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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2012	.	
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	.	
	.	

The Committee on Judiciary (Richter) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 50.0211, Florida Statutes, is created to
read:

50.0211 Internet website publication.-

(1) This section applies to legal notices that must be
published in accordance with this chapter unless otherwise
specified.

(2) Each legal notice must be placed on the newspaper's
website on the same day the notice appears in the newspaper, at
no additional charge. A link to legal notices shall be provided



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14 on the front page of the newspaper's website that provides
15 access to the legal notices without charge. If there is a
16 specified size and placement required for a printed legal
17 notice, the size and placement of the notice on the newspaper's
18 website should optimize its online visibility in keeping with
19 the print requirements. The newspaper's web pages that contain
20 legal notices shall present the legal notices as the dominant
21 subject matter of those pages. The newspaper's website shall
22 contain a search function to facilitate searching the legal
23 notices. This subsection shall take effect July 1, 2013.

24 (3) If a legal notice is published in a newspaper, the
25 newspaper publishing the notice shall place the notice on the
26 website established and maintained as an initiative of the
27 Florida Press Association as a repository for such notices
28 located at the following address: www.floridapublicnotices.com.

29 (4) Newspapers that publish legal notices shall, upon
30 request, provide e-mail notification of new legal notices when
31 they are printed in the newspaper and added to the newspaper's
32 website. Such e-mail notification shall be provided without
33 charge and notification for such an e-mail registry shall be
34 available on the front page of the legal notices section of the
35 newspaper's website. This subsection shall take effect July 1,
36 2013.

37 (5) An error in the notice placed on the newspaper or
38 statewide website shall be considered a harmless error and
39 proper legal notice requirements shall be considered met if the
40 notice published in the newspaper is correct.

41 Section 2. Subsection (2) of section 50.041, Florida
42 Statutes, is amended to read:



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43 50.041 Proof of publication; uniform affidavits required.-

44 (2) Each such affidavit shall be printed upon white ~~bond~~
45 paper ~~containing at least 25 percent rag material~~ and shall be 8
46 1/2 inches in width and of convenient length, not less than 5
47 1/2 inches. A white margin of not less than 2 1/2 inches shall
48 be left at the right side of each affidavit form and upon or in
49 this space shall be substantially pasted a clipping which shall
50 be a true copy of the public notice or legal advertisement for
51 which proof is executed. Alternatively, the affidavit may be
52 provided in electronic rather than paper form, provided the
53 notarization of the affidavit complies with the requirements of
54 s. 117.021.

55 Section 3. Section 50.061, Florida Statutes, is amended to
56 read:

57 50.061 Amounts chargeable.-

58 (1) The publisher of any newspaper publishing any and all
59 official public notices or legal advertisements shall charge
60 therefor the rates specified in this section without rebate,
61 commission or refund.

62 (2) The charge for publishing each such official public
63 notice or legal advertisement shall be 70 cents per square inch
64 for the first insertion and 40 cents per square inch for each
65 subsequent insertion, except that government notices required to
66 be published more than once whose cost is paid for by the
67 government and not paid in advance by or allowed to be recouped
68 from private parties may not be charged for the second and
69 successive insertions at a rate greater than 85 percent of the
70 original rate.†

71 ~~(a) In all counties having a population of more than~~



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72 ~~304,000 according to the latest official decennial census, the~~
73 ~~charge for publishing each such official public notice or legal~~
74 ~~advertisement shall be 80 cents per square inch for the first~~
75 ~~insertion and 60 cents per square inch for each subsequent~~
76 ~~insertion.~~

77 ~~(b) In all counties having a population of more than~~
78 ~~450,000 according to the latest official decennial census, the~~
79 ~~charge for publishing each such official public notice or legal~~
80 ~~advertisement shall be 95 cents per square inch for the first~~
81 ~~insertion and 75 cents per square inch for each subsequent~~
82 ~~insertion.~~

83 (3) Where the regular established minimum commercial rate
84 per square inch of the newspaper publishing such official public
85 notices or legal advertisements is in excess of the rate herein
86 stipulated, said minimum commercial rate per square inch may be
87 charged for all such legal advertisements or official public
88 notices for each insertion, except that government notices
89 required to be published more than once whose cost is paid for
90 by the government and not paid in advance by or allowed to be
91 recouped from private parties may not be charged for the second
92 and successive insertions at a rate greater than 85 percent of
93 the original rate.

94 (4) A governmental agency publishing an official public
95 notice or legal advertisement may procure publication by
96 soliciting and accepting written bids from newspapers published
97 in the county, in which case the specified charges in this
98 section do not apply.

99 (5) If the public notice is published in a newspaper, the
100 posting of the notice on the newspaper's website pursuant to s.



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101 50.0211(2) must be done at no additional charge.

102 (6)~~(4)~~ All official public notices and legal advertisements
103 shall be charged and paid for on the basis of 6-point type on 6-
104 point body, unless otherwise specified by statute.

105 (7)~~(5)~~ Any person violating a ~~provision of~~ this section,
106 either by allowing or accepting any rebate, commission, or
107 refund, commits a misdemeanor of the second degree, punishable
108 as provided in s. 775.082 or s. 775.083.

109 (8)~~(6)~~ Failure to charge the rates prescribed by this
110 section shall in no way affect the validity of any official
111 public notice or legal advertisement and shall not subject same
112 to legal attack upon such grounds.

113 Section 4. Paragraph (b) of subsection (4) of section
114 125.66, Florida Statutes, is amended to read:

115 125.66 Ordinances; enactment procedure; emergency
116 ordinances; rezoning or change of land use ordinances or
117 resolutions.-

118 (4) Ordinances or resolutions, initiated by other than the
119 county, that change the actual zoning map designation of a
120 parcel or parcels of land shall be enacted pursuant to
121 subsection (2). Ordinances or resolutions that change the actual
122 list of permitted, conditional, or prohibited uses within a
123 zoning category, or ordinances or resolutions initiated by the
124 county that change the actual zoning map designation of a parcel
125 or parcels of land shall be enacted pursuant to the following
126 procedure:

127 (b) In cases in which the proposed ordinance or resolution
128 changes the actual list of permitted, conditional, or prohibited
129 uses within a zoning category, or changes the actual zoning map



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130 designation of a parcel or parcels of land involving 10
131 contiguous acres or more, the board of county commissioners
132 shall provide for public notice and hearings as follows:

133 1. The board of county commissioners shall hold two
134 advertised public hearings on the proposed ordinance or
135 resolution. At least one hearing shall be held after 5 p.m. on a
136 weekday, unless the board of county commissioners, by a majority
137 plus one vote, elects to conduct that hearing at another time of
138 day. The first public hearing shall be held at least 7 days
139 after the day that the first advertisement is published. The
140 second hearing shall be held at least 10 days after the first
141 hearing and shall be advertised at least 5 days prior to the
142 public hearing.

143 2. The required advertisements shall be no less than 2
144 columns wide by 10 inches long in a standard size or a tabloid
145 size newspaper, and the headline in the advertisement shall be
146 in a type no smaller than 18 point. The advertisement shall not
147 be placed in that portion of the newspaper where legal notices
148 and classified advertisements appear. The advertisement shall be
149 placed in a newspaper of general paid circulation in the county
150 and of general interest and readership in the community pursuant
151 to chapter 50, not one of limited subject matter. It is the
152 legislative intent that, whenever possible, the advertisement
153 shall appear in a newspaper that is published at least 5 days a
154 week unless the only newspaper in the community is published
155 less than 5 days a week. The advertisement shall be in
156 substantially the following form:

157
158 NOTICE OF (TYPE OF) CHANGE



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159
160 The ...(name of local governmental unit)... proposes to
161 adopt the following by ordinance or resolution:...(title of
162 ordinance or resolution)....

163
164 A public hearing on the ordinance or resolution will be
165 held on ...(date and time)... at ...(meeting place)....

166
167 Except for amendments which change the actual list of permitted,
168 conditional, or prohibited uses within a zoning category, the
169 advertisement shall contain a geographic location map which
170 clearly indicates the area within the local government covered
171 by the proposed ordinance or resolution. The map shall include
172 major street names as a means of identification of the general
173 area. In addition to being published in the newspaper, the map
174 must be part of the online notice required pursuant to s.
175 50.0211.

176 3. In lieu of publishing the advertisements set out in this
177 paragraph, the board of county commissioners may mail a notice
178 to each person owning real property within the area covered by
179 the ordinance or resolution. Such notice shall clearly explain
180 the proposed ordinance or resolution and shall notify the person
181 of the time, place, and location of both public hearings on the
182 proposed ordinance or resolution.

183 Section 5. Paragraph (c) of subsection (3) of section
184 166.041, Florida Statutes, is amended to read:

185 166.041 Procedures for adoption of ordinances and
186 resolutions.-

187 (3)



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188 (c) Ordinances initiated by other than the municipality
189 that change the actual zoning map designation of a parcel or
190 parcels of land shall be enacted pursuant to paragraph (a).
191 Ordinances that change the actual list of permitted,
192 conditional, or prohibited uses within a zoning category, or
193 ordinances initiated by the municipality that change the actual
194 zoning map designation of a parcel or parcels of land shall be
195 enacted pursuant to the following procedure:

196 1. In cases in which the proposed ordinance changes the
197 actual zoning map designation for a parcel or parcels of land
198 involving less than 10 contiguous acres, the governing body
199 shall direct the clerk of the governing body to notify by mail
200 each real property owner whose land the municipality will
201 redesignate by enactment of the ordinance and whose address is
202 known by reference to the latest ad valorem tax records. The
203 notice shall state the substance of the proposed ordinance as it
204 affects that property owner and shall set a time and place for
205 one or more public hearings on such ordinance. Such notice shall
206 be given at least 30 days prior to the date set for the public
207 hearing, and a copy of the notice shall be kept available for
208 public inspection during the regular business hours of the
209 office of the clerk of the governing body. The governing body
210 shall hold a public hearing on the proposed ordinance and may,
211 upon the conclusion of the hearing, immediately adopt the
212 ordinance.

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



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217 more, the governing body shall provide for public notice and
218 hearings as follows:

219 a. The local governing body shall hold two advertised
220 public hearings on the proposed ordinance. At least one hearing
221 shall be held after 5 p.m. on a weekday, unless the local
222 governing body, by a majority plus one vote, elects to conduct
223 that hearing at another time of day. The first public hearing
224 shall be held at least 7 days after the day that the first
225 advertisement is published. The second hearing shall be held at
226 least 10 days after the first hearing and shall be advertised at
227 least 5 days prior to the public hearing.

228 b. The required advertisements shall be no less than 2
229 columns wide by 10 inches long in a standard size or a tabloid
230 size newspaper, and the headline in the advertisement shall be
231 in a type no smaller than 18 point. The advertisement shall not
232 be placed in that portion of the newspaper where legal notices
233 and classified advertisements appear. The advertisement shall be
234 placed in a newspaper of general paid circulation in the
235 municipality and of general interest and readership in the
236 municipality, not one of limited subject matter, pursuant to
237 chapter 50. It is the legislative intent that, whenever
238 possible, the advertisement appear in a newspaper that is
239 published at least 5 days a week unless the only newspaper in
240 the municipality is published less than 5 days a week. The
241 advertisement shall be in substantially the following form:

242
243 NOTICE OF (TYPE OF) CHANGE

244
245 The ...(name of local governmental unit)... proposes to



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246 adopt the following ordinance:... (title of the ordinance)....

247

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

250

251 Except for amendments which change the actual list of permitted,
252 conditional, or prohibited uses within a zoning category, the
253 advertisement shall contain a geographic location map which
254 clearly indicates the area covered by the proposed ordinance.
255 The map shall include major street names as a means of
256 identification of the general area. In addition to being
257 published in the newspaper, the map must be part of the online
258 notice required pursuant to s. 50.0211.

259 c. In lieu of publishing the advertisement set out in this
260 paragraph, the municipality may mail a notice to each person
261 owning real property within the area covered by the ordinance.
262 Such notice shall clearly explain the proposed ordinance and
263 shall notify the person of the time, place, and location of any
264 public hearing on the proposed ordinance.

265 Section 6. Paragraph (d) of subsection (1) of section
266 190.005, Florida Statutes, is amended to read:

267 190.005 Establishment of district.—

268 (1) The exclusive and uniform method for the establishment
269 of a community development district with a size of 1,000 acres
270 or more shall be pursuant to a rule, adopted under chapter 120
271 by the Florida Land and Water Adjudicatory Commission, granting
272 a petition for the establishment of a community development
273 district.

274 (d) A local public hearing on the petition shall be



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275 conducted by a hearing officer in conformance with the
276 applicable requirements and procedures of the Administrative
277 Procedure Act. The hearing shall include oral and written
278 comments on the petition pertinent to the factors specified in
279 paragraph (e). The hearing shall be held at an accessible
280 location in the county in which the community development
281 district is to be located. The petitioner shall cause a notice
282 of the hearing to be published in a newspaper at least once a
283 week for the 4 successive weeks immediately prior to the
284 hearing. Such notice shall give the time and place for the
285 hearing, a description of the area to be included in the
286 district, which description shall include a map showing clearly
287 the area to be covered by the district, and any other relevant
288 information which the establishing governing bodies may require.
289 The advertisement shall not be placed in that portion of the
290 newspaper where legal notices and classified advertisements
291 appear. The advertisement shall be published in a newspaper of
292 general paid circulation in the county and of general interest
293 and readership in the community, not one of limited subject
294 matter, pursuant to chapter 50. Whenever possible, the
295 advertisement shall appear in a newspaper that is published at
296 least 5 days a week, unless the only newspaper in the community
297 is published fewer than 5 days a week. In addition to being
298 published in the newspaper, the map referenced above must be
299 part of the online advertisement required pursuant to s.
300 50.0211. All affected units of general-purpose local government
301 and the general public shall be given an opportunity to appear
302 at the hearing and present oral or written comments on the
303 petition.



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304 Section 7. Paragraph (h) of subsection (3) of section
305 200.065, Florida Statutes, is amended to read:

306 200.065 Method of fixing millage.—

307 (3) The advertisement shall be no less than one-quarter
308 page in size of a standard size or a tabloid size newspaper, and
309 the headline in the advertisement shall be in a type no smaller
310 than 18 point. The advertisement shall not be placed in that
311 portion of the newspaper where legal notices and classified
312 advertisements appear. The advertisement shall be published in a
313 newspaper of general paid circulation in the county or in a
314 geographically limited insert of such newspaper. The geographic
315 boundaries in which such insert is circulated shall include the
316 geographic boundaries of the taxing authority. It is the
317 legislative intent that, whenever possible, the advertisement
318 appear in a newspaper that is published at least 5 days a week
319 unless the only newspaper in the county is published less than 5
320 days a week, or that the advertisement appear in a
321 geographically limited insert of such newspaper which insert is
322 published throughout the taxing authority's jurisdiction at
323 least twice each week. It is further the legislative intent that
324 the newspaper selected be one of general interest and readership
325 in the community and not one of limited subject matter, pursuant
326 to chapter 50.

327 (h) In no event shall any taxing authority add to or delete
328 from the language of the advertisements as specified herein
329 unless expressly authorized by law, except that, if an increase
330 in ad valorem tax rates will affect only a portion of the
331 jurisdiction of a taxing authority, advertisements may include a
332 map or geographical description of the area to be affected and



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333 the proposed use of the tax revenues under consideration. In
334 addition, if published in the newspaper, the map must be part of
335 the online advertisement required by s. 50.0211. The
336 advertisements required herein shall not be accompanied,
337 preceded, or followed by other advertising or notices which
338 conflict with or modify the substantive content prescribed
339 herein.

340 Section 8. Subsection (2) of section 17.325, Florida
341 Statutes, is amended to read:

342 17.325 Governmental efficiency hotline; duties of Chief
343 Financial Officer.—

344 (2) The Chief Financial Officer shall operate the hotline
345 24 hours a day. The Chief Financial Officer may ~~shall~~ advertise
346 the availability of the hotline in newspapers of general
347 circulation in this state and shall provide for the posting of
348 notices in conspicuous places in state agency offices, city
349 halls, county courthouses, and places in which there is exposure
350 to significant numbers of the general public, including, but not
351 limited to, local convenience stores, shopping malls, shopping
352 centers, gasoline stations, or restaurants. The Chief Financial
353 Officer shall use the slogan "Tell us where we can 'Get Lean'"
354 for the hotline and in advertisements for the hotline.

355 Section 9. Paragraph (b) of subsection (5) of section
356 215.68, Florida Statutes, is amended to read:

357 215.68 Issuance of bonds; form; maturity date, execution,
358 sale.—

359 (5)

360 (b) All of such bonds shall be sold at public sale at such
361 place or places within the state as the board shall determine to



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362 receive proposals for the purchase of such bonds. Notice of such
363 sale shall be provided at such time ~~published at least once at~~
364 ~~least 10 days prior to the date of sale in one or more~~
365 ~~newspapers or financial journals published within or without the~~
366 ~~state~~ and shall contain such terms as the board shall deem
367 advisable and proper under the circumstances; provided, that if
368 no bids are received at the time and place called for by such
369 notice of sale, or if all bids received are rejected, such bonds
370 may again be offered for public sale by competitive bid or
371 negotiated sale, as provided herein, upon a shorter period of
372 reasonable notice provided for by resolution of the board.
373 However, unless the State Constitution specifically requires the
374 public sale by competitive bid of such bonds, the division may,
375 by resolution adopted at a public meeting, determine that a
376 negotiated sale of such bonds is in the best interest of the
377 issuer, and may negotiate for sale of such bonds to any
378 underwriter designated by the division.

379 1. In the resolution authorizing the negotiated sale, the
380 division shall provide specific findings as to the reasons
381 requiring the negotiated sale.

382 2. A resolution authorizing a negotiated bond sale may be
383 the same resolution as that authorizing the issuance of such
384 bonds.

385 Section 10. Subsection (5) of section 120.60, Florida
386 Statutes, is amended to read:

387 120.60 Licensing.—

388 (5) No revocation, suspension, annulment, or withdrawal of
389 any license is lawful unless, prior to the entry of a final
390 order, the agency has served, by personal service or certified



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391 mail, an administrative complaint which affords reasonable
392 notice to the licensee of facts or conduct which warrant the
393 intended action and unless the licensee has been given an
394 adequate opportunity to request a proceeding pursuant to ss.
395 120.569 and 120.57. When personal service cannot be made and the
396 certified mail notice is returned undelivered, the agency shall
397 cause a short, plain notice to the licensee to be published once
398 each week for 4 consecutive weeks in a newspaper published in
399 the county of the licensee's last known address as it appears on
400 the records of the agency. If no newspaper is published in that
401 county, the notice may be published in a newspaper of general
402 circulation in that county. ~~If the address is in some state
403 other than this state or in a foreign territory or country, the
404 notice may be published in Leon County.~~

405 Section 11. Paragraph (d) of subsection (6) of section
406 215.555, Florida Statutes, is amended to read:

407 215.555 Florida Hurricane Catastrophe Fund.—

408 (6) REVENUE BONDS.—

409 (d) *Florida Hurricane Catastrophe Fund Finance*
410 *Corporation.*—

411 1. In addition to the findings and declarations in
412 subsection (1), the Legislature also finds and declares that:

413 a. The public benefits corporation created under this
414 paragraph will provide a mechanism necessary for the cost-
415 effective and efficient issuance of bonds. This mechanism will
416 eliminate unnecessary costs in the bond issuance process,
417 thereby increasing the amounts available to pay reimbursement
418 for losses to property sustained as a result of hurricane
419 damage.



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420 b. The purpose of such bonds is to fund reimbursements
421 through the Florida Hurricane Catastrophe Fund to pay for the
422 costs of construction, reconstruction, repair, restoration, and
423 other costs associated with damage to properties of
424 policyholders of covered policies due to the occurrence of a
425 hurricane.

426 c. The efficacy of the financing mechanism will be enhanced
427 by the corporation's ownership of the assessments, by the
428 insulation of the assessments from possible bankruptcy
429 proceedings, and by covenants of the state with the
430 corporation's bondholders.

431 2.a. There is created a public benefits corporation, which
432 is an instrumentality of the state, to be known as the Florida
433 Hurricane Catastrophe Fund Finance Corporation.

434 b. The corporation shall operate under a five-member board
435 of directors consisting of the Governor or a designee, the Chief
436 Financial Officer or a designee, the Attorney General or a
437 designee, the director of the Division of Bond Finance of the
438 State Board of Administration, and the senior employee of the
439 State Board of Administration responsible for operations of the
440 Florida Hurricane Catastrophe Fund.

441 c. The corporation has all of the powers of corporations
442 under chapter 607 and under chapter 617, subject only to the
443 provisions of this subsection.

444 d. The corporation may issue bonds and engage in such other
445 financial transactions as are necessary to provide sufficient
446 funds to achieve the purposes of this section.

447 e. The corporation may invest in any of the investments
448 authorized under s. 215.47.



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449 f. There shall be no liability on the part of, and no cause
450 of action shall arise against, any board members or employees of
451 the corporation for any actions taken by them in the performance
452 of their duties under this paragraph.

453 3.a. In actions under chapter 75 to validate any bonds
454 issued by the corporation, the notice required by s. 75.06 shall
455 be published ~~only in Leon County and~~ in two newspapers of
456 general circulation in the state, and the complaint and order of
457 the court shall be served only on the State Attorney of the
458 Second Judicial Circuit.

459 b. The state hereby covenants with holders of bonds of the
460 corporation that the state will not repeal or abrogate the power
461 of the board to direct the Office of Insurance Regulation to
462 levy the assessments and to collect the proceeds of the revenues
463 pledged to the payment of such bonds as long as any such bonds
464 remain outstanding unless adequate provision has been made for
465 the payment of such bonds pursuant to the documents authorizing
466 the issuance of such bonds.

467 4. The bonds of the corporation are not a debt of the state
468 or of any political subdivision, and neither the state nor any
469 political subdivision is liable on such bonds. The corporation
470 does not have the power to pledge the credit, the revenues, or
471 the taxing power of the state or of any political subdivision.
472 The credit, revenues, or taxing power of the state or of any
473 political subdivision shall not be deemed to be pledged to the
474 payment of any bonds of the corporation.

475 5.a. The property, revenues, and other assets of the
476 corporation; the transactions and operations of the corporation
477 and the income from such transactions and operations; and all



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478 bonds issued under this paragraph and interest on such bonds are
479 exempt from taxation by the state and any political subdivision,
480 including the intangibles tax under chapter 199 and the income
481 tax under chapter 220. This exemption does not apply to any tax
482 imposed by chapter 220 on interest, income, or profits on debt
483 obligations owned by corporations other than the Florida
484 Hurricane Catastrophe Fund Finance Corporation.

485 b. All bonds of the corporation shall be and constitute
486 legal investments without limitation for all public bodies of
487 this state; for all banks, trust companies, savings banks,
488 savings associations, savings and loan associations, and
489 investment companies; for all administrators, executors,
490 trustees, and other fiduciaries; for all insurance companies and
491 associations and other persons carrying on an insurance
492 business; and for all other persons who are now or may hereafter
493 be authorized to invest in bonds or other obligations of the
494 state and shall be and constitute eligible securities to be
495 deposited as collateral for the security of any state, county,
496 municipal, or other public funds. This sub-subparagraph shall be
497 considered as additional and supplemental authority and shall
498 not be limited without specific reference to this sub-
499 subparagraph.

500 6. The corporation and its corporate existence shall
501 continue until terminated by law; however, no such law shall
502 take effect as long as the corporation has bonds outstanding
503 unless adequate provision has been made for the payment of such
504 bonds pursuant to the documents authorizing the issuance of such
505 bonds. Upon termination of the existence of the corporation, all
506 of its rights and properties in excess of its obligations shall



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507 pass to and be vested in the state.

508 Section 12. Section 253.52, Florida Statutes, is amended to
509 read:

510 253.52 Placing oil and gas leases on market by board.-
511 Whenever in the opinion of the Board of Trustees of the Internal
512 Improvement Trust Fund there shall be a demand for the purchase
513 of oil and gas leases on any area, tract, or parcel of the land
514 so owned, controlled, or managed, by any state board,
515 department, or agency, then the board shall place such oil and
516 gas lease or leases on the market in such blocks, tracts, or
517 parcels as it may designate. The lease or leases shall only be
518 made after notice by publication thereof has been made not less
519 than once a week for 4 consecutive weeks in a newspaper of
520 general circulation ~~published in Leon County, and in a similar~~
521 ~~newspaper for a similar period of time~~ published in the vicinity
522 of the lands offered to be leased, the last publication ~~in both~~
523 ~~newspapers~~ to be not less than 5 days in advance of the sale
524 date. Such notice shall be to the effect that a lease or leases
525 will be offered for sale at such date and time as may be named
526 in said notice and shall describe the land upon which such
527 lease, or leases, will be offered. This notice may be combined
528 with the notice required pursuant to s. 253.115. Before any
529 lease of any block, tract, or parcel of land, submerged, or
530 unsubmerged, within a radius of 3 miles of the boundaries of any
531 incorporated city, or town, or within such radius of any bathing
532 beach, or beaches, outside thereof, such board, department, or
533 agency, shall through one or more of its members hold a public
534 hearing, after notice thereof by publication once in a newspaper
535 of general circulation published at least 1 week prior to said



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536 hearing in the vicinity of the land, or lands, offered to be
537 leased, of the offer to lease the same, calling upon all
538 interested persons to attend said hearing where they would be
539 given the opportunity to be heard, all of which shall be
540 considered by the board prior to the execution of any lease or
541 leases to said land, and the board may withdraw said land, or
542 any part thereof, from the market, and refuse to execute such
543 lease or leases if after such hearing, or otherwise, it
544 considers such execution contrary to the public welfare. Before
545 advertising any land for lease the form of the lease or leases
546 to be offered for sale, not inconsistent with law, or the
547 provisions of this section, shall be prescribed by the board and
548 a copy, or copies, thereof, shall be available to the general
549 public at the office of the Board of Trustees of the Internal
550 Improvement Trust Fund and the advertisements of such sale shall
551 so state.

552 Section 13. Paragraph (b) of subsection (4) of section
553 255.518, Florida Statutes, is amended to read:

554 255.518 Obligations; purpose, terms, approval,
555 limitations.—

556 (4)

557 (b) In actions to validate such obligations pursuant to
558 chapter 75, the complaint shall be filed in the Circuit Court of
559 Leon County, the notice required by s. 75.06, shall be published
560 ~~only in Leon County~~ and in two newspapers of general circulation
561 in the state, and the complaint and order of the court shall be
562 served only on the state attorney of the Second Judicial
563 Circuit.

564 Section 14. Paragraph (b) of subsection (4) of section



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565 380.0668, Florida Statutes, is amended to read:

566 380.0668 Bonds; purpose, terms, approval, limitations.—

567 (4)

568 (b) In actions to validate such bonds pursuant to chapter
569 75, the complaint shall be filed in the Circuit Court of Leon
570 County, the notice required by s. 75.06 shall be published in
571 newspapers of general circulation in ~~Leon County~~ and the county
572 in which the area or areas of critical state concern involved
573 are located, and the complaint and order of the court shall be
574 served on the state attorney of the Second Judicial Circuit and
575 the circuit in which the area or areas of critical state concern
576 involved are located.

577 Section 15. Paragraph (b) of subsection (3) of section
578 455.275, Florida Statutes, is amended to read:

579 455.275 Address of record.—

580 (3)

581 (b) If service, as provided in paragraph (a), does not
582 provide the department with proof of service, the department
583 shall call the last known telephone number of record and cause a
584 short, plain notice to the licensee to be posted on the front
585 page of the department's website and shall send notice via e-
586 mail to all newspapers of general circulation and all news
587 departments of broadcast network affiliates in the county of the
588 licensee's last known address of record ~~published once each week~~
589 ~~for 4 consecutive weeks in a newspaper published in the county~~
590 ~~of the licensee's last known address of record. If a newspaper~~
591 ~~is not published in the county, the administrative complaint may~~
592 ~~be published in a newspaper of general circulation in the~~
593 ~~county. If the licensee's last known address is located in~~



594 ~~another state or in a foreign jurisdiction, the administrative~~
595 ~~complaint may be published in Leon County pursuant to s.~~
596 ~~120.60(5).~~

597 Section 16. Subsection (5) of section 473.3141, Florida
598 Statutes, is amended to read:

599 473.3141 Certified public accountants licensed in other
600 states.—

601 (5) Disciplinary action against an individual or firm that
602 practices pursuant to this section is not valid unless, prior to
603 the entry of a final order, the agency has served, by personal
604 service pursuant to this chapter or chapter 48 or by certified
605 mail, an administrative complaint that provides reasonable
606 notice to the individual or firm of facts or conduct that
607 warrants the intended action and unless the individual or firm
608 has been given an adequate opportunity to request a proceeding
609 pursuant to ss. 120.569 and 120.57. ~~When personal service cannot~~
610 ~~be made and the certified mail notice is returned undelivered,~~
611 ~~the agency shall have a short, plain notice to the individual or~~
612 ~~firm with practice privileges published once a week for 4~~
613 ~~consecutive weeks in a newspaper published in Leon County,~~
614 ~~Florida. The newspaper shall meet the requirements prescribed by~~
615 ~~law for such purposes.~~

616 Section 17. Paragraph (b) of subsection (5) of section
617 527.23, Florida Statutes, is amended to read:

618 527.23 Marketing orders; referendum requirements;
619 assessments.—

620 (5)

621 (b) It is the duty of the producers or dealers of propane
622 gas who vote in each referendum to send their marked ballots to



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623 the department, which shall have the ballots counted by
624 qualified and impartial personnel in its office, and the
625 department shall, within 10 days after the closing date for
626 submitting ballots in any referendum, certify in writing and
627 publish the results of such referendum on the front page of
628 their website and shall send notice via e-mail to all
629 publications of general circulation and all news departments of
630 broadcast network affiliates located within the state ~~in a~~
631 ~~newspaper of general circulation in the state and in such other~~
632 ~~newspapers as the department prescribes.~~

633 Section 18. Subsection (2) of section 573.109, Florida
634 Statutes, is amended to read:

635 573.109 Procedure for referendum.—

636 (2) It shall be the duty of the producers or handlers
637 affected who vote in each referendum to send their marked
638 ballots to the department, which shall have the ballots counted
639 by qualified and impartial personnel in its office, and the
640 department shall, within 10 days after the closing date for
641 submitting ballots in any referendum, certify in writing and
642 publish the results of such referendum on the front page of
643 their website and shall send notice via e-mail to all
644 publications of general circulation and all news departments of
645 broadcast network affiliates located within the state ~~in a~~
646 ~~newspaper of general circulation in the state and in such other~~
647 ~~newspapers as the department may prescribe.~~

648 Section 19. Section 573.111, Florida Statutes, is amended
649 to read:

650 573.111 Notice of effective date of marketing order.—Before
651 the issuance of any marketing order, or any suspension,



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652 amendment, or termination thereof, a notice shall be posted on a
653 public bulletin board to be maintained by the department in the
654 Division of Marketing and Development of the department in the
655 Nathan Mayo Building, Tallahassee, Leon County, and a copy of
656 the notice shall be posted on the department website ~~published~~
657 ~~in a newspaper of general circulation in the state and in such~~
658 ~~other newspaper or newspapers as the department may prescribe.~~
659 ~~The notices published in the newspaper or newspapers shall be~~
660 ~~sent by first-class mail, by the department to those newspapers~~
661 ~~designated by it,~~ the same date that the notice is posted on the
662 bulletin board ~~with instructions to publish the same as a legal~~
663 ~~advertisement the first date after receipt of the notice as such~~
664 ~~newspaper's policy for publishing legal advertisements provides.~~
665 No marketing order, or any suspension, amendment, or termination
666 thereof, shall become effective until the termination of a
667 period of 5 days from the date of posting and publication.

668 Section 20. Subsection (2) of section 631.59, Florida
669 Statutes, is amended to read:

670 631.59 Duties and powers of department and office.—

671 (2) The department may require that the association notify
672 the insureds of the insolvent insurer and any other interested
673 parties of the determination of insolvency and of their rights
674 under this part. Such notification shall be by mail at their
675 last known addresses, when available, but if sufficient
676 information for notification by mail is not available, notice by
677 e-mail or telephone ~~publication in a newspaper of general~~
678 ~~circulation~~ shall be sufficient.

679 Section 21. Except as otherwise expressly provided in this
680 act, this act shall take effect July 1, 2012, and shall apply to



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681 legal notices that must be published on or after that date.

682

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

684 And the title is amended as follows:

685 Delete everything before the enacting clause
686 and insert:

687 A bill to be entitled
688 An act relating to legal notices; creating s. 50.0211,
689 F.S.; requiring that, after a specified date, if a
690 legal notice is published in a newspaper, the
691 newspaper publishing the notice shall also place the
692 notice on a website maintained by the newspaper, at no
693 additional charge; providing requirements for size and
694 placement of such website publication; requiring free
695 access to such online publications; requiring that
696 legal notices published in newspapers also be
697 published on another specified website; requiring
698 that, after a specified date, newspapers that publish
699 legal notice must provide e-mail notification of new
700 legal notices; providing requirements for such notice;
701 providing that an error on a newspaper or statewide
702 website shall be considered a harmless error and legal
703 notice requirements shall be considered met if the
704 notice published in the newspaper is correct; amending
705 s. 50.041, F.S.; revising physical requirements for
706 proof of publication affidavits; authorizing
707 electronic affidavits that meet specified
708 requirements; amending s. 50.061, F.S.; limiting the
709 rate that may be charged for government notices



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710 required to be published more than once in certain
711 circumstances; deleting provisions specifying rates
712 for legal notices based on county population;
713 specifying that if a public notice is published in a
714 newspaper, publication of a notice on a website
715 pursuant to specified provisions must be done at no
716 charge; amending ss. 125.66, 166.041, 190.005, and
717 200.065, F.S.; requiring that website publication of
718 certain legal notices include maps that appear in the
719 newspaper advertisements; amending s. 17.325, F.S.;
720 making it optional for the Chief Financial Officer to
721 advertise the availability of the governmental
722 efficiency hotline; amending s. 215.68, F.S.; deleting
723 specific criteria for publishing certain bond notices;
724 amending ss. 120.60 215.555, 253.52, 255.518, and
725 380.0668, F.S.; deleting requirements that certain
726 legal notices be published in Leon County; amending s.
727 455.275, F.S.; deleting a requirement that certain
728 notices concerning professional licensees who cannot
729 be personally served be published in Leon County;
730 requiring that plain notice to the licensee to be
731 posted on the front page of the Department of Business
732 and Professional Regulation's website and provided to
733 certain news outlets; amending s. 473.3141, F.S.;
734 deleting a requirement that notices concerning
735 discipline of certain certified public accountants be
736 published in Leon County; amending s. 527.23, F.S.;
737 deleting requirements relating to the newspaper
738 publication of certain notices relating to marketing



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739 orders for propane gas; providing for Internet
740 publication of such orders and for providing
741 information to certain news outlets; amending ss.
742 573.109 and 573.111, F.S.; deleting requirements
743 relating to the newspaper publication of certain
744 notices relating to agricultural marketing orders;
745 providing for Internet publication of such orders and
746 for providing information to certain news outlets;
747 amending s. 631.59, F.S.; deleting requirements for
748 the newspaper publication of certain notices
749 concerning insolvent insurers; providing for notice by
750 e-mail or telephone; providing for applicability;
751 providing effective dates.