

1                   A bill to be entitled  
2           An act relating to legal notices; amending s. 50.011,  
3           F.S.; deleting provisions relating to publication of  
4           legal notices in newspapers; repealing s. 50.021,  
5           F.S., relating to advertisements when no newspaper is  
6           published in a county; repealing s. 50.0211, F.S.,  
7           relating to Internet website publication of legal  
8           notices by newspapers; repealing s. 50.031, F.S.,  
9           relating to newspapers in which legal notices and  
10          process may be published; creating s. 50.0311, F.S.;  
11          providing a definition; requiring counties to publish  
12          legal notices on their websites; requiring counties to  
13          provide specified notice to residents concerning  
14          alternative methods of receiving legal notices;  
15          requiring counties to provide specified alternative  
16          means of receiving legal notices; authorizing counties  
17          to publish such notices on governmental access  
18          channels; amending s. 50.041, F.S.; deleting  
19          provisions relating to publication of legal notices in  
20          newspapers; amending s. 50.051, F.S.; deleting  
21          references to publication of legal notices in  
22          newspapers; specifying a form for affidavits of  
23          publication; repealing s. 50.061, F.S., relating to  
24          amounts chargeable for publication of legal notices;  
25          amending s. 50.0711, F.S.; revising provisions

26 relating to the use of court docket funds; amending  
 27 ss. 11.02, 45.031, 69.081, 121.0511, 121.055, 125.66,  
 28 162.12, 166.041, 189.015, 190.005, 194.037, 197.402,  
 29 200.065, 316.066, 338.223, 373.0397, 373.146, 403.722,  
 30 501.059, 712.06, 849.38, 865.09, and 932.704, F.S.;

31 conforming provisions to changes made by the act;  
 32 providing an effective date.  
 33

34 Be It Enacted by the Legislature of the State of Florida:  
 35

36 Section 1. Section 50.011, Florida Statutes, is amended to  
 37 read:

38 50.011 Publication of ~~Where and in what language~~ legal  
 39 notices; method to be published.—Whenever by statute an official  
 40 or legal advertisement or a publication, or notice ~~in a~~  
 41 ~~newspaper~~ has been or is directed or permitted in the nature of  
 42 or in lieu of process, or for constructive service, or in  
 43 initiating, assuming, reviewing, exercising or enforcing  
 44 jurisdiction or power, or for any purpose, including all legal  
 45 notices and advertisements of sheriffs and tax collectors, the  
 46 contemporaneous and continuous intent and meaning of such  
 47 legislation all and singular, existing or repealed, is and has  
 48 been and is hereby declared to be and to have been, and the rule  
 49 of interpretation is and has been, a publication as provided in  
 50 s. 50.0311 ~~in a newspaper printed and published periodically~~

51 ~~once a week or oftener, containing at least 25 percent of its~~  
52 ~~words in the English language, entered or qualified to be~~  
53 ~~admitted and entered as periodicals matter at a post office in~~  
54 ~~the county where published, for sale to the public generally,~~  
55 ~~available to the public generally for the publication of~~  
56 ~~official or other notices and customarily containing information~~  
57 ~~of a public character or of interest or of value to the~~  
58 ~~residents or owners of property in the county where published,~~  
59 ~~or of interest or of value to the general public.~~

60 Section 2. Section 50.021, Florida Statutes, is repealed.

61 Section 3. Section 50.0211, Florida Statutes, is repealed.

62 Section 4. Section 50.031, Florida Statutes, is repealed.

63 Section 5. Section 50.0311, Florida Statutes, is created  
64 to read:

65 50.0311 Publication of advertisements and public notices  
66 on a publicly accessible website and governmental access  
67 channels.—

68 (1) For purposes of notices and advertisements required  
69 under s. 50.11, the term "publicly accessible website" means a  
70 state or local government's agency official website or a private  
71 website that is accessible via the Internet. Notices published  
72 on websites must be in a searchable form.

73 (2) A government agency may use its website to publish  
74 legally required advertisements and public notices.

75 (3) A government agency shall provide notice to its

76 residents at least once per year in a newspaper of general  
77 circulation, the newsletter or periodical, or another  
78 publication that is mailed or delivered to all residents or  
79 property owners throughout the government's jurisdiction,  
80 indicating that residents may receive legally required  
81 advertisements and public notices from the agency by first-class  
82 mail or e-mail upon registering their name and address or e-mail  
83 address with the agency. The government agency shall maintain a  
84 registry of names, addresses, and e-mail addresses of residents  
85 who request in writing that they receive legally required  
86 advertisements and public notices from the agency by first-class  
87 mail or e-mail.

88 (4) A link to advertisements and public notices published  
89 on a publicly accessible website shall be conspicuously placed  
90 on the website's homepage or accessible through a direct link  
91 from the homepage. Each advertisement shall indicate the date on  
92 which the advertisement was first published on the publicly  
93 accessible website. Notices published on websites must be in a  
94 searchable form.

95 (5) A county government that has a governmental access  
96 channel authorized under s. 610.109 may also include on its  
97 governmental access channel a summary of all advertisements and  
98 public notices that are published on its website.

99 Section 6. Section 50.041, Florida Statutes, is amended to  
100 read:

101 50.041 Proof of publication; uniform affidavits required.—

102 (1) All affidavits ~~of publishers of newspapers (or their~~  
 103 ~~official representatives)~~ made for the purpose of establishing  
 104 proof of publication of public notices or legal advertisements  
 105 shall be uniform throughout the state.

106 (2) Each such affidavit shall be printed upon white paper  
 107 and shall be 8 1/2 inches in width and of convenient length, not  
 108 less than 5 1/2 inches. A white margin of not less than 2 1/2  
 109 inches shall be left at the right side of each affidavit form  
 110 and upon or in this space shall be substantially pasted a  
 111 clipping which shall be a true copy of the public notice or  
 112 legal advertisement for which proof is executed. Alternatively,  
 113 the affidavit may be provided in electronic rather than paper  
 114 form, provided the notarization of the affidavit complies with  
 115 the requirements of s. 117.021.

116 (3) ~~In all counties having a population in excess of~~  
 117 ~~450,000 according to the latest official decennial census, in~~  
 118 ~~addition to the charges which are now or may hereafter be~~  
 119 ~~established by law for the publication of every official notice~~  
 120 ~~or legal advertisement,~~ There may be a charge not to exceed \$2  
 121 levied for the preparation and execution of each such proof of  
 122 publication or ~~publisher's~~ affidavit.

123 Section 7. Section 50.051, Florida Statutes, is amended to  
 124 read:

125 50.051 Proof of publication; form of uniform affidavit.—

126 The printed form upon which all such affidavits establishing  
 127 proof of publication are to be executed shall be substantially  
 128 as follows:

129 NAME OF COUNTY NEWSPAPER  
 130 Published ~~(Weekly or Daily)~~  
 131 ~~(Town or City) (County) FLORIDA~~

132 STATE OF FLORIDA

133 COUNTY OF .....

134 Before the undersigned authority personally appeared .....,  
 135 who on oath says that he or she is .... of ~~the ....., a ....~~  
 136 ~~newspaper published at .... in .... County, Florida; that the~~  
 137 attached copy of advertisement, being a .... in the matter of  
 138 .... in the .... Court, was published on a website publishing  
 139 such notices for that county on ~~in said newspaper in the issues~~  
 140 of .....

141 ~~Affiant further says that the said .... is a newspaper~~  
 142 ~~published at ....., in said .... County, Florida, and that the~~  
 143 ~~said newspaper has heretofore been continuously published in~~  
 144 ~~said .... County, Florida, each .... and has been entered as~~  
 145 ~~periodicals matter at the post office in ....., in said ....~~  
 146 ~~County, Florida, for a period of 1 year next preceding the first~~  
 147 ~~publication of the attached copy of advertisement; and affiant~~  
 148 ~~further says that he or she has neither paid nor promised any~~  
 149 ~~person, firm or corporation any discount, rebate, commission or~~  
 150 ~~refund for the purpose of securing this advertisement for~~

151 ~~publication in the said newspaper.~~

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

155 ...(Signature of Notary Public)...

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

157 ...(Notary Public)...

158 Section 8. Section 50.061, Florida Statutes, is repealed.

159 Section 9. Section 50.0711, Florida Statutes, is amended  
 160 to read:

161 50.0711 Court docket fund; service charges; publications.—

162 (1) The clerk of the court in each county may establish a  
 163 court docket fund for the purpose of paying the cost of  
 164 publication of the fact of the filing of any civil case in the  
 165 circuit court of the county by the style and of the calendar  
 166 relating to such cases. This court docket fund shall be funded  
 167 by \$1 mandatory court cost for all civil actions, suits, or  
 168 proceedings filed in the circuit court of the county. The clerk  
 169 shall maintain such funds separate and apart, and the proceeds  
 170 from this court cost shall not be diverted to any other fund or  
 171 for any purpose other than that established in this section. The  
 172 clerk of the court shall dispense the fund to the ~~designated~~  
 173 ~~record newspaper in the county~~ on a quarterly basis.

174 ~~(2) A newspaper qualified under the terms of s. 50.011~~  
 175 ~~shall be designated as the record newspaper for such publication~~

176 | ~~by an order of the majority of the judges in the judicial~~  
177 | ~~circuit in which such county is located, and such order shall be~~  
178 | ~~filed and recorded with the clerk of the circuit court for such~~  
179 | ~~county. The designated record newspaper may be changed at the~~  
180 | ~~end of any fiscal year of the county by a majority vote of the~~  
181 | ~~judges of the judicial circuit of the county ordering such~~  
182 | ~~change 30 days prior to the end of the fiscal year, notice of~~  
183 | ~~which order shall be given to the previously designated record~~  
184 | ~~newspaper.~~

185 |        ~~(2)(3)~~ The website publisher ~~publishers of any designated~~  
186 | ~~record newspapers~~ receiving payment from this court docket fund  
187 | shall publish, without additional charge, the fact of the filing  
188 | of any civil case, suit, or action filed in such county in the  
189 | circuit. Such publication shall be in accordance with a schedule  
190 | agreed upon between the website publisher ~~record newspaper~~ and  
191 | the clerk of the court in such county.

192 |        ~~(3)(4)~~ The website publisher ~~publishers of any designated~~  
193 | ~~record newspapers~~ receiving revenues from the court docket fund  
194 | established in subsection (1) shall, without charge, accept  
195 | legal advertisements for the purpose of service of process by  
196 | publication under s. 49.011(4), (10), and (11) when such  
197 | publication is required of persons authorized to proceed as  
198 | indigent persons under s. 57.081.

199 |        Section 10. Section 11.02, Florida Statutes, is amended to  
200 | read:



201           11.02 Notice of special or local legislation or certain  
202 relief acts.—The notice required to obtain special or local  
203 legislation or any relief act specified in s. 11.065 shall be by  
204 publishing the identical notice ~~in each county involved in some~~  
205 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~  
206 ~~circulated throughout~~ the county or counties where the matter or  
207 thing to be affected by such legislation shall be situated ~~one~~  
208 ~~time~~ at least 30 days before introduction of the proposed law  
209 into the Legislature ~~or, there being no newspaper circulated~~  
210 ~~throughout or published in the county, by posting for at least~~  
211 ~~30 days at not less than three public places in the county or~~  
212 ~~each of the counties, one of which places shall be at the~~  
213 ~~courthouse in the county or counties where the matter or thing~~  
214 ~~to be affected by such legislation shall be situated.~~ Notice of  
215 special or local legislation shall state the substance of the  
216 contemplated law, as required by s. 10, Art. III of the State  
217 Constitution. Notice of any relief act specified in s. 11.065  
218 shall state the name of the claimant, the nature of the injury  
219 or loss for which the claim is made, and the amount of the claim  
220 against the affected municipality's revenue-sharing trust fund.

221           Section 11. Subsection (2) of section 45.031, Florida  
222 Statutes, is amended to read:

223           45.031 Judicial sales procedure.—In any sale of real or  
224 personal property under an order or judgment, the procedures  
225 provided in this section and ss. 45.0315-45.035 may be followed

226 as an alternative to any other sale procedure if so ordered by  
 227 the court.

228 (2) PUBLICATION OF SALE.—Notice of sale shall be published  
 229 ~~once a week~~ for at least 2 consecutive weeks before the sale in  
 230 ~~a newspaper of general circulation,~~ as provided ~~defined~~ in  
 231 chapter 50, ~~published~~ in the county where the sale is to be  
 232 held. ~~The second publication shall be at least 5 days before the~~  
 233 ~~sale.~~ The notice shall contain:

- 234 (a) A description of the property to be sold.
- 235 (b) The time and place of sale.
- 236 (c) A statement that the sale will be made pursuant to the  
 237 order or final judgment.
- 238 (d) The caption of the action.
- 239 (e) The name of the clerk making the sale.
- 240 (f) A statement that any person claiming an interest in  
 241 the surplus from the sale, if any, other than the property owner  
 242 as of the date of the lis pendens must file a claim within 60  
 243 days after the sale.

244  
 245 The court, in its discretion, may enlarge the time of the sale.  
 246 Notice of the changed time of sale shall be published as  
 247 provided herein.

248 Section 12. Subsection (9) of section 69.081, Florida  
 249 Statutes, is amended to read:

250 69.081 Sunshine in litigation; concealment of public

251 hazards prohibited.—

252 (9) A governmental entity, except a municipality or  
 253 county, that settles a claim in tort which requires the  
 254 expenditure of public funds in excess of \$5,000, shall provide  
 255 notice, in accordance with ~~the provisions of~~ chapter 50, of such  
 256 settlement, in the county in which the claim arose, within 60  
 257 days of entering into such settlement; provided that no notice  
 258 shall be required if the settlement has been approved by a court  
 259 of competent jurisdiction.

260 Section 13. Subsection (2) of section 121.0511, Florida  
 261 Statutes, is amended to read:

262 121.0511 Revocation of election and alternative plan.—The  
 263 governing body of any municipality or independent special  
 264 district that has elected to participate in the Florida  
 265 Retirement System may revoke its election in accordance with the  
 266 following procedure:

267 (2) At least 7 days, but not more than 15 days, before the  
 268 hearing, notice of intent to revoke, specifying the time and  
 269 place of the hearing, must be published ~~in a newspaper of~~  
 270 ~~general circulation~~ in the area affected, as provided by ss.  
 271 50.011-50.031. Proof of publication of the notice must be  
 272 submitted to the Department of Management Services.

273 Section 14. Paragraphs (b) and (h) of subsection (1) of  
 274 section 121.055, Florida Statutes, are amended to read:

275 121.055 Senior Management Service Class.—There is hereby

276 established a separate class of membership within the Florida  
277 Retirement System to be known as the "Senior Management Service  
278 Class," which shall become effective February 1, 1987.

279 (1)

280 (b)1. Except as provided in subparagraph 2., effective  
281 January 1, 1990, participation in the Senior Management Service  
282 Class is compulsory for the president of each community college,  
283 the manager of each participating municipality or county, and  
284 all appointed district school superintendents. Effective January  
285 1, 1994, additional positions may be designated for inclusion in  
286 the Senior Management Service Class if:

287 a. Positions to be included in the class are designated by  
288 the local agency employer. Notice of intent to designate  
289 positions for inclusion in the class must be published ~~once a~~  
290 ~~week for~~ at least 2 consecutive weeks ~~in a newspaper of general~~  
291 ~~circulation published~~ in the county or counties affected, as  
292 provided in chapter 50.

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

299 c. Each position added to the class must be a managerial  
300 or policymaking position filled by an employee who is not

301 subject to continuing contract and serves at the pleasure of the  
302 local agency employer without civil service protection, and who:

303 (I) Heads an organizational unit; or

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

307 2. In lieu of participation in the Senior Management  
308 Service Class, members of the Senior Management Service Class,  
309 pursuant to subparagraph 1., may withdraw from the Florida  
310 Retirement System altogether. The decision to withdraw from the  
311 system is irrevocable as long as the employee holds the  
312 position. Any service creditable under the Senior Management  
313 Service Class shall be retained after the member withdraws from  
314 the system; however, additional service credit in the Senior  
315 Management Service Class may not be earned after such  
316 withdrawal. Such members are not eligible to participate in the  
317 Senior Management Service Optional Annuity Program.

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

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

325 b. If the employee elects to participate in the pension

326 | plan, the employee shall, upon payment to the system trust fund  
327 | of the amount calculated under sub-sub-subparagraph (I), receive  
328 | service credit for prior service based upon the time during  
329 | which the employee had withdrawn from the system.

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

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

348 |       (h)1. Except as provided in subparagraph 3., effective  
349 | January 1, 1994, participation in the Senior Management Service  
350 | Class shall be compulsory for the State Courts Administrator and

351 the Deputy State Courts Administrators, the Clerk of the Supreme  
352 Court, the Marshal of the Supreme Court, the Executive Director  
353 of the Justice Administrative Commission, the capital collateral  
354 regional counsel, the clerks of the district courts of appeals,  
355 the marshals of the district courts of appeals, and the trial  
356 court administrator and the Chief Deputy Court Administrator in  
357 each judicial circuit. Effective January 1, 1994, additional  
358 positions in the offices of the state attorney and public  
359 defender in each judicial circuit may be designated for  
360 inclusion in the Senior Management Service Class of the Florida  
361 Retirement System, provided that:

362 a. Positions to be included in the class shall be  
363 designated by the state attorney or public defender, as  
364 appropriate. Notice of intent to designate positions for  
365 inclusion in the class shall be published ~~once a week~~ for at  
366 least 2 consecutive weeks ~~in a newspaper of general circulation~~  
367 ~~published~~ in the county or counties affected, as provided in  
368 chapter 50.

369 b. One nonelective full-time position may be designated  
370 for each state attorney and public defender reporting to the  
371 Department of Management Services; for agencies with 200 or more  
372 regularly established positions under the state attorney or  
373 public defender, additional nonelective full-time positions may  
374 be designated, not to exceed 0.5 percent of the regularly  
375 established positions within the agency.

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

380 (I) Heads an organizational unit; or

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

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

395 3. In lieu of participation in the Senior Management  
 396 Service Class, such members, excluding assistant state  
 397 attorneys, assistant public defenders, assistant statewide  
 398 prosecutors, assistant attorneys general, and assistant capital  
 399 collateral regional counsel, may participate in the Senior  
 400 Management Service Optional Annuity Program as established in



401 subsection (6).

402 Section 15. Paragraph (a) of subsection (2) and paragraph  
 403 (b) of subsection (4) of section 125.66, Florida Statutes, are  
 404 amended to read:

405 125.66 Ordinances; enactment procedure; emergency  
 406 ordinances; rezoning or change of land use ordinances or  
 407 resolutions.—

408 (2) (a) The regular enactment procedure shall be as  
 409 follows: The board of county commissioners at any regular or  
 410 special meeting may enact or amend any ordinance, except as  
 411 provided in subsection (4), if notice of intent to consider such  
 412 ordinance is given at least 10 days prior to said meeting by  
 413 publication ~~in a newspaper of general circulation~~ in the county.  
 414 A copy of such notice shall be kept available for public  
 415 inspection during the regular business hours of the office of  
 416 the clerk of the board of county commissioners. The notice of  
 417 proposed enactment shall state the date, time, and place of the  
 418 meeting; the title or titles of proposed ordinances; and the  
 419 place or places within the county where such proposed ordinances  
 420 may be inspected by the public. The notice shall also advise  
 421 that interested parties may appear at the meeting and be heard  
 422 with respect to the proposed ordinance.

423 (4) Ordinances or resolutions, initiated by other than the  
 424 county, that change the actual zoning map designation of a  
 425 parcel or parcels of land shall be enacted pursuant to

426 subsection (2). Ordinances or resolutions that change the actual  
 427 list of permitted, conditional, or prohibited uses within a  
 428 zoning category, or ordinances or resolutions initiated by the  
 429 county that change the actual zoning map designation of a parcel  
 430 or parcels of land shall be enacted pursuant to the following  
 431 procedure:

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

438 1. The board of county commissioners shall hold two  
 439 advertised public hearings on the proposed ordinance or  
 440 resolution. At least one hearing shall be held after 5 p.m. on a  
 441 weekday, unless the board of county commissioners, by a majority  
 442 plus one vote, elects to conduct that hearing at another time of  
 443 day. The first public hearing shall be held at least 7 days  
 444 after the day that the first advertisement is published. The  
 445 second hearing shall be held at least 10 days after the first  
 446 hearing and shall be advertised at least 5 days before ~~prior to~~  
 447 the public hearing.

448 2. ~~The required advertisements shall be no less than 2~~  
 449 ~~columns wide by 10 inches long in a standard size or a tabloid~~  
 450 ~~size newspaper, and the headline in the advertisement shall be~~

451 ~~in a type no smaller than 18 point. The advertisement shall not~~  
452 ~~be placed in that portion of the newspaper where legal notices~~  
453 ~~and classified advertisements appear. The advertisement shall be~~  
454 ~~placed in a newspaper of general paid circulation in the county~~  
455 ~~and of general interest and readership in the community pursuant~~  
456 ~~to chapter 50, not one of limited subject matter. It is the~~  
457 ~~legislative intent that, whenever possible, the advertisement~~  
458 ~~shall appear in a newspaper that is published at least 5 days a~~  
459 ~~week unless the only newspaper in the community is published~~  
460 ~~less than 5 days a week. The advertisement shall be in~~  
461 ~~substantially the following form:~~

462 ~~NOTICE OF (TYPE OF) CHANGE~~

463 ~~The ... (name of local governmental unit) ... proposes to~~  
464 ~~adopt the following by ordinance or resolution: ... (title of~~  
465 ~~ordinance or resolution) ....~~

466 ~~A public hearing on the ordinance or resolution will be~~  
467 ~~held on ... (date and time) ... at ... (meeting place) ....~~

468 ~~Except for amendments which change the actual list of permitted,~~  
469 ~~conditional, or prohibited uses within a zoning category, the~~  
470 ~~advertisement shall contain a geographic location map which~~  
471 ~~clearly indicates the area within the local government covered~~  
472 ~~by the proposed ordinance or resolution. The map shall include~~  
473 ~~major street names as a means of identification of the general~~  
474 ~~area. ~~In addition to being published in the newspaper,~~ The map~~  
475 ~~must be part of the online notice required pursuant to s.~~

476 50.0311 ~~s. 50.0211~~.

477         3. In lieu of publishing the advertisements set out in  
478 this paragraph, the board of county commissioners may mail a  
479 notice to each person owning real property within the area  
480 covered by the ordinance or resolution. Such notice shall  
481 clearly explain the proposed ordinance or resolution and shall  
482 notify the person of the time, place, and location of both  
483 public hearings on the proposed ordinance or resolution.

484         Section 16. Paragraph (a) of subsection (2) of section  
485 162.12, Florida Statutes, is amended to read:

486         162.12 Notices.—

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

491         (a)1. Such notice shall be published ~~once during each week~~  
492 for 4 consecutive weeks ~~(four publications being sufficient) in~~  
493 ~~a newspaper of general circulation in the county where the code~~  
494 ~~enforcement board is located. The newspaper shall meet such~~  
495 ~~requirements as provided in are prescribed under chapter 50 for~~  
496 legal and official advertisements.

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

499         Section 17. Paragraph (c) of subsection (3) of section  
500 166.041, Florida Statutes, is amended to read:

501 166.041 Procedures for adoption of ordinances and  
502 resolutions.—

503 (3)

504 (c) Ordinances initiated by other than the municipality  
505 that change the actual zoning map designation of a parcel or  
506 parcels of land shall be enacted pursuant to paragraph (a).  
507 Ordinances that change the actual list of permitted,  
508 conditional, or prohibited uses within a zoning category, or  
509 ordinances initiated by the municipality that change the actual  
510 zoning map designation of a parcel or parcels of land shall be  
511 enacted pursuant to the following procedure:

512 1. In cases in which the proposed ordinance changes the  
513 actual zoning map designation for a parcel or parcels of land  
514 involving less than 10 contiguous acres, the governing body  
515 shall direct the clerk of the governing body to notify by mail  
516 each real property owner whose land the municipality will  
517 redesignate by enactment of the ordinance and whose address is  
518 known by reference to the latest ad valorem tax records. The  
519 notice shall state the substance of the proposed ordinance as it  
520 affects that property owner and shall set a time and place for  
521 one or more public hearings on such ordinance. Such notice shall  
522 be given at least 30 days before ~~prior to~~ the date set for the  
523 public hearing, and a copy of the notice shall be kept available  
524 for public inspection during the regular business hours of the  
525 office of the clerk of the governing body. The governing body

526 shall hold a public hearing on the proposed ordinance and may,  
527 upon the conclusion of the hearing, immediately adopt the  
528 ordinance.

529 2. In cases in which the proposed ordinance changes the  
530 actual list of permitted, conditional, or prohibited uses within  
531 a zoning category, or changes the actual zoning map designation  
532 of a parcel or parcels of land involving 10 contiguous acres or  
533 more, the governing body shall provide for public notice and  
534 hearings as follows:

535 a. The local governing body shall hold two advertised  
536 public hearings on the proposed ordinance. At least one hearing  
537 shall be held after 5 p.m. on a weekday, unless the local  
538 governing body, by a majority plus one vote, elects to conduct  
539 that hearing at another time of day. The first public hearing  
540 shall be held at least 7 days after the day that the first  
541 advertisement is published. The second hearing shall be held at  
542 least 10 days after the first hearing and shall be advertised at  
543 least 5 days before ~~prior to~~ the public hearing.

544 b. ~~The required advertisements shall be no less than 2~~  
545 ~~columns wide by 10 inches long in a standard size or a tabloid~~  
546 ~~size newspaper, and the headline in the advertisement shall be~~  
547 ~~in a type no smaller than 18 point. The advertisement shall not~~  
548 ~~be placed in that portion of the newspaper where legal notices~~  
549 ~~and classified advertisements appear. The advertisement shall be~~  
550 ~~placed in a newspaper of general paid circulation in the~~

551 ~~municipality and of general interest and readership in the~~  
552 ~~municipality, not one of limited subject matter, pursuant to~~  
553 ~~chapter 50. It is the legislative intent that, whenever~~  
554 ~~possible, the advertisement appear in a newspaper that is~~  
555 ~~published at least 5 days a week unless the only newspaper in~~  
556 ~~the municipality is published less than 5 days a week. The~~  
557 ~~advertisement shall be in substantially the following form:~~

558 ~~NOTICE OF (TYPE OF) CHANGE~~

559 ~~The ... (name of local governmental unit) ... proposes to~~  
560 ~~adopt the following ordinance: ... (title of the ordinance) ...~~

561 ~~A public hearing on the ordinance will be held on ... (date~~  
562 ~~and time) ... at ... (meeting place) ...~~

563 Except for amendments which change the actual list of permitted,  
564 conditional, or prohibited uses within a zoning category, the  
565 advertisement shall contain a geographic location map which  
566 clearly indicates the area covered by the proposed ordinance.  
567 The map shall include major street names as a means of  
568 identification of the general area. ~~In addition to being~~  
569 ~~published in the newspaper,~~ The map must be part of the online  
570 notice required pursuant to s. 50.0311 ~~s. 50.0211~~.

571 c. In lieu of publishing the advertisement set out in this  
572 paragraph, the municipality may mail a notice to each person  
573 owning real property within the area covered by the ordinance.  
574 Such notice shall clearly explain the proposed ordinance and  
575 shall notify the person of the time, place, and location of any

576 public hearing on the proposed ordinance.

577 Section 18. Subsection (1) of section 189.015, Florida  
578 Statutes, is amended to read:

579 189.015 Meetings; notice; required reports.—

580 (1) The governing body of each special district shall file  
581 quarterly, semiannually, or annually a schedule of its regular  
582 meetings with the local governing authority or authorities. The  
583 schedule shall include the date, time, and location of each  
584 scheduled meeting. The schedule shall be published quarterly,  
585 semiannually, or annually ~~in a newspaper of general paid~~  
586 ~~circulation~~ in the manner required in this subsection. The  
587 governing body of an independent special district shall  
588 advertise the day, time, place, and purpose of any meeting other  
589 than a regular meeting or any recessed and reconvened meeting of  
590 the governing body, at least 7 days before such meeting, ~~in a~~  
591 ~~newspaper of general paid circulation~~ in the county or counties  
592 in which the special district is located, unless a bona fide  
593 emergency situation exists, in which case a meeting to deal with  
594 the emergency may be held as necessary, with reasonable notice,  
595 so long as it is subsequently ratified by the governing body. No  
596 approval of the annual budget shall be granted at an emergency  
597 meeting. The notice shall be posted as provided in advertisement  
598 ~~shall be placed in that portion of the newspaper where legal~~  
599 ~~notices and classified advertisements appear. The advertisement~~  
600 ~~shall appear in a newspaper that is published at least 5 days a~~



601 ~~week, unless the only newspaper in the county is published fewer~~  
602 ~~than 5 days a week. The newspaper selected must be one of~~  
603 ~~general interest and readership in the community and not one of~~  
604 ~~limited subject matter, pursuant to chapter 50. Any other~~  
605 provision of law to the contrary notwithstanding, and except in  
606 the case of emergency meetings, water management districts may  
607 provide reasonable notice of public meetings held to evaluate  
608 responses to solicitations issued by the water management  
609 district, by publication as provided in chapter 50 ~~in a~~  
610 ~~newspaper of general paid circulation~~ in the county where the  
611 principal office of the water management district is located, or  
612 in the county or counties where the public work will be  
613 performed, no less than 7 days before such meeting.

614 Section 19. Paragraph (d) of subsection (1) of section  
615 190.005, Florida Statutes, is amended to read:

616 190.005 Establishment of district.—

617 (1) The exclusive and uniform method for the establishment  
618 of a community development district with a size of 2,500 acres  
619 or more shall be pursuant to a rule, adopted under chapter 120  
620 by the Florida Land and Water Adjudicatory Commission, granting  
621 a petition for the establishment of a community development  
622 district.

623 (d) A local public hearing on the petition shall be  
624 conducted by a hearing officer in conformance with the  
625 applicable requirements and procedures of the Administrative

626 Procedure Act. The hearing shall include oral and written  
627 comments on the petition pertinent to the factors specified in  
628 paragraph (e). The hearing shall be held at an accessible  
629 location in the county in which the community development  
630 district is to be located. The petitioner shall cause a notice  
631 of the hearing to be published ~~in a newspaper at least once a~~  
632 ~~week~~ for the 4 successive weeks immediately before ~~prior to~~ the  
633 hearing. Such notice shall give the time and place for the  
634 hearing, a description of the area to be included in the  
635 district, which description shall include a map showing clearly  
636 the area to be covered by the district, and any other relevant  
637 information which the establishing governing bodies may require.  
638 ~~The advertisement shall not be placed in that portion of the~~  
639 ~~newspaper where legal notices and classified advertisements~~  
640 ~~appear.~~ The advertisement shall be published ~~in a newspaper of~~  
641 ~~general paid circulation~~ in the county ~~and of general interest~~  
642 ~~and readership in the community, not one of limited subject~~  
643 ~~matter,~~ pursuant to chapter 50. ~~Whenever possible, the~~  
644 ~~advertisement shall appear in a newspaper that is published at~~  
645 ~~least 5 days a week, unless the only newspaper in the community~~  
646 ~~is published fewer than 5 days a week. In addition to being~~  
647 ~~published in the newspaper,~~ The map referenced above must be  
648 part of the online advertisement required pursuant to s. 50.0311  
649 ~~s. 50.0211~~. All affected units of general-purpose local  
650 government and the general public shall be given an opportunity

651 to appear at the hearing and present oral or written comments on  
 652 the petition.

653 Section 20. Subsection (1) of section 194.037, Florida  
 654 Statutes, is amended to read:

655 194.037 Disclosure of tax impact.—

656 (1) After hearing all petitions, complaints, appeals, and  
 657 disputes, the clerk shall make public notice of the findings and  
 658 results of the board as provided in ~~in at least a quarter-page~~  
 659 ~~size advertisement of a standard size or tabloid size newspaper,~~  
 660 ~~and the headline shall be in a type no smaller than 18 point.~~  
 661 ~~The advertisement shall not be placed in that portion of the~~  
 662 ~~newspaper where legal notices and classified advertisements~~  
 663 ~~appear. The advertisement shall be published in a newspaper of~~  
 664 ~~general paid circulation in the county. The newspaper selected~~  
 665 ~~shall be one of general interest and readership in the~~  
 666 ~~community, and not one of limited subject matter, pursuant to~~  
 667 chapter 50. The headline shall read: TAX IMPACT OF VALUE  
 668 ADJUSTMENT BOARD. The public notice shall list the members of  
 669 the value adjustment board and the taxing authorities to which  
 670 they are elected. The form shall show, in columnar form, for  
 671 each of the property classes listed under subsection (2), the  
 672 following information, with appropriate column totals:

673 (a) In the first column, the number of parcels for which  
 674 the board granted exemptions that had been denied or that had  
 675 not been acted upon by the property appraiser.

676 (b) In the second column, the number of parcels for which  
677 petitions were filed concerning a property tax exemption.

678 (c) In the third column, the number of parcels for which  
679 the board considered the petition and reduced the assessment  
680 from that made by the property appraiser on the initial  
681 assessment roll.

682 (d) In the fourth column, the number of parcels for which  
683 petitions were filed but not considered by the board because  
684 such petitions were withdrawn or settled before ~~prior to~~ the  
685 board's consideration.

686 (e) In the fifth column, the number of parcels for which  
687 petitions were filed requesting a change in assessed value,  
688 including requested changes in assessment classification.

689 (f) In the sixth column, the net change in taxable value  
690 from the assessor's initial roll which results from board  
691 decisions.

692 (g) In the seventh column, the net shift in taxes to  
693 parcels not granted relief by the board. The shift shall be  
694 computed as the amount shown in column 6 multiplied by the  
695 applicable millage rates adopted by the taxing authorities in  
696 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of  
697 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State  
698 Constitution, but without adjustment as authorized pursuant to  
699 s. 200.065(6). If for any taxing authority the hearing has not  
700 been completed at the time the notice required herein is

701 prepared, the millage rate used shall be that adopted in the  
702 hearing held pursuant to s. 200.065(2)(c).

703 Section 21. Subsection (1) of section 197.402, Florida  
704 Statutes, is amended to read:

705 197.402 Advertisement of real or personal property with  
706 delinquent taxes.—

707 (1) If advertisements are required, the board of county  
708 commissioners shall make such notice ~~select the newspaper~~ as  
709 provided in chapter 50. The tax collector shall pay all  
710 ~~newspaper~~ charges, and the proportionate cost of the  
711 advertisements shall be added to the delinquent taxes collected.

712 Section 22. Paragraph (h) of subsection (3) of section  
713 200.065, Florida Statutes, is amended to read:

714 200.065 Method of fixing millage.—

715 (3) The advertisement shall be published ~~no less than one-~~  
716 ~~quarter page in size of a standard size or a tabloid size~~  
717 ~~newspaper, and the headline in the advertisement shall be in a~~  
718 ~~type no smaller than 18 point. The advertisement shall not be~~  
719 ~~placed in that portion of the newspaper where legal notices and~~  
720 ~~classified advertisements appear. The advertisement shall be~~  
721 ~~published in a newspaper of general paid circulation in the~~  
722 ~~county or in a geographically limited insert of such newspaper.~~  
723 ~~The geographic boundaries in which such insert is circulated~~  
724 ~~shall include the geographic boundaries of the taxing authority.~~  
725 ~~It is the legislative intent that, whenever possible, the~~

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726 ~~advertisement appear in a newspaper that is published at least 5~~  
727 ~~days a week unless the only newspaper in the county is published~~  
728 ~~less than 5 days a week, or that the advertisement appear in a~~  
729 ~~geographically limited insert of such newspaper which insert is~~  
730 ~~published throughout the taxing authority's jurisdiction at~~  
731 ~~least twice each week. It is further the legislative intent that~~  
732 ~~the newspaper selected be one of general interest and readership~~  
733 ~~in the community and not one of limited subject matter, pursuant~~  
734 ~~to chapter 50.~~

735 (h) In no event shall any taxing authority add to or  
736 delete from the language of the advertisements as specified  
737 herein unless expressly authorized by law, except that, if an  
738 increase in ad valorem tax rates will affect only a portion of  
739 the jurisdiction of a taxing authority, advertisements may  
740 include a map or geographical description of the area to be  
741 affected and the proposed use of the tax revenues under  
742 consideration. ~~In addition, if published in the newspaper, the~~  
743 ~~map must be part of the online advertisement required by s.~~  
744 ~~50.0211.~~ The advertisements required herein shall not be  
745 accompanied, preceded, or followed by other advertising or  
746 notices which conflict with or modify the substantive content  
747 prescribed herein.

748 Section 23. Paragraph (b) of subsection (2) of section  
749 316.066, Florida Statutes, is amended to read:

750 316.066 Written reports of crashes.—

751 (2)

752 (b) Crash reports held by an agency under paragraph (a)

753 may be made immediately available to the parties involved in the

754 crash, their legal representatives, their licensed insurance

755 agents, their insurers or insurers to which they have applied

756 for coverage, persons under contract with such insurers to

757 provide claims or underwriting information, prosecutorial

758 authorities, law enforcement agencies, the Department of

759 Transportation, county traffic operations, victim services

760 programs, radio and television stations licensed by the Federal

761 Communications Commission, ~~newspapers qualified to publish legal~~

762 ~~notices under ss. 50.011 and 50.031,~~ and, in accordance with

763 paragraph (f), free newspapers of general circulation, published

764 once a week or more often, of which at least 7,500 copies are

765 distributed by mail or by carrier as verified by a postal

766 statement or by a notarized printer's statement of press run,

767 which are intended to be generally distributed and circulated,

768 and which contain news of general interest with at least 10

769 pages per publication, available and of interest to the public

770 generally for the dissemination of news. For the purposes of

771 this section, the following products or publications are not

772 newspapers as referred to in this section: those intended

773 primarily for members of a particular profession or occupational

774 group; those with the primary purpose of distributing

775 advertising; and those with the primary purpose of publishing

776 names and other personal identifying information concerning  
777 parties to motor vehicle crashes.

778 Section 24. Paragraph (c) of subsection (1) of section  
779 338.223, Florida Statutes, is amended to read:

780 338.223 Proposed turnpike projects.—

781 (1)

782 (c) Before ~~Prior to~~ requesting legislative approval of a  
783 proposed turnpike project, the environmental feasibility of the  
784 proposed project shall be reviewed by the Department of  
785 Environmental Protection. The department shall submit its  
786 Project Development and Environmental Report to the Department  
787 of Environmental Protection, along with a draft copy of a public  
788 notice. Within 14 days of receipt of the draft public notice,  
789 the Department of Environmental Protection shall return the  
790 draft public notice to the Department of Transportation with an  
791 approval of the language or modifications to the language. Upon  
792 receipt of the approved or modified draft, or if no comments are  
793 provided within 14 days, the Department of Transportation shall  
794 publish the notice ~~in a newspaper~~ to provide a 30-day public  
795 comment period. ~~The headline of the required notice shall be in~~  
796 ~~a type no smaller than 18 point.~~ The notice shall be placed ~~in~~  
797 ~~that portion of the newspaper where legal notices appear.~~ The  
798 ~~notice shall be published in a newspaper of general circulation~~  
799 in the county or counties of general interest and readership in  
800 the community as provided in s. 50.0311 ~~s. 50.031, not one of~~



801 ~~limited subject matter. Whenever possible, the notice shall~~  
802 ~~appear in a newspaper that is published at least 5 days a week.~~  
803 The notice shall include, but is not limited to, the following  
804 information:

805 1. The purpose of the notice is to provide for a 30-day  
806 period for written public comments on the environmental impacts  
807 of a proposed turnpike project.

808 2. The name and description of the project, along with a  
809 geographic location map clearly indicating the area where the  
810 proposed project will be located.

811 3. The address where such comments must be sent and the  
812 date such comments are due.

813  
814 After a review of the department's report and any public  
815 comments, the Department of Environmental Protection shall  
816 submit a statement of environmental feasibility to the  
817 department within 30 days after the date on which public  
818 comments are due. The notice and the statement of environmental  
819 feasibility shall not give rise to any rights to a hearing or  
820 other rights or remedies provided pursuant to chapter 120 or  
821 chapter 403, and shall not bind the Department of Environmental  
822 Protection in any subsequent environmental permit review.

823 Section 25. Section 373.0397, Florida Statutes, is amended  
824 to read:

825 373.0397 Floridan and Biscayne aquifers; designation of

826 prime groundwater recharge areas.—Upon preparation of an  
 827 inventory of prime groundwater recharge areas for the Floridan  
 828 or Biscayne aquifers, but before ~~prior to~~ adoption by the  
 829 governing board, the water management district shall publish a  
 830 legal notice of public hearing on the designated areas for the  
 831 Floridan and Biscayne aquifers, with a map delineating the  
 832 boundaries of the areas, as provided ~~in newspapers defined in~~  
 833 chapter 50 in each county ~~as having general circulation~~ within  
 834 the area to be affected. The notice shall be at least one-fourth  
 835 page and shall read as follows:

836 NOTICE OF PRIME RECHARGE

837 AREA DESIGNATION

838 The ...(name of taxing authority)... proposes to designate  
 839 specific land areas as areas of prime recharge to the ...(name  
 840 of aquifer)... Aquifer.

841 All concerned citizens are invited to attend a public  
 842 hearing on the proposed designation to be held on ...(date and  
 843 time)... at ...(meeting place)....

844 A map of the affected areas follows.  
 845 The governing board of the water management district shall adopt  
 846 a designation of prime groundwater recharge areas to the  
 847 Floridan and Biscayne aquifers by rule within 120 days after the  
 848 public hearing, subject to the provisions of chapter 120.

849 Section 26. Section 373.146, Florida Statutes, is amended  
 850 to read:

851 373.146 Publication of notices, process, and papers.—

852 (1) Whenever in this chapter the publication of any  
 853 notice, process, or paper is required or provided for, unless  
 854 otherwise provided by law, the publication thereof ~~in some~~  
 855 ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 in  
 856 each county ~~having general circulation~~ within the area to be  
 857 affected shall be taken and considered as being sufficient.

858 (2) Notwithstanding any other provision of law to the  
 859 contrary, and except in the case of emergency meetings, water  
 860 management districts may provide reasonable notice of public  
 861 meetings held to evaluate responses to solicitations issued by  
 862 the water management district, by publication as provided in  
 863 chapter 50 ~~in a newspaper of general paid circulation~~ in the  
 864 county where the principal office of the water management  
 865 district is located, or in the county or counties where the  
 866 public work will be performed, no less than 7 days before such  
 867 meeting.

868 Section 27. Subsection (12) of section 403.722, Florida  
 869 Statutes, is amended to read:

870 403.722 Permits; hazardous waste disposal, storage, and  
 871 treatment facilities.—

872 (12) On the same day of filing with the department of an  
 873 application for a permit for the construction modification, or  
 874 operation of a hazardous waste facility, the applicant shall  
 875 notify each city and county within 1 mile of the facility of the

876 filing of the application and shall publish notice of the filing  
 877 of the application. The applicant shall publish a second notice  
 878 of the filing within 14 days after the date of filing. Each  
 879 notice shall be published ~~in a newspaper of general circulation~~  
 880 in the county in which the facility is located or is proposed to  
 881 be located as provided in ~~. Notwithstanding the provisions of~~  
 882 chapter 50, ~~for purposes of this section, a "newspaper of~~  
 883 ~~general circulation"~~ shall be the newspaper within the county in  
 884 which the installation or facility is proposed which has the  
 885 largest daily circulation in that county and has its principal  
 886 office in that county. If the newspaper with the largest daily  
 887 circulation has its principal office outside the county, the  
 888 notice shall appear in both the newspaper with the largest daily  
 889 circulation in that county, and a newspaper authorized to  
 890 publish legal notices in that county. The notice shall contain:

891 (a) The name of the applicant and a brief description of  
 892 the project and its location.

893 (b) The location of the application file and when it is  
 894 available for public inspection.

895  
 896 The notice shall be prepared by the applicant and shall comply  
 897 with the following format:

898 Notice of Application

899 The Department of Environmental Protection announces receipt of  
 900 an application for a permit from ...(name of applicant)... to

901 ... (brief description of project).... This proposed project will  
902 be located at ... (location)... in ... (county)... ... (city)....  
903 This application is being processed and is available for public  
904 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,  
905 Monday through Friday, except legal holidays, at ... (name and  
906 address of office)....

907 Section 28. Paragraph (c) of subsection (7) of section  
908 501.059, Florida Statutes, is amended to read:

909 501.059 Telephone solicitation.—

910 (7)

911 (c) ~~The provisions of~~ This subsection does ~~de~~ not apply to  
912 a transaction:

913 1. Made in accordance with prior negotiations in the  
914 course of a visit by the consumer to a merchant operating a  
915 retail business establishment which has a fixed permanent  
916 location and where consumer goods are displayed or offered for  
917 sale on a continuing basis;

918 2. In which the consumer may obtain a full refund for the  
919 return of undamaged and unused goods or a cancellation of  
920 services notice to the seller within 7 days after receipt by the  
921 consumer, and the seller will process the refund within 30 days  
922 after receipt of the returned merchandise by the consumer;

923 3. In which the consumer purchases goods or services  
924 pursuant to an examination of a television, radio, or print  
925 advertisement or a sample, brochure, or catalog of the merchant

926 that contains:

927 a. The name, address, and telephone number of the  
928 merchant;

929 b. A description of the goods or services being sold; and

930 c. Any limitations or restrictions that apply to the  
931 offer; or

932 4. In which the merchant is a bona fide charitable  
933 organization or a newspaper ~~as defined in chapter 50.~~

934 Section 29. Paragraph (b) of subsection (3) of section  
935 712.06, Florida Statutes, is amended to read:

936 712.06 Contents of notice; recording and indexing.—

937 (3) The person providing the notice referred to in s.  
938 712.05, other than a notice for preservation of a community  
939 covenant or restriction, shall:

940 (b) Publish ~~once a week~~, for 2 consecutive weeks, the  
941 notice referred to in s. 712.05, with the official record book  
942 and page number in which such notice was recorded, ~~in a~~  
943 ~~newspaper~~ as provided ~~defined~~ in chapter 50 in the county in  
944 which the property is located.

945 Section 30. Subsection (5) of section 849.38, Florida  
946 Statutes, is amended to read:

947 849.38 Proceedings for forfeiture; notice of seizure and  
948 order to show cause.—

949 (5) If the value of the property seized is shown by the  
950 sheriff's return to have an appraised value of \$1,000 or less,

951 the above citation shall be served by posting at three public  
952 places in the county, one of which shall be the front door of  
953 the courthouse; if the value of the property is shown by the  
954 sheriff's return to have an approximate value of more than  
955 \$1,000, the citation shall be published ~~at least once each week~~  
956 for 2 consecutive weeks as provided in chapter 50. ~~in some~~  
957 ~~newspaper of general publication published in the county, if~~  
958 ~~there be such a newspaper published in the county and if not,~~  
959 ~~then~~ Said notice of such publication shall be made by  
960 certificate of the clerk if publication is made by posting, and  
961 by affidavit as provided in chapter 50, if made by publication  
962 as provided in chapter 50 ~~in a newspaper,~~ which affidavit or  
963 certificate shall be filed and become a part of the record in  
964 the cause. Failure of the record to show proof of such  
965 publication shall not affect any judgment made in the cause  
966 unless it shall affirmatively appear that no such publication  
967 was made.

968 Section 31. Paragraph (a) of subsection (3) of section  
969 865.09, Florida Statutes, is amended to read:

970 865.09 Fictitious name registration.—

971 (3) REGISTRATION.—

972 (a) A person may not engage in business under a fictitious  
973 name unless the person first registers the name with the  
974 division by filing a registration listing:

975 1. The name to be registered.

976 2. The mailing address of the business.

977 3. The name and address of each registrant.

978 4. If the registrant is a business entity that was  
 979 required to file incorporation or similar documents with its  
 980 state of organization when it was organized, such entity must be  
 981 registered with the division and in active status with the  
 982 division; provide its Florida document registration number; and  
 983 provide its federal employer identification number if the entity  
 984 has such a number.

985 5. Certification by at least one registrant that the  
 986 intention to register such fictitious name has been advertised  
 987 as provided ~~at least once in a newspaper as defined in chapter~~  
 988 50 in the county in which the principal place of business of the  
 989 registrant is or will be located.

990 6. Any other information the division may reasonably deem  
 991 necessary to adequately inform other governmental agencies and  
 992 the public as to the registrant so conducting business.

993 Section 32. Paragraph (a) of subsection (6) of section  
 994 932.704, Florida Statutes, is amended to read:

995 932.704 Forfeiture proceedings.—

996 (6) (a) If the property is required by law to be titled or  
 997 registered, or if the owner of the property is known in fact to  
 998 the seizing agency, or if the seized property is subject to a  
 999 perfected security interest in accordance with the Uniform  
 1000 Commercial Code, chapter 679, the attorney for the seizing



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1001 agency shall serve the forfeiture complaint as an original  
1002 service of process under the Florida Rules of Civil Procedure  
1003 and other applicable law to each person having an ownership or  
1004 security interest in the property. The seizing agency shall also  
1005 publish, in accordance with chapter 50, notice of the forfeiture  
1006 complaint ~~once each week~~ for 2 consecutive weeks ~~in a newspaper~~  
1007 ~~of general circulation, as defined in s. 165.031,~~ in the county  
1008 where the seizure occurred.

1009 Section 33. This act shall take effect July 1, 2020.