

Tab 1	CS/SB 62 by EE, Arrington (CO-INTRODUCERS) Osgood, Berman; Similar to H 00091 Candidate Qualification				
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

JUDICIARY
Senator Yarborough, Chair
Senator Burton, Vice Chair

MEETING DATE: Tuesday, December 2, 2025
TIME: 1:00—3:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Yarborough, Chair; Senator Burton, Vice Chair; Senators Berman, DiCeglie, Gaetz, Hooper, Leek, Osgood, Passidomo, Polsky, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 62 Ethics and Elections / Arrington (Similar H 91)	Candidate Qualification; Specifying that a person seeking to qualify for office as a candidate must be a registered member of a political party, or registered without any party affiliation, for 365 consecutive days preceding the beginning of qualifying for an election; authorizing qualified candidates or certain political parties to challenge compliance with specified provisions by filing suit in a specified circuit court; prohibiting a person from being qualified as a candidate for nomination or election and appearing on the ballot under specified circumstances, etc. EE 11/19/2025 Fav/CS JU 12/02/2025 RC	
2	SB 292 Rouson (Similar H 179)	Public Records/Appellate Court Clerks; Defining the term “appellate court clerk”; providing an exemption from public records requirements for the personal identifying and location information of current appellate court clerks and the spouses and children of such appellate court clerks; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. JU 12/02/2025 RC	
3	SB 380 Trumbull	Legal Notices; Revising the definition of the terms “governmental agency” and “publicly accessible website”; authorizing a governmental agency to use its own publicly accessible website or the publicly accessible website of the county in which it lies to publish specified advertisements and notices, etc. JU 12/02/2025 CA RC	
Other Related Meeting Documents			

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: CS/SB 62

INTRODUCER: Ethics and Elections Committee and Senator Arrington and others

SUBJECT: Candidate Qualification

DATE: December 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Biehl	Roberts	EE	Fav/CS
2.	Bond	Cibula	JU	Pre-meeting
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 62 provides that a competing candidate for office, or a competing political party, may have a person disqualified and thus removed from the ballot if the person falsely states in the qualifying papers that he or she:

- Has been a registered member of the political party for which the person is seeking nomination as a candidate for at least 365 consecutive days before the beginning of the qualifying period preceding the general election for which the person seeks to qualify; or
- Has been registered without any party affiliation and has not been a registered member of any political party for at least 365 consecutive days before the beginning of the qualifying period preceding the general election for which the person seeks to qualify.

Current law includes the requirement that a person seeking to qualify as candidate for office make these statements, but does not appear to have a mechanism to enforce the requirements if the person makes a false statement.

The bill takes effect upon becoming a law.

II. Present Situation:

Elections – Qualifying for Office and Placement on the Ballot

Each candidate for an elected office in Florida must take and subscribe to an oath or affirmation in writing.¹ Current law specifies oath formats for a candidate for federal office,² a candidate for a non-federal office other than a judicial office,³ and a candidate for a state judicial office.⁴

Generally, the oath or affirmation must, in substance:

- Provide the name of the office for which the candidate is running;
- Affirm that the candidate is a qualified elector of the county or court jurisdiction, as applicable;
- Affirm that the candidate is qualified under the State Constitution and laws of Florida to hold the office for which he or she is running;
- Affirm that the candidate has not qualified for any other public office in the state for which the term runs concurrently and that he or she has resigned from any office from which he or she is required to resign;⁵ and
- Affirm that the candidate will support the constitutions of the United States and the State of Florida.⁶

In addition, any person seeking to qualify for nomination as a candidate of any political party must, at the time of subscribing to the oath or affirmation, also state in writing certain information about his or her party affiliation. The writing must specifically state:

- The party of which the person is a member;
- That the person has been a registered member of the political party for 365 days before the beginning of qualifying preceding the general election for which the person seeks to qualify; and
- That the person has paid the assessment levied against him or her, if any, as a candidate for said office by the executive committee of the party of which he or she is a member.⁷

Similarly, a person seeking to qualify for office as a candidate with *no* party affiliation must state in writing that he or she:

- Is registered without a party affiliation; and
- Has not been a registered member of any political party for 365 days before the beginning of qualifying preceding the general election for which the person seeks to qualify.⁸

¹ Sections 99.021(1)(a) and 105.031(4), F.S.

² Section 99.021(1)(a)2., F.S.

³ Section 99.021(1)(a)1., F.S.

⁴ Section 105.031(4)(b), F.S.

⁵ Section 99.012(3)(a), F.S., states, “No officer may qualify as a candidate for another state, district, county, or municipal public office if the terms or any part thereof run concurrently with each other without resigning from the office he or she presently holds.”

⁶ Sections 99.021(1)(a)1. and 105.031(4), F.S.

⁷ Section 99.021(1)(b), F.S.

⁸ Section 99.021(c), F.S.

Elections – Effect of Noncompliance with Qualifying Statement Requirements

Although current law requires candidates to provide the information required, there does not appear to be a mechanism by which the provision can be enforced if the person seeking to qualify did not actually comply with the requirement.⁹ Therefore, a person who complies with the facial requirement of completing and filing the written statement cannot be disqualified from placement on the ballot, even if his or her statement is untrue.

III. Effect of Proposed Changes:

The bill specifies that the statutorily required statements regarding political party affiliation or lack thereof constitute substantive requirements. Accordingly, a candidate must make the statements and the statements must be accurate. Therefore, as part of qualifying as a candidate:

- A person seeking to qualify for nomination as a candidate of any political party must be a registered member of that party for at least 365 consecutive days preceding the beginning of the qualifying period.
- A person seeking to qualify for office as a candidate with no party affiliation must be registered without any party affiliation and may not have been a registered member of any political party for at least 365 consecutive days preceding the beginning of the qualifying period.

The bill also creates a civil cause of action to allow for enforcement. Specifically, a qualified candidate or a political party having qualified candidates in the same race may file an action in the circuit court for the county in which the qualifying officer is headquartered. If a final court order determines that the challenged person did not meet the requirements relating to party affiliation, that person may not be qualified as a candidate and his or her name may not appear on the ballot.¹⁰

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁹ See *Jones v. Schiller*, 345 So.3d 406 (Fla. 1st DCA 2020), holding that the requirements regarding statement of party affiliation do not have an implied disqualification mechanism. Similarly, *Torres v. Shaw*, 345 So.3d 970 (Fla. 1st DCA 2022), held that voters and a political party had no private right of action to challenge the qualifications of a congressional candidate under the candidate oath requirement.

¹⁰ A final court order refers to a court order that has been entered by a trial court and for which no further remedy can be entered by an appellate court.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The creation of the new cause of action may have a fiscal impact in the form of legal fees for persons who file or defend against such lawsuits.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 99.021, Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Ethics and Elections on November 19, 2025:

The committee substitute changes the bill's effective date from July 1, 2026, to "upon becoming a law," which may allow the bill's provisions to be in effect for the 2026 qualifying periods.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Ethics and Elections; and Senators
Arrington, Osgood, and Berman

582-01308-26

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A bill to be entitled

An act relating to candidate qualification; amending s. 99.021, F.S.; specifying that a person seeking to qualify for office as a candidate must be a registered member of a political party, or registered without any party affiliation, for 365 consecutive days preceding the beginning of qualifying for an election; providing that compliance with specified requirements is mandatory; providing construction; authorizing qualified candidates or certain political parties to challenge compliance with specified provisions by filing suit in a specified circuit court; prohibiting a person from being qualified as a candidate for nomination or election and appearing on the ballot under specified circumstances; providing an effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (1) of section 99.021, Florida Statutes, are amended, and paragraph (f) is added to that subsection, to read:

99.021 Form of candidate oath.—

(1)

(b) In addition, any person seeking to qualify for nomination as a candidate of any political party shall, at the time of subscribing to the oath or affirmation, state in writing:

1. The party of which the person is a member.

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2. That the person has been a registered member of the political party for which he or she is seeking nomination as a candidate for at least 365 consecutive days preceding ~~before~~ the beginning of qualifying ~~before preceding~~ the general election for which the person seeks to qualify.

3. That the person has paid the assessment levied against him or her, if any, as a candidate for said office by the executive committee of the party of which he or she is a member.

(c) In addition, any person seeking to qualify for office as a candidate with no party affiliation shall, at the time of subscribing to the oath or affirmation, state in writing that he or she is registered without any party affiliation and that he or she has not been a registered member of any political party for at least 365 consecutive days preceding ~~before~~ the beginning of qualifying ~~before preceding~~ the general election for which the person seeks to qualify.

(f) The statements in subparagraph (b)2. and paragraph (c) constitute substantive requirements for the person completing the statement, and compliance with those requirements is mandatory. The sole method to enforce compliance with such requirements is contained in this paragraph. Compliance with subparagraph (b)2. and paragraph (c) may be challenged by a qualified candidate or a political party with qualified candidates in the same race by filing an action in the circuit court for the county in which the qualifying officer is headquartered. A person may not be qualified as a candidate for nomination or election and his or her name may not appear on the ballot if in an order that has become final, the court determines that:

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59 1. The person seeking to qualify for nomination as a
60 candidate of any political party has not been a registered
61 member of that party for the 365-day period preceding the
62 beginning of qualifying; or

63 2. The person seeking to qualify for office as a candidate
64 with no party affiliation has not been registered without party
65 affiliation for, or has been a registered member of any
66 political party during, the 365-day period preceding the
67 beginning of qualifying.

68 Section 2. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 292

INTRODUCER: Senator Rouson

SUBJECT: Public Records/Appellate Court Clerks

DATE: December 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Collazo	Cibula	JU	Pre-meeting
2.			RC	

I. Summary:

SB 292 exempts, from public records copying and inspection requirements, certain identifying information of current appellate court clerks and their spouses and children. The exemption restricts access to information in the public records which may identify or locate them.

Specifically, the bill exempts from public disclosure requirements the following information:

- The home addresses, dates of birth, and telephone numbers of current clerks and chief deputy clerks of the Florida Supreme Court and the district courts of appeal.
- The names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current clerks and chief deputy clerks of the Florida Supreme Court and the district courts of appeal.
- The names and locations of schools and day care facilities attended by the children of current clerks and chief deputy clerks of the Florida Supreme Court and the district courts of appeal.

The exemption applies to information held by an agency before, on, or after July 1, 2026. However, it does not apply once an appellate court clerk is no longer employed in such position.

The exemption is new and subject to the Open Government Sunset Review Act. It will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature. The bill also extends by 3 years, from October 2, 2028 to October 2, 2031, the repeal date for the existing exemption applicable to current or former Florida Supreme Court justices, district court of appeal judges, circuit and county court judges, and current judicial assistants.

The bill provides a statement of public necessity as required by the State Constitution. Because the bill creates a new public records exemption, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill may minimally increase costs for state and local agencies. It takes effect July 1, 2026.

II. Present Situation:

Access to Public Records – Generally

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.³ Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.⁴ Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.⁵

Section 119.011(12), F.S., defines “public records” to include:

[a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”⁶

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public

¹ FLA. CONST. art. I, s. 24(a).

² *Id.* See also, *Sarasota Citizens for Responsible Gov’t v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

³ See Rule 1.48, *Rules and Manual of the Florida Senate*, (2024-2026) and Rules 14.1 and 14.2, *Rules of the Florida House of Representatives*, Edition 1, (2024-2026).

⁴ *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).

⁵ Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

⁶ *Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁷ A violation of the Public Records Act may result in civil or criminal liability.⁸

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.⁹ The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.¹⁰

General exemptions from the public records requirements are contained in the Public Records Act.¹¹ Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.¹²

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.¹³ Records designated as “confidential and exempt” are not subject to inspection by the public and may only be released under the circumstances defined by statute.¹⁴ Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.¹⁵

Public Records Exemptions for Specified Personnel and their Families (s. 119.071(4), F.S.)

Section 119.071(4), F.S., exempts from public record disclosure the personal information of specific government employees when held by government agencies. In paragraph (d), “home addresses” is defined as the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address. Additionally, “telephone numbers” is defined to include home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

⁷ Section 119.07(1)(a), F.S.

⁸ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

⁹ FLA. CONST. art. I, s. 24(c).

¹⁰ *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

¹¹ *See, e.g., s. 119.071(1)(a), F.S.* (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

¹² *See, e.g., s. 213.053(2)(a), F.S.* (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

¹³ *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

¹⁴ *Id.*

¹⁵ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

Section 119.071(4)(d)2., F.S., generally exempts from public disclosure the home addresses, dates of birth, photographs, and telephone numbers of specified public employees and their spouses and children. Additionally exempted, typically, are the spouse's place of work as well as the name and location of any schools or day care facilities of the public employee's children, if any. These public employees include current clerk, deputy clerks and other personnel of each circuit court.¹⁶

Records that include exempt information relating to the above-specified personnel and their spouses and children (minor or adult) may be held by, among others, their employing agency, clerks of court and comptrollers, county tax collectors and property appraisers, school districts, and law enforcement agencies. County property appraisers¹⁷ and county tax collectors¹⁸ holding exempted information need only remove the name of an individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exemption status from all publicly available records. County property appraisers and county tax collectors may not remove the street address, legal description, or other information identifying real property so long as the name or personal information otherwise exempt is not associated with the property or otherwise displayed in the public records.¹⁹

The personnel, their spouses or children, or their employing agency claiming an exemption under s. 119.071(4)(d)2., F.S., must affirmatively assert the right to the exemption by submitting a written and notarized request to each non-employer agency that holds the employee's or their spouse or child's information. The individual or entity asserting the exemption must provide, under oath, the statutory basis for the individual's exemption and confirm the individual's status as a party eligible for exempt status.²⁰

These exemptions under s. 119.071(4)(d)2., F.S., have retroactive application, applying to information held by an agency before, on, or after the effective date of the exemption.²¹ Home addresses, however, are no longer exempt in the Official Records if the protected party no longer resides at the dwelling²² or upon his or her death.²³

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act²⁴ (the Act), prescribe a legislative review process for newly created or substantially amended²⁵ public

¹⁶ Section 119.071(4)(d)2.y., F.S. Circuit court clerks' exemption from public records under this statute is set to repeal on October 2, 2029, unless saved by the Legislature.

¹⁷ See s. 192.001(3), F.S.

¹⁸ See s. 192.001(4), F.S.

¹⁹ Section 119.071(4)(d)4., F.S.

²⁰ Section 119.071(4)(d)3., F.S.

²¹ Section 119.071(4)(d)6., F.S.

²² The protected individual must submit a notarized, written request to release the removed information. Section 119.071(4)(d)8., F.S.

²³ A certified copy of a death certificate or court order must be presented with a notarized request to release the information to remove the exemption. Section 119.071(4)(d)9., F.S. Note, the Clerk is also called the "county recorder." See s. 28.222(2), F.S.

²⁴ Section 119.15, F.S.

²⁵ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

records or open meetings exemptions, with specified exceptions.²⁶ The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.²⁷

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.²⁸ An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;²⁹
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;³⁰ or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.³¹

The Act also requires specified questions to be considered during the review process.³² In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are again required.³³ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.³⁴

²⁶ Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

²⁷ Section 119.15(3), F.S.

²⁸ Section 119.15(6)(b), F.S.

²⁹ Section 119.15(6)(b)1., F.S.

³⁰ Section 119.15(6)(b)2., F.S.

³¹ Section 119.15(6)(b)3., F.S.

³² Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means?
If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

³³ See generally s. 119.15, F.S.

³⁴ Section 119.15(7), F.S.

Clerks of the Appellate Court

The Florida Supreme Court³⁵ and each district court of appeal³⁶ are required to appoint a clerk who holds office at the pleasure of the respective courts. The office of the clerk of the Supreme Court is located in the Supreme Court Building.³⁷ The office of the clerk of the district court of appeal is in the headquarters of each district court.³⁸

The clerk of the Supreme Court³⁹ and the clerks of the district courts of appeal⁴⁰ are required to perform such duties as the courts direct. All books, papers, records, files, and seals must be kept in the clerks' offices and in their custody.⁴¹

Additionally, the clerk of each court is required to:

- Keep a docket or equivalent electronic record of all cases that are brought for review to or that originate in the court.⁴²
- Issue such mandates or processes as may be directed by the court and notify attorneys of record of such issuance or of the rendition of any final judgment.⁴³
- Return to the clerk of the lower court the original papers or files transmitted to the court for use in the cause.⁴⁴

The clerk of the Supreme Court can appoint a deputy clerk. The deputy has the same powers as the clerk, except for the power to appoint a deputy or deputies.⁴⁵

Florida State Courts System Classification Specification

Florida court employee class codes are specific numerical codes assigned to different positions within the State Courts System. These codes are part of the state government's classification and pay plan system and help define roles and compensation.⁴⁶

Class code 2610 is the code for "Chief Deputy Clerk – District Court," and class code 2620 is the code for "Chief Deputy Clerk – Supreme Court."⁴⁷

III. Effect of Proposed Changes:

Section 1 exempts from public records disclosure requirements certain information relating to current appellate court clerks. For purposes of the bill, an "appellate court clerk" means:

³⁵ FLA. CONST. art V, s. 3(c).

³⁶ FLA. CONST. art V, s. 4(c).

³⁷ Section 25.211, F.S.

³⁸ Section 35.23, F.S.

³⁹ FLA. CONST. art V, s. 3(c).

⁴⁰ FLA. CONST. art V, s. 4(c).

⁴¹ Sections 25.221 and 35.24, F.S.

⁴² Fla. R. Gen. Prac. & Jud. Admin. 2.205(b)(3); Fla. R. Gen. Prac. & Jud. Admin. 2.210(b)(2).

⁴³ Fla. R. Gen. Prac. & Jud. Admin. 2.205(b)(5); Fla. R. Gen. Prac. & Jud. Admin. 2.210(b)(4).

⁴⁴ Fla. R. Gen. Prac. & Jud. Admin. 2.205(b)(6); Fla. R. Gen. Prac. & Jud. Admin. 2.210(b)(5).

⁴⁵ Section 25.201, F.S.

⁴⁶ See State of Florida, *Florida Has a Right to Know: Holding Government Accountable*, <https://salaries.myflorida.com/> (last visited Nov. 20, 2025).

⁴⁷ *Id.*

- A person appointed as a clerk of the Florida Supreme Court pursuant to s. 3(c), Art. V, of the State Constitution;
- A person appointed as a clerk of a district court of appeal pursuant to s. 4(c), Art. V of the State Constitution; or
- A court employee assigned to the 2610 class code (chief deputy clerks of the District Courts of Appeal) or the 2620 class code (chief deputy clerks of the Florida Supreme Court).⁴⁸

The following information will be exempt from public disclosure requirements:

- The home addresses, dates of birth, and telephone numbers of current clerks and chief deputy clerks of the Florida Supreme Court and the district courts of appeal.
- The names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current clerks and chief deputy clerks of the Florida Supreme Court and the district courts of appeal.
- The names and locations of schools and day care facilities attended by the children of current clerks and chief deputy clerks of the Florida Supreme Court and the district courts of appeal.

Pursuant to s. 119.071(4)(d)6., F.S., the exemption applies to information held by an agency before, on, or after July 1, 2026. However, the exemption does not apply once an appellate court clerk is no longer employed in such position.

Consistent with s. 119.15, F.S., the new exemption is subject to the Open Government Sunset Review Act⁴⁹ and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature. The bill also extends by 3 years, from October 2, 2028 to October 2, 2031, the repeal date for the existing exemption applicable to current or former Florida Supreme Court justices, district court of appeal judges, circuit and county court judges, and current judicial assistants.

Section 2 updates a cross-reference relating to the definition of “telephone numbers.”

Section 3 provides the constitutionally required public necessity statement. The public necessity statement provides that while performing their duties to issue court orders, maintain case dockets, answer telephone calls, respond to correspondence, and interact with visitors to the courthouse, appellate court clerks may incur the ill will of litigants and their associates and families. As a result, current appellate court clerks and their spouses and children may be targets for acts of revenge. If such identifying and location information is released, the safety of current appellate court clerks and their spouses and children could be seriously jeopardized. For this reason, the bill provides that it is a public necessity that such information be made exempt from public records requirements.

Section 4 provides that the bill takes effect July 1, 2026.

⁴⁸ *Id.*

⁴⁹ *See* s. 119.15, F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:**Vote Requirement**

Article I, section 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. This bill enacts a new exemption for current appellate court clerks and their spouses and children; thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, section 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records disclosure requirements to state with specificity the public necessity justifying the exemption. Section 3 of the bill contains a statement of public necessity for current appellate court clerks and their spouses and children.

Breadth of Exemption

Article I, section 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The stated purpose of the bill is to protect current appellate court clerks and their spouses and children. This bill only exempts records pertaining to current appellate court clerks and their spouses and children from the public records requirements. Therefore, the bill does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None identified.

B. Private Sector Impact:

The private sector will be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

C. Government Sector Impact:

This bill may increase costs minimally for agencies holding records that contain personal identifying information of current appellate court clerks and their spouses and children, because staff responsible for complying with public records requests may require training related to the new public record exemption. Additionally, agencies may incur costs associated with redacting the exempt information prior to releasing a record. However, the costs should be absorbed as part of the day-to-day responsibilities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 119.071 and 744.21031.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Rouson

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1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; defining the term "appellate court
 4 clerk"; providing an exemption from public records
 5 requirements for the personal identifying and location
 6 information of current appellate court clerks and the
 7 spouses and children of such appellate court clerks;
 8 providing for future legislative review and repeal of
 9 the exemption; providing for retroactive application;
 10 amending s. 744.21031, F.S.; conforming a cross-
 11 reference; providing a statement of public necessity;
 12 providing an effective date.
 13
 14 Be It Enacted by the Legislature of the State of Florida:
 15
 16 Section 1. Paragraph (d) of subsection (4) of section
 17 119.071, Florida Statutes, is amended to read:
 18 119.071 General exemptions from inspection or copying of
 19 public records.—
 20 (4) AGENCY PERSONNEL INFORMATION.—
 21 (d)1. For purposes of this paragraph, the term:
 22 a. "Appellate court clerk" means a person appointed as a
 23 clerk of the Florida Supreme Court pursuant to s. 3(c), Art. V
 24 of the State Constitution, a person appointed as a clerk of a
 25 district court of appeal pursuant to s. 4(c), Art. V of the
 26 State Constitution, or a court employee assigned to the 2610 or
 27 2620 class code.
 28 b. "Home addresses" means the dwelling location at which an
 29 individual resides and includes the physical address, mailing

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30 address, street address, parcel identification number, plot
 31 identification number, legal property description, neighborhood
 32 name and lot number, GPS coordinates, and any other descriptive
 33 property information that may reveal the home address.
 34 ~~c.b.~~ "Judicial assistant" means a court employee assigned
 35 to the following class codes: 8140, 8150, 8310, and 8320.
 36 ~~d.e.~~ "Telephone numbers" includes home telephone numbers,
 37 personal cellular telephone numbers, personal pager telephone
 38 numbers, and telephone numbers associated with personal
 39 communications devices.
 40 2.a. The home addresses, telephone numbers, dates of birth,
 41 and photographs of active or former sworn law enforcement
 42 personnel or of active or former civilian personnel employed by
 43 a law enforcement agency, including correctional and
 44 correctional probation officers, personnel of the Department of
 45 Children and Families whose duties include the investigation of
 46 abuse, neglect, exploitation, fraud, theft, or other criminal
 47 activities, personnel of the Department of Health whose duties
 48 are to support the investigation of child abuse or neglect, and
 49 personnel of the Department of Revenue or local governments
 50 whose responsibilities include revenue collection and
 51 enforcement or child support enforcement; the names, home
 52 addresses, telephone numbers, photographs, dates of birth, and
 53 places of employment of the spouses and children of such
 54 personnel; and the names and locations of schools and day care
 55 facilities attended by the children of such personnel are exempt
 56 from s. 119.07(1) and s. 24(a), Art. I of the State
 57 Constitution.
 58 b. The home addresses, telephone numbers, dates of birth,

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and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and

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s. 24(a), Art. I of the State Constitution.

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges, and of current judicial assistants and appellate court clerks; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges and of current judicial assistants and appellate court clerks; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges and of current judicial assistants and appellate court clerks are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031 ~~2028~~, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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117 g. The home addresses, dates of birth, and telephone
 118 numbers of general magistrates, special magistrates, judges of
 119 compensation claims, administrative law judges of the Division
 120 of Administrative Hearings, and child support enforcement
 121 hearing officers; the names, home addresses, telephone numbers,
 122 dates of birth, and places of employment of the spouses and
 123 children of general magistrates, special magistrates, judges of
 124 compensation claims, administrative law judges of the Division
 125 of Administrative Hearings, and child support enforcement
 126 hearing officers; and the names and locations of schools and day
 127 care facilities attended by the children of general magistrates,
 128 special magistrates, judges of compensation claims,
 129 administrative law judges of the Division of Administrative
 130 Hearings, and child support enforcement hearing officers are
 131 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 132 Constitution.

133 h. The home addresses, telephone numbers, dates of birth,
 134 and photographs of current or former human resource, labor
 135 relations, or employee relations directors, assistant directors,
 136 managers, or assistant managers of any local government agency
 137 or water management district whose duties include hiring and
 138 firing employees, labor contract negotiation, administration, or
 139 other personnel-related duties; the names, home addresses,
 140 telephone numbers, dates of birth, and places of employment of
 141 the spouses and children of such personnel; and the names and
 142 locations of schools and day care facilities attended by the
 143 children of such personnel are exempt from s. 119.07(1) and s.
 144 24(a), Art. I of the State Constitution.

145 i. The home addresses, telephone numbers, dates of birth,

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146 and photographs of current or former code enforcement officers;
 147 the names, home addresses, telephone numbers, dates of birth,
 148 and places of employment of the spouses and children of such
 149 personnel; and the names and locations of schools and day care
 150 facilities attended by the children of such personnel are exempt
 151 from s. 119.07(1) and s. 24(a), Art. I of the State
 152 Constitution.

153 j. The home addresses, telephone numbers, places of
 154 employment, dates of birth, and photographs of current or former
 155 guardians ad litem, as defined in s. 39.01; the names, home
 156 addresses, telephone numbers, dates of birth, and places of
 157 employment of the spouses and children of such persons; and the
 158 names and locations of schools and day care facilities attended
 159 by the children of such persons are exempt from s. 119.07(1) and
 160 s. 24(a), Art. I of the State Constitution.

161 k. The home addresses, telephone numbers, dates of birth,
 162 and photographs of current or former juvenile probation
 163 officers, juvenile probation supervisors, detention
 164 superintendents, assistant detention superintendents, juvenile
 165 justice detention officers I and II, juvenile justice detention
 166 officer supervisors, juvenile justice residential officers,
 167 juvenile justice residential officer supervisors I and II,
 168 juvenile justice counselors, juvenile justice counselor
 169 supervisors, human services counselor administrators, senior
 170 human services counselor administrators, rehabilitation
 171 therapists, and social services counselors of the Department of
 172 Juvenile Justice; the names, home addresses, telephone numbers,
 173 dates of birth, and places of employment of spouses and children
 174 of such personnel; and the names and locations of schools and

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day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses,

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telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

p. The home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants who are retained by an agency or current or former employees of an impaired practitioner consultant whose duties result in a determination of a person's skill and safety to practice a licensed profession; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such consultants or their employees; and the names and locations of schools and day care facilities attended by the children of such consultants or employees are exempt from s. 119.07(1) and s. 24(a), Art. I of the State

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233 Constitution.

234 q. The home addresses, telephone numbers, dates of birth,
235 and photographs of current or former emergency medical
236 technicians or paramedics certified under chapter 401; the
237 names, home addresses, telephone numbers, dates of birth, and
238 places of employment of the spouses and children of such
239 emergency medical technicians or paramedics; and the names and
240 locations of schools and day care facilities attended by the
241 children of such emergency medical technicians or paramedics are
242 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
243 Constitution.

244 r. The home addresses, telephone numbers, dates of birth,
245 and photographs of current or former personnel employed in an
246 agency's office of inspector general or internal audit
247 department whose duties include auditing or investigating waste,
248 fraud, abuse, theft, exploitation, or other activities that
249 could lead to criminal prosecution or administrative discipline;
250 the names, home addresses, telephone numbers, dates of birth,
251 and places of employment of spouses and children of such
252 personnel; and the names and locations of schools and day care
253 facilities attended by the children of such personnel are exempt
254 from s. 119.07(1) and s. 24(a), Art. I of the State
255 Constitution.

256 s. The home addresses, telephone numbers, dates of birth,
257 and photographs of current or former directors, managers,
258 supervisors, nurses, and clinical employees of an addiction
259 treatment facility; the home addresses, telephone numbers,
260 photographs, dates of birth, and places of employment of the
261 spouses and children of such personnel; and the names and

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262 locations of schools and day care facilities attended by the
263 children of such personnel are exempt from s. 119.07(1) and s.
264 24(a), Art. I of the State Constitution. For purposes of this
265 sub-subparagraph, the term "addiction treatment facility" means
266 a county government, or agency thereof, that is licensed
267 pursuant to s. 397.401 and provides substance abuse prevention,
268 intervention, or clinical treatment, including any licensed
269 service component described in s. 397.311(27).

270 t. The home addresses, telephone numbers, dates of birth,
271 and photographs of current or former directors, managers,
272 supervisors, and clinical employees of a child advocacy center
273 that meets the standards of s. 39.3035(2) and fulfills the
274 screening requirement of s. 39.3035(3), and the members of a
275 Child Protection Team as described in s. 39.303 whose duties
276 include supporting the investigation of child abuse or sexual
277 abuse, child abandonment, child neglect, and child exploitation
278 or to provide services as part of a multidisciplinary case
279 review team; the names, home addresses, telephone numbers,
280 photographs, dates of birth, and places of employment of the
281 spouses and children of such personnel and members; and the
282 names and locations of schools and day care facilities attended
283 by the children of such personnel and members are exempt from s.
284 119.07(1) and s. 24(a), Art. I of the State Constitution.

285 u. The home addresses, telephone numbers, places of
286 employment, dates of birth, and photographs of current or former
287 staff and domestic violence advocates, as defined in s.
288 90.5036(1)(b), of domestic violence centers certified by the
289 Department of Children and Families under chapter 39; the names,
290 home addresses, telephone numbers, places of employment, dates

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of birth, and photographs of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

v. The home addresses, telephone numbers, dates of birth, and photographs of current or former inspectors or investigators of the Department of Agriculture and Consumer Services; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former inspectors or investigators; and the names and locations of schools and day care facilities attended by the children of current or former inspectors or investigators are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

w. The home addresses, telephone numbers, dates of birth, and photographs of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; and the names and locations of schools and day care facilities attended by the children of current county attorneys, assistant county attorneys, deputy county attorneys,

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city attorneys, assistant city attorneys, and deputy city attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to a county attorney, assistant county attorney, deputy county attorney, city attorney, assistant city attorney, or deputy city attorney who qualifies as a candidate for election to public office. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

x. The home addresses, telephone numbers, dates of birth, and photographs of current or former commissioners of the Florida Gaming Control Commission; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of such current or former commissioners; and the names and locations of schools and day care facilities attended by the children of such current or former commissioners are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

y. The home addresses, telephone numbers, dates of birth, and photographs of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current clerks of the circuit court, deputy clerks of the

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circuit court, and clerk of the circuit court personnel; and the names and locations of schools and day care facilities attended by the children of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

z.(I) As used in this sub-subparagraph, the term:

(A) "Congressional member" means a person who is elected to serve as a member of the United States House of Representatives or is elected or appointed to serve as a member of the United States Senate.

(B) "Partial home address" means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the partial home address, except for the city and zip code.

(C) "Public officer" means a person who holds one of the following offices: Governor, Lieutenant Governor, Chief Financial Officer, Attorney General, Agriculture Commissioner, state representative, state senator, property appraiser, supervisor of elections, school superintendent, school board member, mayor, city commissioner, or county commissioner.

(II) The following information is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

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(A) The partial home addresses of a current congressional member or public officer and his or her spouse or adult child.

(B) The telephone numbers of a current congressional member or public officer and his or her spouse or adult child.

(C) The name, home addresses, telephone numbers, and date of birth of a minor child of a current congressional member or public officer and the name and location of the school or day care facility attended by the minor child.

(III) This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

3.a. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. must maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written and notarized request for maintenance of the exemption to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt status.

b. An agency that is the custodian of information specified in sub-subparagraph 2.z. and that is not the employer of the congressional member, public officer, or other person specified in sub-subparagraph 2.z. must maintain the exempt status of that information only if an individual requests the maintenance of an exemption pursuant to sub-subparagraph 2.z. on the basis of

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eligibility as a current congressional member or public officer and his or her spouse or child submits, as part of the written and notarized request required by sub-subparagraph a., the date of the congressional member's or public officer's election or appointment to public office, the date on which that office is next subject to election, and, if applicable, the date on which the current congressional member's or public officer's minor child reaches the age of majority. The custodian must maintain an exemption granted pursuant to sub-subparagraph 2.z. until the qualifying conditions for the exemption no longer apply to the person subject to the exemption.

4.a. A county property appraiser, as defined in s. 192.001(3), or a county tax collector, as defined in s. 192.001(4), who receives a written and notarized request for maintenance of the exemption pursuant to subparagraph 3. must comply by removing the name of the individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exempt status from all publicly available records maintained by the property appraiser or tax collector. For written requests received on or before July 1, 2021, a county property appraiser or county tax collector must comply with this sub-subparagraph by October 1, 2021. A county property appraiser or county tax collector may not remove the street address, legal description, or other information identifying real property within the agency's records so long as a name or personal information otherwise exempt from inspection and copying pursuant to this section is not associated with the property or otherwise displayed in the public records of the agency.

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b. Any information restricted from public display, inspection, or copying under sub-subparagraph a. must be provided to the individual whose information was removed.

5. An officer, an employee, a justice, a judge, or other person specified in subparagraph 2. may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information.

6. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

7. Information made exempt under this paragraph may be disclosed pursuant to s. 28.2221 to a title insurer authorized pursuant to s. 624.401 and its affiliates as defined in s. 624.10; a title insurance agent or title insurance agency as defined in s. 626.841(1) or (2), respectively; or an attorney duly admitted to practice law in this state and in good standing with The Florida Bar.

8. The exempt status of a home address contained in the Official Records is maintained only during the period when a protected party resides at the dwelling location. Upon conveyance of real property after October 1, 2021, and when such real property no longer constitutes a protected party's home address as defined in sub-subparagraph 1.a., the protected party must submit a written request to release the removed information to the county recorder. The written request to release the

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removed information must be notarized, must confirm that a protected party's request for release is pursuant to a conveyance of his or her dwelling location, and must specify the Official Records book and page, instrument number, or clerk's file number for each document containing the information to be released.

9. Upon the death of a protected party as verified by a certified copy of a death certificate or court order, any party can request the county recorder to release a protected decedent's removed information unless there is a related request on file with the county recorder for continued removal of the decedent's information or unless such removal is otherwise prohibited by statute or by court order. The written request to release the removed information upon the death of a protected party must attach the certified copy of a death certificate or court order and must be notarized, must confirm the request for release is due to the death of a protected party, and must specify the Official Records book and page number, instrument number, or clerk's file number for each document containing the information to be released. A fee may not be charged for the release of any document pursuant to such request.

Section 2. Paragraph (c) of subsection (1) of section 744.21031, Florida Statutes, is amended to read:

744.21031 Public records exemption.—

(1) For purposes of this section, the term:

(c) "Telephone numbers" has the same meaning as provided in s. 119.071(4)(d)1.d. ~~s. 119.071(4)(d)1.e.~~

Section 3. The Legislature finds that it is a public necessity that the home addresses, dates of birth, and telephone

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numbers of current appellate court clerks; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such appellate court clerks; and the names and locations of schools and day care facilities attended by children of such appellate court clerks be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. While performing their duties to issue court orders, maintain case dockets, answer telephone calls, respond to correspondence, and interact with visitors to the courthouse, appellate court clerks may incur the ill will of litigants and their associates and families. As a result, current appellate court clerks and their spouses and children may be targets for acts of revenge. If such identifying and location information is released, the safety of current appellate court clerks and their spouses and children could be seriously jeopardized. For this reason, the Legislature finds that it is a public necessity that such information be made exempt from public records requirements.

Section 4. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 380

INTRODUCER: Senator Trumbull

SUBJECT: Legal Notices

DATE: December 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<u>Pre-meeting</u>
2. _____	_____	<u>CA</u>	_____
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 380 gives certain “governmental agencies” more control over where they publish advertisements and legal notices. Currently, a county, municipality, school board, or other unit of local government or political subdivision may publish advertisements and legal notices only in a local newspaper or on the official website of their county or other private website designated by the county. Under the bill, these governmental agencies, with the addition of the offices of clerks of the circuit court and the offices of tax collectors, have the option to publish advertisements and legal notices on their own official websites, a private website they designate, or in a local newspaper.

The bill retains the requirements of existing law that the advertisements and legal notices posted on a website be in a searchable format, indicate the date of publication, and be more cost effective than publishing them in a newspaper.

II. Present Situation:

Public Notice of Meetings

The State Constitution requires that all county, municipal, school district, or special district meetings be open and noticed to the public if official acts will be taken or if public business will be discussed or transacted. The State Constitution further authorizes the Legislature to enact laws that govern the enforcement of these provisions. The requirements for publishing legal notices and official advertisements are located in ch. 50, F.S.

Publication of Legal Notices and Advertisements

Prior to 2023, legal notices and advertisements were required by statute to be published in local newspapers. However, the Legislature enacted legislation that took effect on January 1, 2023,

which permitted certain governmental agencies the option to publish those items on its county's official website or another website designated by the county.

These advertisements, for example, include the notices that a tax collector must publish in a local newspaper on November 1 or soon thereafter, stating that the tax roll is open for collection.¹ Once personal property taxes become delinquent, a tax collector must publish a list of the delinquent tax payers and the amount due.² A tax collector must also advertise the sale of tax certificates on real property which has delinquent taxes due. The advertisements for the sale of tax certificates must be placed in a newspaper once a week for 3 weeks.³

Definitions and Key Provisions of Existing Law

The term “governmental agency,” for purposes of ch. 50, F.S., “means a county, municipality, school board, or other unit of local government or political subdivision in the state.” If a governmental agency is authorized by ch. 50, F.S., to publish an advertisement or legal notice on a website instead of a newspaper, the website must be a “publicly accessible website.” These websites are limited to a county's official website or other private website that the county has designated for publishing legal notices and advertisements. It must be Internet accessible. The advertisements and legal notices posted there must be in searchable form and indicate the date when the advertisement or public notice was first published on the website. However, the cost of publishing advertisements and legal notices that may be posted on a website must be less than the cost of publishing those items in a newspaper.

III. Effect of Proposed Changes:

The bill grants a governmental agency, which is defined under existing law to include “a county, municipality, school board, or other unit of local government or political subdivision in this state” more control over where they are allowed to publish advertisements and legal notices. Additionally, the definition of governmental agency is expanded to expressly include the offices of the clerk of the circuit court and the tax collector. These offices are also granted by the bill the option to publish advertisements and legal notices on their own official websites, on a private website they designate, or in a local newspaper. As a result of the bill, governmental agencies are no longer limited to publishing advertisements and legal notices on their county's website or a private website designated by the county.

The bill keeps the existing law requirements that the advertisements and legal notices be posted on a website in a searchable form, indicate the date when the items were first published, and cost less than it would cost to publish the items in a newspaper.

The bill takes effect July 1, 2026.

¹ Section 197.322(2), F.S.

² Section 197.402(2), F.S.

³ Section 197.402(3), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Newspapers will lose advertising revenue to the extent that the bill shifts advertisements and legal notices away from newspapers to governmental agency websites. However, the shift of the publication of advertisements and legal notices from one public website to another will not affect newspaper revenue.

C. Government Sector Impact:

The bill may shift advertisements and legal notices away from county websites to the official websites of smaller units of government. Any county revenue generated from the use of their websites by other units of government will be reduced accordingly.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Legislature may wish to revise the bill to clarify or specify how long an advertisement or legal notice must appear on a website if, for example, it must otherwise be published in a newspaper once a week for 3 consecutive weeks.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 50.0311, 11.02, 45.031, 50.011, 90.902, 120.81, 121.055, 162.12, 190.005, 200.065, 849.38, 1001.372, and 1011.03.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Trumbull) recommended the following:

Senate Amendment (with title amendment)

Delete lines 32 - 56

and insert:

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

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

(1) For purposes of this chapter, the term:

(a) "Governmental agency" means a county, ~~municipality,~~ school board, special governmental agency, or other unit of



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local government or political subdivision in this state.

(b) "Special governmental agency" means a municipality, the office of the clerk of the circuit court, or the office of the tax collector.

(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 by a special governmental agency, the term includes the official website of the special governmental agency's county, a private website designated by the county, the special governmental agency's official website, or a private website designated by the special governmental agency.

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

(4) Any legal notice or advertisement that may be published on the official website of a governmental agency or the official website of a special governmental agency or on a designated private website must, unless otherwise specified by law, be published continuously for at least 2 weeks when the purpose is to provide notice of the status of a government activity or be published continuously from the date of initial publication through the date of the proposed event or activity.

(5)(3) A governmental agency may use the publicly accessible website of the county in which it lies to publish



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legally required advertisements and public notices if the cost of publishing advertisements and public notices on such website is less than the cost of publishing advertisements and public notices in a newspaper.

(6)(4) A governmental agency having ~~with~~ at least 75 percent of its population located within a county having ~~with~~ a population of less ~~fewer~~ than 160,000 or a special governmental agency that is located within a county having a population of less than 160,000 may use a publicly accessible website to publish legally required advertisements and public notices only if the governing body of the governmental agency, at a public hearing that has been noticed in a newspaper as provided in this chapter, determines that the residents of the governmental agency have sufficient access to the Internet by broadband service, as defined in s. 364.02, or by any other means, such that publishing advertisements and public notices on a publicly accessible website will not unreasonably restrict public access.

(7)(5) A special district spanning the geographic boundaries of more than one county that satisfies the criteria for publishing and publishes ~~chooses to publish~~ legally required advertisements and public notices on a publicly accessible website must publish such advertisements and public notices on the publicly accessible website of each county it spans. For purposes of this subsection, the term "special district" has the same meaning as in s. 189.012.

(8)(6) A governmental agency or special governmental agency that uses a publicly accessible website to publish legally required advertisements and public notices must ~~shall~~ provide notice at least once per year in a newspaper of general



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circulation or another publication that is mailed or delivered to all residents and property owners throughout the government's jurisdiction, indicating that property owners and residents may receive legally required advertisements and public notices from the governmental agency by first-class mail or e-mail upon registering their name and address or e-mail address with the governmental agency. The governmental agency must ~~shall~~ maintain a registry of names, addresses, and e-mail addresses of property owners and residents who have requested in writing that they receive legally required advertisements and public notices from the governmental agency by first-class mail or e-mail.

(9)~~(7)~~ A link to advertisements and public notices published on a publicly accessible website must ~~shall~~ be conspicuously placed:

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

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

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

(11)~~(9)~~ A public bid advertisement made by a governmental agency or special governmental agency on a publicly accessible website must include a method to accept electronic bids.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 3 - 8

and insert:

F.S.; revising the definition of the term
"governmental agency"; defining the term "special
governmental agency"; revising the definition of the
term "publicly accessible website"; requiring
governmental agencies and special governmental
agencies to publish a legal notice for a specified
timeframe when the notice is for a specified purpose
and provided under a certain circumstance; authorizing
certain special governmental agencies to use a
publicly accessible website to publish certain
advertisements and legal notices under specified
conditions; requiring special governmental agencies to
provide notice at least once per year in specified
publications under certain conditions; requiring a
public bid advertisement made by special governmental
agency to include a method to accept electronic bids;

By Senator Trumbull

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1 A bill to be entitled
 2 An act relating to legal notices; amending s. 50.0311,
 3 F.S.; revising the definition of the terms
 4 "governmental agency" and "publicly accessible
 5 website"; authorizing a governmental agency to use its
 6 own publicly accessible website or the publicly
 7 accessible website of the county in which it lies to
 8 publish specified advertisements and notices;
 9 reenacting ss. 11.02, 45.031(2), 50.011(2),
 10 90.902(12), 120.81(1)(d), 121.055(1)(b) and (h),
 11 162.12(2)(a), 190.005(1)(d), 200.065(2)(f), 849.38(5),
 12 1001.372(2)(c), and 1011.03(1), F.S., relating to
 13 notice of special or local legislation or certain
 14 relief acts, publication of certain notice for a
 15 certain judicial sales procedure, publication of legal
 16 notices, self-authentication of certain legal notices,
 17 exceptions and special requirements of rules regarding
 18 educational units, notice regarding positions to be
 19 included in the Senior Management Service Class,
 20 notices issued by local government code enforcement
 21 boards, establishment of certain community development
 22 districts, notices regarding district school board
 23 budgets, citations regarding proceedings for
 24 forfeiture of property, due public notice for district
 25 school board meetings, and notice for public budget
 26 hearings of the district school board, respectively,
 27 to incorporate the amendment made to s. 50.0311, F.S.,
 28 in references thereto; providing an effective date.
 29

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

31
 32 Section 1. Subsections (1), (2), and (3) of section
 33 50.0311, Florida Statutes, are amended to read:

34 50.0311 Publication of advertisements and public notices on
 35 a publicly accessible website and governmental access channels.—

36 (1) For purposes of this chapter, the term "governmental
 37 agency" means a county, municipality, school board, clerk of the
 38 circuit court, tax collector, or other unit of local government
 39 or political subdivision in this state.

40 (2) For purposes of notices and advertisements required
 41 under s. 50.011, the term "publicly accessible website" means a
 42 governmental agency's ~~county's~~ official website or other private
 43 website designated by the governmental agency ~~county~~ for the
 44 publication of legal notices and advertisements that is
 45 accessible via the Internet. All advertisements and public
 46 notices published on a website as provided in this chapter must
 47 be in searchable form and indicate the date on which the
 48 advertisement or public notice was first published on the
 49 website.

50 (3) A governmental agency may use its own ~~the~~ publicly
 51 accessible website or the publicly accessible website of the
 52 county in which it lies to publish legally required
 53 advertisements and public notices if the cost of publishing
 54 advertisements and public notices on such website is less than
 55 the cost of publishing advertisements and public notices in a
 56 newspaper.

57 Section 2. For the purpose of incorporating the amendment
 58 made by this act to section 50.0311, Florida Statutes, in a

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reference thereto, section 11.02, Florida Statutes, is reenacted to read:

11.02 Notice of special or local legislation or certain relief acts.—The notice required to obtain special or local legislation or any relief act specified in s. 11.065 shall be by publishing the identical notice as provided in chapter 50 or circulated throughout the county or counties where the matter or thing to be affected by such legislation shall be situated one time at least 30 days before introduction of the proposed law into the Legislature or, if the notice is not published on a publicly accessible website as provided in s. 50.0311 and there is no newspaper circulated throughout or published in the county, by posting for at least 30 days at not fewer than three public places in the county or each of the counties, one of which places shall be at the courthouse in the county or counties where the matter or thing to be affected by such legislation shall be situated. Notice of special or local legislation shall state the substance of the contemplated law, as required by s. 10, Art. III of the State Constitution. Notice of any relief act specified in s. 11.065 shall state the name of the claimant, the nature of the injury or loss for which the claim is made, and the amount of the claim against the affected municipality's revenue-sharing trust fund.

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

45.031 Judicial sales procedure.—In any sale of real or personal property under an order or judgment, the procedures

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provided in this section and ss. 45.0315-45.035 may be followed as an alternative to any other sale procedure if so ordered by the court.

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

(a) A description of the property to be sold.

(b) The time and place of sale.

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

(d) The caption of the action.

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

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

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

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

50.011 Publication of legal notices.—Whenever by statute an

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official or legal advertisement or a publication or notice in a newspaper or on a governmental agency website has been or is directed or permitted in the nature of or in lieu of process, or for constructive service, or in initiating, assuming, reviewing, exercising, or enforcing jurisdiction or power, or for any purpose, including all legal notices and advertisements of sheriffs and tax collectors, such legislation, whether existing or repealed, means either of the following:

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

Section 5. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (12) of section 90.902, Florida Statutes, is reenacted to read:

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

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

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

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(d) Notwithstanding any other provision of this chapter, educational units shall not be required to include the full text

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of the rule or rule amendment in notices relating to rules and need not publish these or other notices in the Florida Administrative Register, but notice shall be made:

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

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

3. By posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.

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

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

(1)

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

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

b. Up to 10 nonelective full-time positions may be designated for each local agency employer reporting to the department; for local agencies with 100 or more regularly established positions, additional nonelective full-time positions may be designated, not to exceed 1 percent of the regularly established positions within the agency.

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

(I) Heads an organizational unit; or

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

2. In lieu of participation in the Senior Management Service Class, members of the Senior Management Service Class, pursuant to subparagraph 1., may withdraw from the Florida Retirement System altogether. The decision to withdraw from the system is irrevocable as long as the employee holds the position. Any service creditable under the Senior Management Service Class shall be retained after the member withdraws from

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the system; however, additional service credit in the Senior Management Service Class may not be earned after such withdrawal. Such members are not eligible to participate in the Senior Management Service Optional Annuity Program.

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

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

b. If the employee elects to participate in the pension plan, the employee shall, upon payment to the system trust fund of the amount calculated under sub-sub-subparagraph (I), receive service credit for prior service based upon the time during which the employee had withdrawn from the system.

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

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

(h)1. Except as provided in subparagraph 3., effective January 1, 1994, participation in the Senior Management Service Class shall be compulsory for the State Courts Administrator and the Deputy State Courts Administrators, the Clerk of the Supreme Court, the Marshal of the Supreme Court, the Executive Director of the Justice Administrative Commission, the capital collateral regional counsel, the clerks of the district courts of appeals, the marshals of the district courts of appeals, and the trial court administrator and the Chief Deputy Court Administrator in each judicial circuit. Effective January 1, 1994, additional positions in the offices of the state attorney and public defender in each judicial circuit may be designated for inclusion in the Senior Management Service Class of the Florida Retirement System, provided that:

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

b. One nonelective full-time position may be designated for each state attorney and public defender reporting to the

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Department of Management Services; for agencies with 200 or more regularly established positions under the state attorney or public defender, additional nonelective full-time positions may be designated, not to exceed 0.5 percent of the regularly established positions within the agency.

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

(I) Heads an organizational unit; or

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

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

3. In lieu of participation in the Senior Management Service Class, such members, excluding assistant state attorneys, assistant public defenders, assistant statewide prosecutors, assistant attorneys general, and assistant capital collateral regional counsel, may participate in the Senior

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291 Management Service Optional Annuity Program as established in
292 subsection (6).

293 Section 8. For the purpose of incorporating the amendment
294 made by this act to section 50.0311, Florida Statutes, in a
295 reference thereto, paragraph (a) of subsection (2) of section
296 162.12, Florida Statutes, is reenacted to read:

297 162.12 Notices.—

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

302 (a)1. Such notice shall be published in print in a
303 newspaper or on a publicly accessible website as provided in s.
304 50.0311 for 4 consecutive weeks. If published in print, the
305 notice shall be published once during each week for 4
306 consecutive weeks (four publications being sufficient) in a
307 newspaper in the county where the code enforcement board is
308 located. The newspaper shall meet such requirements as are
309 prescribed under chapter 50 for legal and official
310 advertisements.

311 2. Proof of publication shall be made as provided in ss.
312 50.041 and 50.051.

313 Section 9. For the purpose of incorporating the amendment
314 made by this act to section 50.0311, Florida Statutes, in a
315 reference thereto, paragraph (d) of subsection (1) of section
316 190.005, Florida Statutes, is reenacted to read:

317 190.005 Establishment of district.—

318 (1) The exclusive and uniform method for the establishment
319 of a community development district with a size of 2,500 acres

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320 or more shall be pursuant to a rule, adopted under chapter 120
321 by the Florida Land and Water Adjudicatory Commission, granting
322 a petition for the establishment of a community development
323 district.

324 (d) A local public hearing on the petition shall be
325 conducted by a hearing officer in conformance with the
326 applicable requirements and procedures of the Administrative
327 Procedure Act. The hearing shall include oral and written
328 comments on the petition pertinent to the factors specified in
329 paragraph (e). The hearing shall be held at an accessible
330 location in the county in which the community development
331 district is to be located. The petitioner shall cause a notice
332 of the hearing to be published for 4 successive weeks on a
333 publicly accessible website as provided in s. 50.0311 or, if
334 published in print, in a newspaper at least once a week for the
335 4 successive weeks immediately prior to the hearing as provided
336 in chapter 50. Such notice shall give the time and place for the
337 hearing, a description of the area to be included in the
338 district, which description shall include a map showing clearly
339 the area to be covered by the district, and any other relevant
340 information which the establishing governing bodies may require.
341 If published in the print edition of a newspaper, the
342 advertisement may not be placed in the portion of the newspaper
343 where legal notices and classified advertisements appear. The
344 advertisement must be published in a newspaper in the county and
345 of general interest and readership in the community pursuant to
346 chapter 50. Whenever possible, the advertisement shall appear in
347 a newspaper that is published at least weekly, unless the only
348 newspaper in the community is published less than weekly. If the

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notice is published in the print edition of the newspaper, the map must also be included in any online advertisement pursuant to s. 50.0211. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

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

200.065 Method of fixing millage.—

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

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget on a publicly accessible website pursuant to s. 50.0311 or in a newspaper of general circulation pursuant to subsection (3) within 29 days after certification of value pursuant to subsection (1). For the purpose of this paragraph, the term "publicly accessible website" includes a district school board's official website if the school board website satisfies the remaining requirements of s. 50.0311. Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7

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days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website if the district school board uses a different method of advertisement.

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

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

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

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

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(5) If the value of the property seized is shown by the sheriff's return to have an appraised value of \$1,000 or less, the above citation shall be served by posting at three public places in the county, one of which shall be the front door of the courthouse; if the value of the property is shown by the sheriff's return to have an approximate value of more than \$1,000, the citation shall be published by print or posted for at least 2 consecutive weeks on a publicly accessible website as provided in s. 50.0311. If published in print, the citation shall appear at least once each week for 2 consecutive weeks in a newspaper qualified to publish legal notices under chapter 50 that is published in the county, if there is such a newspaper published in the county. If there is no such newspaper, the notice of such publication shall be made by certificate of the clerk if publication is made by posting, and by affidavit as provided in chapter 50, if made by publication as provided in chapter 50, which affidavit or certificate shall be filed and become a part of the record in the cause. Failure of the record to show proof of such publication shall not affect any judgment made in the cause unless it shall affirmatively appear that no such publication was made.

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

1001.372 District school board meetings.—

(2) PLACE OF MEETINGS.—

(c) For the purpose of this section, due public notice shall consist of, at least 2 days prior to the meeting:

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continuous publication on a publicly accessible website as provided in s. 50.0311 or the official district school board website; publication in a newspaper of general circulation in the county, or in each county where there is no newspaper of general circulation in the county, an announcement over at least one radio station whose signal is generally received in the county, a reasonable number of times daily during the 48 hours immediately preceding the date of such meeting; or posting a notice at the courthouse door if no newspaper is published in the county.

Section 13. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (1) of section 1011.03, Florida Statutes, is reenacted to read:

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

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

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

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