place, and time of the hearing, and
393 the purpose of the hearing. If advertised in the newspaper, the
394 public hearing must be advertised at least 2 days, but not more
395 than 5 days, before the date of the hearing. If advertised on a
396 publicly accessible website, the notice must be published daily
397 during the 5 days immediately preceding the hearing. The
398 advertisement must also identify each budgetary fund to be
399 amended, the source of the funds, the use of the funds, and the
400 total amount of each budget.

401 Section 10. Section 153.79, Florida Statutes, is amended to
402 read:

403 153.79 Contracts for construction of improvements, sealed
404 bids.—All contracts let, awarded, or entered into by the
405 district for the construction, reconstruction, or acquisition or
406 improvement of a water system or a sewer system or both or any

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407 part thereof, if the amount thereof shall exceed \$1,000, shall
408 be awarded only after public advertisement and call for sealed
409 bids therefor on a publicly accessible website maintained by the
410 county or, in a newspaper published in the county circulating in
411 the district, or, if there is ~~be~~ no such website or newspaper,
412 ~~then~~ in a newspaper published in the state and circulating in
413 the district. If advertised in the newspaper, such advertisement
414 shall ~~to~~ be published at least once at least 3 weeks before the
415 date set for the receipt of such bids. If advertised on a
416 publicly accessible website, such advertisement shall be
417 published daily during the 3 weeks immediately preceding the
418 date set for the receipt of such bids. Such advertisements for
419 bids in addition to the other necessary and pertinent matter
420 shall state in general terms the nature and description of the
421 improvement or improvements to be undertaken and shall state
422 that detailed plans and specifications for such work are on file
423 for inspection in the office of the district clerk and copies
424 thereof shall be furnished to any interested party upon payment
425 of reasonable charges to reimburse the district for its expenses
426 in providing such copies. The award shall be made to the
427 responsible and competent bidder or bidders who shall offer to
428 undertake the improvements at the lowest cost to the district
429 and such bidder or bidders shall be required to file bond for
430 the full and faithful performance of such work and the execution
431 of any such contract in such amount as the district board shall
432 determine, and in all other respects the letting of such
433 construction contracts shall comply with applicable provisions
434 of the general laws relating to the letting of public contracts.
435 Nothing in this section shall be deemed to prevent the district

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436 from hiring or retaining such consulting engineers, attorneys,
437 financial experts or other technicians as it shall determine, in
438 its discretion, or from undertaking any construction work with
439 its own resources, without any such public advertisement.

440 Section 11. Section 159.32, Florida Statutes, is amended to
441 read:

442 159.32 Construction contracts.—Contracts for the
443 construction of the project may be awarded by the local agency
444 in such manner as in its judgment will best promote free and
445 open competition, including advertisement for competitive bids
446 in a newspaper of general circulation within the boundaries of
447 the local agency or on a publicly accessible website maintained
448 by the county; however, if the local agency shall determine that
449 the purposes of this part will be more effectively served, the
450 local agency in its discretion may award or cause to be awarded
451 contracts for the construction of any project, or any part
452 thereof, upon a negotiated basis as determined by the local
453 agency. The local agency shall prescribe bid security
454 requirements and other procedures in connection with the award
455 of such contracts as in its judgment shall protect the public
456 interest. The local agency may by written contract engage the
457 services of the lessee, purchaser, or prospective lessee or
458 purchaser of any project in the construction of the project and
459 may provide in the contract that the lessee, purchaser, or
460 prospective lessee or purchaser may act as an agent of, or an
461 independent contractor for, the local agency for the performance
462 of the functions described therein, subject to such conditions
463 and requirements consistent with the provisions of this part as
464 shall be prescribed in the contract, including functions such as

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465 the acquisition of the site and other real property for the
466 project; the preparation of plans, specifications, and contract
467 documents; the award of construction and other contracts upon a
468 competitive or negotiated basis; the construction of the
469 project, or any part thereof, directly by the lessee, purchaser,
470 or prospective lessee or purchaser; the inspection and
471 supervision of construction; the employment of engineers,
472 architects, builders, and other contractors; and the provision
473 of money to pay the cost thereof pending reimbursement by the
474 local agency. Any such contract may provide that the local
475 agency may, out of proceeds of bonds, make advances to or
476 reimburse the lessee, purchaser, or prospective lessee or
477 purchaser for its costs incurred in the performance of those
478 functions, and shall set forth the supporting documents required
479 to be submitted to the local agency and the reviews,
480 examinations, and audits that shall be required in connection
481 therewith to assure compliance with the provisions of this part
482 and the contract.

483 Section 12. Paragraph (a) of subsection (2) of section
484 162.12, Florida Statutes, is amended to read:

485 162.12 Notices.—

486 (2) In addition to providing notice as set forth in
487 subsection (1), at the option of the code enforcement board,
488 notice may also be served by publication or posting, as follows:

489 (a)1. Such notice shall be published once during each week
490 for 4 consecutive weeks (four publications being sufficient) in
491 a newspaper of general circulation in the county where the code
492 enforcement board is located or daily during the 4 weeks
493 immediately preceding the hearing on a publicly accessible

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494 website maintained by the local government. The website and
495 newspaper shall meet such requirements as are prescribed under
496 chapter 50 for legal and official advertisements.

497 2. Proof of newspaper publication shall be made as provided
498 in ss. 50.041 and 50.051.

499

500 Evidence that an attempt has been made to hand deliver or mail
501 notice as provided in subsection (1), together with proof of
502 publication or posting as provided in subsection (2), shall be
503 sufficient to show that the notice requirements of this part
504 have been met, without regard to whether or not the alleged
505 violator actually received such notice.

506 Section 13. Paragraph (b) of subsection (15) and paragraph
507 (c) of subsection (16) of section 163.3184, Florida Statutes,
508 are amended to read:

509 163.3184 Process for adoption of comprehensive plan or plan
510 amendment.—

511 (15) PUBLIC HEARINGS.—

512 (b) The local governing body shall hold at least two
513 advertised public hearings on the proposed comprehensive plan or
514 plan amendment as follows:

515 1. The first public hearing shall be held at the
516 transmittal stage pursuant to subsection (3). It shall be held
517 on a weekday at least 7 days after the day that the first
518 advertisement is published or after the notice of the first
519 public hearing is initially published on the publicly accessible
520 website.

521 2. The second public hearing shall be held at the adoption
522 stage pursuant to subsection (7). It shall be held on a weekday

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523 at least 5 days after the day that the second advertisement is
524 published or after the notice of the second public hearing is
525 initially published on the publicly accessible website.

526 (16) COMPLIANCE AGREEMENTS.—

527 (c) Before ~~Prior to~~ its execution of a compliance
528 agreement, the local government must approve the compliance
529 agreement at a public hearing advertised at least 10 days before
530 the public hearing in a newspaper of general circulation in the
531 area or daily during the 10 days immediately preceding the
532 hearing on a publicly accessible website maintained by the local
533 government in accordance with the advertisement requirements of
534 subsection (15).

535 Section 14. Paragraphs (a) and (c) of subsection (3) of
536 section 166.041, Florida Statutes, are amended to read:

537 166.041 Procedures for adoption of ordinances and
538 resolutions.—

539 (3) (a) Except as provided in paragraph (c), a proposed
540 ordinance may be read by title, or in full, on at least 2
541 separate days and shall, at least 10 days before ~~prior to~~
542 adoption, be noticed once in a newspaper of general circulation
543 in the municipality or noticed daily during the 10 days
544 immediately preceding the adoption on a publicly accessible
545 website maintained by the municipality. The notice of proposed
546 enactment shall state the date, time, and place of the meeting;
547 the title or titles of proposed ordinances; and the place or
548 places within the municipality where such proposed ordinances
549 may be inspected by the public. The notice shall also advise
550 that interested parties may appear at the meeting and be heard
551 with respect to the proposed ordinance.

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552 (c) Ordinances initiated by other than the municipality
553 that change the actual zoning map designation of a parcel or
554 parcels of land shall be enacted pursuant to paragraph (a).
555 Ordinances that change the actual list of permitted,
556 conditional, or prohibited uses within a zoning category, or
557 ordinances initiated by the municipality that change the actual
558 zoning map designation of a parcel or parcels of land shall be
559 enacted pursuant to the following procedure:

560 1. In cases in which the proposed ordinance changes the
561 actual zoning map designation for a parcel or parcels of land
562 involving less than 10 contiguous acres, the governing body
563 shall direct the clerk of the governing body to notify by mail
564 each real property owner whose land the municipality will
565 redesignate by enactment of the ordinance and whose address is
566 known by reference to the latest ad valorem tax records. The
567 notice shall state the substance of the proposed ordinance as it
568 affects that property owner and shall set a time and place for
569 one or more public hearings on such ordinance. Such notice shall
570 be given at least 30 days prior to the date set for the public
571 hearing, and a copy of the notice shall be kept available for
572 public inspection during the regular business hours of the
573 office of the clerk of the governing body. The governing body
574 shall hold a public hearing on the proposed ordinance and may,
575 upon the conclusion of the hearing, immediately adopt the
576 ordinance.

577 2. In cases in which the proposed ordinance changes the
578 actual list of permitted, conditional, or prohibited uses within
579 a zoning category, or changes the actual zoning map designation
580 of a parcel or parcels of land involving 10 contiguous acres or

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581 more, the governing body shall provide for public notice and
582 hearings as follows:

583 a. The local governing body shall hold two advertised
584 public hearings on the proposed ordinance. At least one hearing
585 shall be held after 5 p.m. on a weekday, unless the local
586 governing body, by a majority plus one vote, elects to conduct
587 that hearing at another time of day. The first public hearing
588 shall be held at least 7 days after the day that the first
589 advertisement is published. The second hearing shall be held at
590 least 10 days after the first hearing and shall be advertised at
591 least 5 days prior to the public hearing.

592 b. The required newspaper advertisements shall be no less
593 than 2 columns wide by 10 inches long in a standard size or a
594 tabloid size newspaper, and the headline in the advertisement
595 shall be in a type no smaller than 18 point. The newspaper
596 advertisement shall not be placed in that portion of the
597 newspaper where legal notices and classified advertisements
598 appear. The newspaper advertisement shall be placed in a
599 newspaper of general paid circulation in the municipality and of
600 general interest and readership in the municipality, not one of
601 limited subject matter, pursuant to chapter 50. It is the
602 legislative intent that, whenever possible, the newspaper
603 advertisement appear in a newspaper that is published at least 5
604 days a week unless the only newspaper in the municipality is
605 published less than 5 days a week. The newspaper advertisement
606 shall be in substantially the following form:

607
608 NOTICE OF (TYPE OF) CHANGE
609

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610 The ...(name of local governmental unit)... proposes to
611 adopt the following ordinance:... (title of the ordinance)....

612 A public hearing on the ordinance will be held on ...(date
613 and time)... at ...(meeting place)....

614

615 Except for amendments which change the actual list of permitted,
616 conditional, or prohibited uses within a zoning category, the
617 advertisement shall contain a geographic location map which
618 clearly indicates the area covered by the proposed ordinance.

619 The map shall include major street names as a means of
620 identification of the general area.

621 c. In lieu of publishing the advertisement set out in this
622 paragraph, the municipality may mail a notice to each person
623 owning real property within the area covered by the ordinance.
624 Such notice shall clearly explain the proposed ordinance and
625 shall notify the person of the time, place, and location of any
626 public hearing on the proposed ordinance.

627 Section 15. Section 170.05, Florida Statutes, is amended to
628 read:

629 170.05 Publication of resolution.—Upon the adoption of the
630 resolution provided for in s. 170.03, the municipality shall
631 cause said resolution to be published on a publicly accessible
632 website maintained by the municipality or one time in a
633 newspaper of general circulation published in said municipality,
634 and if there is ~~be~~ no website or newspaper published in said
635 municipality, the governing authority of said municipality shall
636 cause said resolution to be published once a week for a period
637 of 2 weeks in a newspaper of general circulation published in
638 the county in which said municipality is located.

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639 Section 16. Section 170.07, Florida Statutes, is amended to
640 read:

641 170.07 Publication of preliminary assessment roll.—Upon the
642 completion of said preliminary assessment roll, the governing
643 authority of the municipality shall by resolution fix a time and
644 place at which the owners of the property to be assessed or any
645 other persons interested therein may appear before said
646 governing authority and be heard as to the propriety and
647 advisability of making such improvements, as to the cost
648 thereof, as to the manner of payment therefor, and as to the
649 amount thereof to be assessed against each property so improved.
650 Thirty days' notice in writing of such time and place shall be
651 given to such property owners. The notice shall include the
652 amount of the assessment and shall be served by mailing a copy
653 to each of such property owners at his or her last known
654 address, the names and addresses of such property owners to be
655 obtained from the records of the property appraiser or from such
656 other sources as the city or town clerk or engineer deems
657 reliable, proof of such mailing to be made by the affidavit of
658 the clerk or deputy clerk of said municipality, or by the
659 engineer, said proof to be filed with the clerk, provided, that
660 failure to mail said notice or notices shall not invalidate any
661 of the proceedings hereunder. Notice of the time and place of
662 such hearing shall also be given by two publications a week
663 apart in a newspaper of general circulation in said municipality
664 or by publication daily for 2 weeks on a publicly accessible
665 website maintained by the municipality, and if there is ~~be~~ no
666 website or newspaper published in said municipality, the
667 governing authority of said municipality shall cause said notice

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668 to be published in like manner in a newspaper of general
669 circulation published in the county in which said municipality
670 is located; provided that the last publication shall be at least
671 1 week before ~~prior to~~ the date of the hearing. Said notice
672 shall describe the streets or other areas to be improved and
673 advise all persons interested that the description of each
674 property to be assessed and the amount to be assessed to each
675 piece or parcel of property may be ascertained at the office of
676 the clerk of the municipality. Such service by publication shall
677 be verified by the affidavit of the publisher and filed with the
678 clerk of said municipality.

679 Section 17. Subsection (1) of section 180.24, Florida
680 Statutes, is amended to read:

681 180.24 Contracts for construction; bond; publication of
682 notice; bids.—

683 (1) Any municipality desiring the accomplishment of any or
684 all of the purposes of this chapter may make contracts for the
685 construction of any of the utilities mentioned in this chapter,
686 or any extension or extensions to any previously constructed
687 utility, which said contracts shall be in writing, and the
688 contractor shall be required to give bond, which said bond shall
689 be executed by a surety company authorized to do business in the
690 state; provided, however, construction contracts in excess of
691 \$25,000 shall be advertised by the publication of a notice in a
692 newspaper of general circulation in the county in which said
693 municipality is located at least once each week for 2
694 consecutive weeks, by publication daily for 2 weeks on a
695 publicly accessible website maintained by the municipality, or
696 by posting three notices in three conspicuous places in said

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697 municipality, one of which shall be on the door of the city
698 hall; and that at least 10 days shall elapse between the date of
699 the first publication or posting of such notice and the date of
700 receiving bids and the execution of such contract documents. For
701 municipal construction projects identified in s. 255.0525, the
702 notice provision of that section supersedes and replaces the
703 notice provisions in this section.

704 Section 18. Paragraph (a) of subsection (3) of section
705 197.3632, Florida Statutes, is amended to read:

706 197.3632 Uniform method for the levy, collection, and
707 enforcement of non-ad valorem assessments.-

708 (3) (a) Notwithstanding any other provision of law to the
709 contrary, a local government which is authorized to impose a
710 non-ad valorem assessment and which elects to use the uniform
711 method of collecting such assessment for the first time as
712 authorized in this section shall adopt a resolution at a public
713 hearing before ~~prior to~~ January 1 or, if the property appraiser,
714 tax collector, and local government agree, March 1. The
715 resolution shall clearly state its intent to use the uniform
716 method of collecting such assessment. The local government shall
717 publish notice of its intent to use the uniform method for
718 collecting such assessment weekly in a newspaper of general
719 circulation within each county contained in the boundaries of
720 the local government for 4 consecutive weeks preceding the
721 hearing or, in the case of a county or municipality, daily
722 during the 4 consecutive weeks immediately preceding the hearing
723 on a publicly accessible website maintained by the county or
724 municipality. The resolution shall state the need for the levy
725 and shall include a legal description of the boundaries of the

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726 real property subject to the levy. If the resolution is adopted,
727 the local governing board shall send a copy of it by United
728 States mail to the property appraiser, the tax collector, and
729 the department by January 10 or, if the property appraiser, tax
730 collector, and local government agree, March 10.

731 Section 19. Paragraph (d) of subsection (2), paragraph (g)
732 of subsection (3), paragraph (b) of subsection (12), and
733 paragraph (a) of subsection (14) of section 200.065, Florida
734 Statutes, are amended to read:

735 200.065 Method of fixing millage.—

736 (2) No millage shall be levied until a resolution or
737 ordinance has been approved by the governing board of the taxing
738 authority which resolution or ordinance must be approved by the
739 taxing authority according to the following procedure:

740 (d) Within 15 days after the meeting adopting the tentative
741 budget, the taxing authority shall advertise in a newspaper of
742 general circulation in the county as provided in subsection (3),
743 its intent to finally adopt a millage rate and budget or, in the
744 case of a county or municipality, may advertise on its publicly
745 accessible website its intent to finally adopt a millage rate
746 and budget, and shall maintain the notice on its website until
747 completion of the hearing. If advertised in a newspaper, a
748 public hearing to finalize the budget and adopt a millage rate
749 shall be held not less than 2 days nor more than 5 days after
750 the day that the advertisement is first published. During the
751 hearing, the governing body of the taxing authority shall amend
752 the adopted tentative budget as it sees fit, adopt a final
753 budget, and adopt a resolution or ordinance stating the millage
754 rate to be levied. The resolution or ordinance shall state the

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755 percent, if any, by which the millage rate to be levied exceeds
756 the rolled-back rate computed pursuant to subsection (1), which
757 shall be characterized as the percentage increase in property
758 taxes adopted by the governing body. The adoption of the budget
759 and the millage-levy resolution or ordinance shall be by
760 separate votes. For each taxing authority levying millage, the
761 name of the taxing authority, the rolled-back rate, the
762 percentage increase, and the millage rate to be levied shall be
763 publicly announced before ~~prior to~~ the adoption of the millage-
764 levy resolution or ordinance. ~~In no event may~~ The millage rate
765 adopted pursuant to this paragraph may not exceed the millage
766 rate tentatively adopted pursuant to paragraph (c). If the rate
767 tentatively adopted pursuant to paragraph (c) exceeds the
768 proposed rate provided to the property appraiser pursuant to
769 paragraph (b), or as subsequently adjusted pursuant to
770 subsection (11), each taxpayer within the jurisdiction of the
771 taxing authority shall be sent notice by first-class mail of his
772 or her taxes under the tentatively adopted millage rate and his
773 or her taxes under the previously proposed rate. The notice must
774 be prepared by the property appraiser, at the expense of the
775 taxing authority, and must generally conform to the requirements
776 of s. 200.069. If such additional notice is necessary, its
777 mailing must precede the hearing held pursuant to this paragraph
778 by not less than 10 days and not more than 15 days.

779 (3) The advertisement shall be no less than one-quarter
780 page in size of a standard size or a tabloid size newspaper, and
781 the headline in the advertisement shall be in a type no smaller
782 than 18 point. The advertisement shall not be placed in that
783 portion of the newspaper where legal notices and classified

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784 advertisements appear. The advertisement shall be published in a
785 newspaper of general paid circulation in the county or in a
786 geographically limited insert of such newspaper. The geographic
787 boundaries in which such insert is circulated shall include the
788 geographic boundaries of the taxing authority. It is the
789 legislative intent that, whenever possible, the advertisement
790 appear in a newspaper that is published at least 5 days a week
791 unless the only newspaper in the county is published less than 5
792 days a week, or that the advertisement appear in a
793 geographically limited insert of such newspaper which insert is
794 published throughout the taxing authority's jurisdiction at
795 least twice each week. It is further the legislative intent that
796 the newspaper selected be one of general interest and readership
797 in the community and not one of limited subject matter, pursuant
798 to chapter 50.

799 (g) ~~If in the event that~~ the mailing of the notice of
800 proposed property taxes is delayed beyond September 3 in a
801 county, any multicounty taxing authority which levies ad valorem
802 taxes within that county shall advertise its intention to adopt
803 a tentative budget and millage rate on a publicly accessible
804 website maintained by the taxing authority or in a newspaper of
805 paid general circulation within that county, as provided in this
806 subsection, and shall hold the hearing required pursuant to
807 paragraph (2)(c). If advertised in the newspaper, the hearing
808 shall be held not less than 2 days or more than 5 days
809 thereafter, and not later than September 18. If advertised on
810 the website, the hearing shall be held not less than 2 days
811 after initial publication of the advertisement on the website
812 and not later than September 18, and shall remain on the website

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813 until the date of the hearing. The advertisement shall be in the
814 following form, unless the proposed millage rate is less than or
815 equal to the rolled-back rate, computed pursuant to subsection
816 (1), in which case the advertisement shall be as provided in
817 paragraph (e):

NOTICE OF TAX INCREASE

818
819
820 The ...(name of the taxing authority)... proposes to
821 increase its property tax levy by ...(percentage of increase
822 over rolled-back rate)... percent.

823 All concerned citizens are invited to attend a public
824 hearing on the proposed tax increase to be held on ...(date and
825 time)... at ...(meeting place)....

826 (12) The time periods specified in this section shall be
827 determined by using the date of certification of value pursuant
828 to subsection (1) or July 1, whichever date is later, as day 1.
829 The time periods shall be considered directory and may be
830 shortened, provided:

831 (b) Any public hearing preceded by a newspaper
832 advertisement is held not less than 2 days or more than 5 days
833 following publication of such advertisement and any public
834 hearing preceded by advertisement on a website advertisement is
835 held not less than 2 days after initial publication; and

836 (14) (a) If the notice of proposed property taxes mailed to
837 taxpayers under this section contains an error, the property
838 appraiser, in lieu of mailing a corrected notice to all
839 taxpayers, may correct the error by mailing a short form of the
840 notice to those taxpayers affected by the error and its
841 correction. The notice shall be prepared by the property

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842 appraiser at the expense of the taxing authority which caused
843 the error or at the property appraiser's expense if he or she
844 caused the error. The form of the notice must be approved by the
845 executive director of the Department of Revenue or the executive
846 director's designee. If the error involves only the date and
847 time of the public hearings required by this section, the
848 property appraiser, with the permission of the taxing authority
849 affected by the error, may correct the error by advertising the
850 corrected information on a publicly accessible website
851 maintained by the taxing authority or in a newspaper of general
852 circulation in the county as provided in subsection (3).

853 Section 20. Subsection (2) of section 255.0525, Florida
854 Statutes, is amended to read:

855 255.0525 Advertising for competitive bids or proposals.—

856 (2) The solicitation of competitive bids or proposals for
857 any county, municipality, or other political subdivision
858 construction project that is projected to cost more than
859 \$200,000 shall be publicly advertised at least once in a
860 newspaper of general circulation in the county where the project
861 is located at least 21 days before ~~prior to~~ the established bid
862 opening and at least 5 days before ~~prior to~~ any scheduled prebid
863 conference, or advertised daily during the 21-day period
864 immediately preceding the established bid opening date and daily
865 during the 5-day period immediately preceding any scheduled
866 prebid conference on a publicly accessible website maintained by
867 the entity responsible for publication. The solicitation of
868 competitive bids or proposals for any county, municipality, or
869 other political subdivision construction project that is
870 projected to cost more than \$500,000 shall be publicly

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871 advertised at least once in a newspaper of general circulation
872 in the county where the project is located at least 30 days
873 before ~~prior to~~ the established bid opening and at least 5 days
874 before ~~prior to~~ any scheduled prebid conference, or advertised
875 daily during the 30-day period immediately preceding the
876 established bid opening date and daily during the 5-day period
877 immediately preceding any scheduled prebid conference on a
878 publicly accessible website. Bids or proposals shall be received
879 and opened at the location, date, and time established in the
880 bid or proposal advertisement. In cases of emergency, the
881 procedures required in this section may be altered by the local
882 governmental entity in any manner that is reasonable under the
883 emergency circumstances.

884 Section 21. Paragraph (e) of subsection (25) of section
885 380.06, Florida Statutes, is amended to read:

886 380.06 Developments of regional impact.—

887 (25) AREAWIDE DEVELOPMENT OF REGIONAL IMPACT.—

888 (e) The local government shall schedule a public hearing
889 within 60 days after receipt of the petition. The public hearing
890 shall be advertised at least 30 days before ~~prior to~~ the
891 hearing. In addition to the public hearing notice by the local
892 government, the petitioner, except when the petitioner is a
893 local government, shall provide actual notice to each person
894 owning land within the proposed areawide development plan at
895 least 30 days before ~~prior to~~ the hearing. If the petitioner is
896 a local government, or local governments pursuant to an
897 interlocal agreement, notice of the public hearing shall be
898 provided by the publication of an advertisement on a publicly
899 accessible website maintained by the county or municipality

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900 responsible for publication or in a newspaper of general
901 circulation that meets the requirements of this paragraph. The
902 newspaper advertisement must be no less than one-quarter page in
903 a standard size or tabloid size newspaper, and the headline in
904 the newspaper advertisement must be in type no smaller than 18
905 point. The newspaper advertisement may ~~shall~~ not be published in
906 that portion of the newspaper where legal notices and classified
907 advertisements appear. The advertisement must be published on a
908 publicly accessible website maintained by the county or
909 municipality responsible for publication or in a newspaper of
910 general paid circulation in the county and of general interest
911 and readership in the community, not one of limited subject
912 matter, pursuant to chapter 50. Whenever possible, the newspaper
913 advertisement must appear in a newspaper that is published at
914 least 5 days a week, unless the only newspaper in the community
915 is published less than 5 days a week. The advertisement must be
916 in substantially the form used to advertise amendments to
917 comprehensive plans pursuant to s. 163.3184. The local
918 government shall specifically notify in writing the regional
919 planning agency and the state land planning agency at least 30
920 days before ~~prior to~~ the public hearing. At the public hearing,
921 all interested parties may testify and submit evidence regarding
922 the petitioner's qualifications, the need for and benefits of an
923 areawide development of regional impact, and such other issues
924 relevant to a full consideration of the petition. If more than
925 one local government has jurisdiction over the defined planning
926 area in an areawide development plan, the local governments
927 shall hold a joint public hearing. Such hearing shall address,
928 at a minimum, the need to resolve conflicting ordinances or

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929 comprehensive plans, if any. The local government holding the
930 joint hearing shall comply with the following additional
931 requirements:

932 1. The notice of the hearing shall be published at least 60
933 days in advance of the hearing and shall specify where the
934 petition may be reviewed.

935 2. The notice shall be given to the state land planning
936 agency, to the applicable regional planning agency, and to such
937 other persons as may have been designated by the state land
938 planning agency as entitled to receive such notices.

939 3. A public hearing date shall be set by the appropriate
940 local government at the next scheduled meeting.

941 Section 22. Subsection (2) of section 403.7049, Florida
942 Statutes, is amended to read:

943 403.7049 Determination of full cost for solid waste
944 management; local solid waste management fees.—

945 (2)(a) Each municipality shall establish a system to
946 inform, no less than once a year, residential and nonresidential
947 users of solid waste management services within the
948 municipality's service area of the user's share, on an average
949 or individual basis, of the full cost for solid waste management
950 as determined pursuant to subsection (1). Counties shall provide
951 the information required of municipalities only to residential
952 and nonresidential users of solid waste management services
953 within the county's service area that are not served by a
954 municipality. Municipalities shall include costs charged to them
955 or persons contracting with them for disposal of solid waste in
956 the full cost information provided to residential and
957 nonresidential users of solid waste management services.

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958 (b) The public disclosure system requirements of this
959 section shall be fulfilled by meeting one of the following:

960 1. By mailing a copy of the full cost information to each
961 residential and nonresidential user of solid waste management
962 service within the solid waste management service area of the
963 county or municipality;

964 2. By enclosing a copy of the full cost information in or
965 with a bill sent to each residential and nonresidential user of
966 solid waste management services within the service area of the
967 county or municipality;

968 3. By publishing a copy of the full cost information in a
969 newspaper of general circulation within the county. Such notice
970 shall be a display advertisement not less than one-quarter page
971 in size; or

972 4. By advertising a copy of the full cost information daily
973 for at least two consecutive weeks on a publicly accessible
974 website maintained by the municipality.

975 (c) ~~(b)~~ Counties and municipalities are encouraged to
976 operate their solid waste management systems through use of an
977 enterprise fund.

978 Section 23. Paragraph (a) of subsection (2) of section
979 403.973, Florida Statutes, is amended to read:

980 403.973 Expedited permitting; amendments to comprehensive
981 plans.—

982 (2) As used in this section, the term:

983 (a) "Duly noticed" means publication on a publicly
984 accessible website maintained by the municipality or county
985 having jurisdiction or in a newspaper of general circulation in
986 the municipality or county having ~~with~~ jurisdiction. If

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987 published in a newspaper, the notice shall appear on at least 2
988 separate days, one of which shall be at least 7 days before the
989 meeting. If published on a publicly accessible website, the
990 notice shall appear daily during the 7 days immediately
991 preceding the meeting. The notice shall state the date, time,
992 and place of the meeting scheduled to discuss or enact the
993 memorandum of agreement, and the places within the municipality
994 or county where such proposed memorandum of agreement may be
995 inspected by the public. The newspaper notice must be one-eighth
996 of a page in size and must be published in a portion of the
997 paper other than the legal notices section. The notice shall
998 also advise that interested parties may appear at the meeting
999 and be heard with respect to the memorandum of agreement.

1000 Section 24. Paragraph (b) of subsection (4) of section
1001 420.9075, Florida Statutes, is amended to read:

1002 420.9075 Local housing assistance plans; partnerships.—

1003 (4) Each local housing assistance plan is governed by the
1004 following criteria and administrative procedures:

1005 (b) The county or eligible municipality or its
1006 administrative representative shall advertise the notice of
1007 funding availability in a newspaper of general circulation and
1008 periodicals serving ethnic and diverse neighborhoods, at least
1009 30 days before the beginning of the application period or daily
1010 during the 30 days immediately preceding the application period
1011 on a publicly accessible website maintained by the county or
1012 eligible municipality. If no funding is available due to a
1013 waiting list, no notice of funding availability is required.

1014 Section 25. This act shall take effect October 1, 2011.