

1 A bill to be entitled
2 An act relating to legal notices; amending s. 50.011,
3 F.S.; providing for Internet website publication of
4 legal notices; amending ss. 50.021, 50.0211, and
5 50.031, F.S.; conforming provisions to changes made by
6 the act; creating s. 50.0311, F.S.; providing
7 definitions; allowing a governmental agency to publish
8 legal notices on a publicly accessible website;
9 providing criteria for website publication; authorizes
10 a fiscally constrained county to use a publicly
11 accessible website to publish legally required
12 advertisements and public notices only if certain
13 requirements are met; requiring a governmental agency
14 to provide specified notice to residents concerning
15 alternative methods of receiving legal notices;
16 authorizing a governmental agency to publish such
17 notices on governmental access channels; amending s.
18 50.041, F.S.; deleting provisions related to
19 publication of legal notices in newspapers; amending
20 s. 50.051, F.S.; specifying a form for affidavits of
21 publication; amending s. 50.0711, F.S.; revising
22 provisions related to the use of court docket funds;
23 amending s. 83.806, F.S.; providing that advertisement
24 of a sale or disposition of property may be published
25 on certain websites for a specified time period;

26 | amending ss. 11.02, 45.031, 121.0511, 121.055, 125.66,
 27 | 162.12, 166.041, 189.015, 190.005, 194.037, 197.402,
 28 | 200.065, 338.223, 373.0397, 373.146, 403.722, 712.06,
 29 | 849.38, 865.09, and 932.704; conforming provisions to
 30 | changes made by the act; providing an effective date.
 31 |

32 | Be It Enacted by the Legislature of the State of Florida:
 33 |

34 | Section 1. Section 50.011, Florida Statutes, is amended to
 35 | read:

36 | 50.011 Publication of ~~Where and in what language~~ legal
 37 | notices ~~to be published.~~ Whenever by statute an official or
 38 | legal advertisement or a publication, or notice in a newspaper
 39 | or governmental agency website has been or is directed or
 40 | permitted in the nature of or in lieu of process, or for
 41 | constructive service, or in initiating, assuming, reviewing,
 42 | exercising or enforcing jurisdiction or power, or for any
 43 | purpose, including all legal notices and advertisements of
 44 | sheriffs and tax collectors, the contemporaneous and continuous
 45 | intent and meaning of such legislation all and singular,
 46 | existing or repealed, is and has been and is hereby declared to
 47 | be and to have been, and the rule of interpretation is and has
 48 | been the following:

49 | (1) A publication in a newspaper printed and published
 50 | periodically at least once a week ~~or oftener~~, containing at

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

60 | (2) On a publicly accessible website pursuant to s.
 61 | 50.0311.

62 | Section 2. Section 50.021, Florida Statutes, is amended to
 63 | read:

64 | 50.021 Publication when no newspaper in county.—When any
 65 | law, or order or decree of court, directs ~~shall direct~~
 66 | advertisements to be made in a any county and there is ~~be~~ no
 67 | newspaper published in the ~~said~~ county, the advertisement may be
 68 | posted on a publicly accessible website as provided in s.
 69 | 50.0311 or made by posting three copies thereof in three
 70 | different places in the ~~said~~ county, one of which shall be at
 71 | the front door of the courthouse, and by publication in the
 72 | nearest county in which a newspaper is published.

73 | Section 3. Subsections (2) and (3) of section 50.0211,
 74 | Florida Statutes, are amended to read:

75 | 50.0211 Internet website publication.—

76 (2) If a governmental agency publishes a legal notice in a
77 newspaper, each legal notice must be posted on the newspaper's
78 website on the same day that the printed notice appears in the
79 newspaper, at no additional charge, in a separate web page
80 titled "Legal Notices," "Legal Advertising," or comparable
81 identifying language. A link to the legal notices web page shall
82 be provided on the front page of the newspaper's website that
83 provides access to the legal notices. If there is a specified
84 size and placement required for a printed legal notice, the size
85 and placement of the notice on the newspaper's website must
86 optimize its online visibility in keeping with the print
87 requirements. The newspaper's web pages that contain legal
88 notices must present the legal notices as the dominant and
89 leading subject matter of those pages. The newspaper's website
90 must contain a search function to facilitate searching the legal
91 notices. A fee may not be charged, and registration may not be
92 required, for viewing or searching legal notices on a
93 newspaper's website if the legal notice is published in a
94 newspaper.

95 (3) (a) If a legal notice is published in a newspaper, the
96 newspaper publishing the notice shall place the notice on the
97 statewide website established and maintained as an initiative of
98 the Florida Press Association as a repository for such notices
99 located at the following address: www.floridapublicnotices.com.

100 (b) A legal notice placed on the statewide website created

101 under this subsection must be:

102 1. Accessible and searchable by party name and case
103 number.

104 2. Posted for a period of at least 90 consecutive days
105 after the first day of posting.

106 (c) The statewide website created under this subsection
107 shall maintain a searchable archive of all legal notices posted
108 on the publicly accessible website ~~on or after October 1, 2014,~~
109 for 18 months after the first day of posting. Such searchable
110 archive shall be provided and accessible to the general public
111 without charge.

112 Section 4. Section 50.031, Florida Statutes, is amended to
113 read:

114 50.031 Newspapers in which legal notices and process may
115 be published.-If a governmental agency publishes a legal notice
116 in a newspaper, no notice or publication required to be
117 published ~~in a newspaper~~ in the nature of or in lieu of process
118 of any kind, nature, character or description provided for under
119 any law of the state, whether heretofore or hereafter enacted,
120 and whether pertaining to constructive service, or the
121 initiating, assuming, reviewing, exercising or enforcing
122 jurisdiction or power, by any court in this state, or any notice
123 of sale of property, real or personal, for taxes, state, county
124 or municipal, or sheriff's, guardian's or administrator's or any
125 sale made pursuant to any judicial order, decree or statute or

126 any other publication or notice pertaining to any affairs of the
127 state, or any county, municipality or other political
128 subdivision thereof, shall be deemed to have been published in
129 accordance with the statutes providing for such publication,
130 unless the same shall have been published for the prescribed
131 period of time required for such publication, in a newspaper
132 which at the time of such publication shall have been in
133 existence for 1 year and shall have been entered as periodicals
134 matter at a post office in the county where published, or in a
135 newspaper which is a direct successor of a newspaper which
136 together have been so published; provided, however, that nothing
137 herein contained shall apply where in any county there shall be
138 no newspaper in existence which shall have been published for
139 the length of time above prescribed. No legal publication of any
140 kind, nature or description, as herein defined, shall be valid
141 or binding or held to be in compliance with the statutes
142 providing for such publication unless the same shall have been
143 published in accordance with the provisions of this section or
144 s. 50.0311. Proof of such publication shall be made by uniform
145 affidavit.

146 Section 5. Section 50.0311, Florida Statutes, is created
147 to read:

148 50.0311 Publication of advertisements and public notices
149 on a publicly accessible website and governmental access
150 channels.-

151 (1) For purposes of this chapter, "governmental agency"
152 means a county, municipality, school board, or other unit of
153 local government or political subdivision in this state.

154 (2) For purposes of notices and advertisements required
155 under s. 50.11, the term "publicly accessible website" means a
156 governmental agency's official website or other private website
157 designated by the governmental agency for the posting of legal
158 notices and advertisements that is accessible via the Internet.
159 All advertisements and public notices published on a website as
160 provided in this chapter must be in searchable form.

161 (3) "Fiscally constrained county" means a county within a
162 rural area of opportunity as designated by the Governor pursuant
163 to s. 288.0656 or a county for which the value of a mill will
164 raise no more than \$5 million in revenue, based on the certified
165 school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,
166 from the previous July 1.

167 (4) A governmental agency in a county that is not a
168 fiscally constrained county may use a publicly accessible
169 website to publish legally required advertisements and public
170 notices if the cost of publishing advertisements and public
171 notices on a website is less than the cost of publishing
172 advertisements and public notices in a newspaper.

173 (5) A governmental agency in a fiscally constrained county
174 may use a publicly accessible website to publish legally
175 required advertisements and public notices only if the

176 governmental agency, after a public hearing which has been
177 noticed in a newspaper as provided in this chapter, makes a
178 determination of the following:

179 (a) Publishing advertisements and public notices on a
180 publicly accessible website is in the public interest;

181 (b) The cost of publishing advertisements and notices on a
182 publicly accessible website is less than the cost of publishing
183 advertisements and notices in a newspaper; and

184 (c) The residents of the county have sufficient access to
185 the Internet by broadband service as defined in s. 364.02(2) or
186 any other means such that publishing advertisements and public
187 notices on a publicly accessible website will not unreasonably
188 restrict public access.

189 (6) A governmental agency shall provide notice at least
190 once per year in a newspaper of general circulation or another
191 publication that is mailed or delivered to all residents and
192 property owners throughout the government's jurisdiction,
193 indicating that property owners and residents may receive
194 legally required advertisements and public notices from the
195 government agency by first-class mail or e-mail upon registering
196 their name and address or e-mail address with the governmental
197 agency. The governmental agency shall maintain a registry of
198 names, addresses, and e-mail addresses of property owners and
199 residents who request in writing that they receive legally
200 required advertisements and public notices from the governmental

201 agency by first-class mail or e-mail.

202 (7) A link to advertisements and public notices published
203 on a publicly accessible website shall be conspicuously placed
204 on the website's homepage or accessible through a direct link
205 from the homepage. Each advertisement or public notice shall
206 indicate the date on which the advertisement or public notice
207 was first published on the publicly accessible website.

208 (8) A governmental agency that has a governmental access
209 channel authorized under s. 610.109 may also include on its
210 governmental access channel a summary of all advertisements and
211 public notices that are posted on its publicly accessible
212 website.

213 Section 6. Section 50.041, Florida Statutes, is amended to
214 read:

215 50.041 Proof of publication; uniform affidavits required.—

216 (1) All affidavits ~~of publishers of newspapers (or their~~
217 ~~official representatives)~~ made for the purpose of establishing
218 proof of publication of public notices or legal advertisements
219 shall be uniform throughout the state.

220 (2) Each such affidavit shall be printed upon white paper
221 and shall be 8 1/2 inches in width and of convenient length, not
222 less than 5 1/2 inches. A white margin of not less than 2 1/2
223 inches shall be left at the right side of each affidavit form
224 and upon or in this space shall be substantially pasted a
225 clipping which shall be a true copy of the public notice or

226 | legal advertisement for which proof is executed. Alternatively,
 227 | the affidavit may be provided in electronic rather than paper
 228 | form, provided the notarization of the affidavit complies with
 229 | the requirements of s. 117.021.

230 | (3) ~~In all counties having a population in excess of~~
 231 | ~~450,000 according to the latest official decennial census, in~~
 232 | ~~addition to the charges which are now or may hereafter be~~
 233 | ~~established by law for the publication of every official notice~~
 234 | ~~or legal advertisement,~~ There may be a charge not to exceed \$2
 235 | levied for the preparation and execution of each such proof of
 236 | publication or ~~publisher's~~ affidavit.

237 | Section 7. Section 50.051, Florida Statutes, is amended to
 238 | read:

239 | 50.051 Proof of publication; form of uniform affidavit.—
 240 | The printed form upon which all such affidavits establishing
 241 | proof of publication are to be executed shall be substantially
 242 | as follows:

243 | NAME OF COUNTY NEWSPAPER
 244 | Published ~~(Weekly or Daily)~~
 245 | ~~(Town or City) (County)~~ FLORIDA

246 | STATE OF FLORIDA
 247 | COUNTY OF:

248 | Before the undersigned authority personally appeared,
 249 | who on oath says that he or she is of ~~the, a~~
 250 | ~~newspaper published at in~~ County, Florida; that the

251 attached copy of advertisement, being a in the matter of
 252 in the Court, was published on the publicly accessible
 253 website of the governmental agency or in a ~~said~~ newspaper. ~~in~~
 254 ~~the issues of~~

255 Affiant further says that the website or newspaper complies
 256 with all legal requirements for publication in chapter 50,
 257 Florida Statutes. ~~said is a newspaper published at, in~~
 258 ~~said County, Florida, and that the said newspaper has~~
 259 ~~heretofore been continuously published in said County,~~
 260 ~~Florida, each and has been entered as periodicals matter at~~
 261 ~~the post office in, in said County, Florida, for a~~
 262 ~~period of 1 year next preceding the first publication of the~~
 263 ~~attached copy of advertisement; and affiant further says that he~~
 264 ~~or she has neither paid nor promised any person, firm or~~
 265 ~~corporation any discount, rebate, commission or refund for the~~
 266 ~~purpose of securing this advertisement for publication in the~~
 267 ~~said newspaper.~~

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

271 ...(Signature of Notary Public)...

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

273 ...(Notary Public)...

274 Section 8. Section 50.0711, Florida Statutes, is amended
 275 to read:

276 50.0711 Court docket fund; service charges; publications.—

277 (1) The clerk of the court in each county may establish a
278 court docket fund for the purpose of paying the cost of
279 publication of the fact of the filing of any civil case in the
280 circuit court of the county by the style and of the calendar
281 relating to such cases. This court docket fund shall be funded
282 by \$1 mandatory court cost for all civil actions, suits, or
283 proceedings filed in the circuit court of the county. The clerk
284 shall maintain such funds separate and apart, and the proceeds
285 from this court cost shall not be diverted to any other fund or
286 for any purpose other than that established in this section. The
287 clerk of the court shall dispense the fund to the designated
288 publicly accessible website publisher or record newspaper in the
289 county on a quarterly basis.

290 (2) If a judicial circuit publishes notices in a
291 newspaper, a newspaper qualified under the terms of s. 50.011
292 shall be designated as the record newspaper for such publication
293 by an order of the majority of the judges in the judicial
294 circuit in which such county is located, and such order shall be
295 filed and recorded with the clerk of the circuit court for such
296 county. The designated record newspaper may be changed at the
297 end of any fiscal year of the county by a majority vote of the
298 judges of the judicial circuit of the county ordering such
299 change 30 days prior to the end of the fiscal year, notice of
300 which order shall be given to the previously designated record

301 newspaper.

302 (3) The publicly accessible website publisher or
303 publishers of any designated record newspapers receiving payment
304 from this court docket fund shall publish, without additional
305 charge, the fact of the filing of any civil case, suit, or
306 action filed in such county in the circuit. Such publication
307 shall be in accordance with a schedule agreed upon between the
308 website publisher or record newspaper and the clerk of the court
309 in such county.

310 (4) The publicly accessible website publisher or
311 publishers of any designated record newspapers receiving
312 revenues from the court docket fund established in subsection
313 (1) shall, without charge, accept legal advertisements for the
314 purpose of service of process by publication under s. 49.011(4),
315 (10), and (11) when such publication is required of persons
316 authorized to proceed as indigent persons under s. 57.081.

317 Section 9. Paragraph (4) of section 83.806, Florida
318 Statutes, is amended to read:

319 83.806 Enforcement of lien.—An owner's lien as provided in
320 s. 83.805 may be satisfied as follows:

321 (4) After the expiration of the time given in the notice,
322 an advertisement of the sale or other disposition shall be
323 published once a week for 2 consecutive weeks in a newspaper of
324 general circulation in the area where the self-service storage
325 facility or self-contained storage unit is located or published

326 continuously for 14 consecutive days on a public website that
327 customarily conducts personal property auctions.

328 (a) A lien sale may be conducted on a public website that
329 customarily conducts personal property auctions. The facility or
330 unit owner is not required to hold a license to post property
331 for online sale. Inasmuch as any sale may involve property of
332 more than one tenant, a single advertisement may be used to
333 dispose of property at any one sale.

334 (b) The advertisement shall include:

335 1. A brief and general description of what is believed to
336 constitute the personal property contained in the storage unit,
337 as provided in paragraph (2) (b).

338 2. The address of the self-service storage facility or the
339 address where the self-contained storage unit is located and the
340 name of the tenant.

341 3. The time, place, and manner of the sale or other
342 disposition. The sale or other disposition shall take place at
343 least 15 days after the first publication.

344 (c) If there is no newspaper of general circulation in the
345 area where the self-service storage facility or self-contained
346 storage unit is located, the advertisement shall be posted at
347 least 10 days before the date of the sale or other disposition
348 in at least three conspicuous places in the neighborhood where
349 the self-service storage facility or self-contained storage unit
350 is located or published continuously for 14 consecutive days on

351 a public website that customarily conducts personal property
352 auctions.

353 Section 10. Section 11.02, Florida Statutes, is amended to
354 read:

355 11.02 Notice of special or local legislation or certain
356 relief acts.—The notice required to obtain special or local
357 legislation or any relief act specified in s. 11.065 shall be by
358 publishing the identical notice ~~in each county involved in some~~
359 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in~~ or
360 circulated throughout the county or counties where the matter or
361 thing to be affected by such legislation shall be situated one
362 time at least 30 days before introduction of the proposed law
363 into the Legislature or, if the notice is not posted on a
364 publicly accessible website as provided in chapter 50 and there
365 being no newspaper circulated throughout or published in the
366 county, by posting for at least 30 days at not less than three
367 public places in the county or each of the counties, one of
368 which places shall be at the courthouse in the county or
369 counties where the matter or thing to be affected by such
370 legislation shall be situated. Notice of special or local
371 legislation shall state the substance of the contemplated law,
372 as required by s. 10, Art. III of the State Constitution. Notice
373 of any relief act specified in s. 11.065 shall state the name of
374 the claimant, the nature of the injury or loss for which the
375 claim is made, and the amount of the claim against the affected

376 municipality's revenue-sharing trust fund.

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

379 45.031 Judicial sales procedure.—In any sale of real or
380 personal property under an order or judgment, the procedures
381 provided in this section and ss. 45.0315-45.035 may be followed
382 as an alternative to any other sale procedure if so ordered by
383 the court.

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

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

392 (b) The time and place of sale.

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

395 (d) The caption of the action.

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

397 (f) A statement that any person claiming an interest in
398 the surplus from the sale, if any, other than the property owner
399 as of the date of the lis pendens must file a claim within 60
400 days after the sale.

401
 402 The court, in its discretion, may enlarge the time of the sale.
 403 Notice of the changed time of sale shall be published as
 404 provided herein.

405 Section 12. Subsection (2) of section 121.0511, Florida
 406 Statutes, is amended to read:

407 121.0511 Revocation of election and alternative plan.—The
 408 governing body of any municipality or independent special
 409 district that has elected to participate in the Florida
 410 Retirement System may revoke its election in accordance with the
 411 following procedure:

412 (2) At least 7 days, but not more than 15 days, before the
 413 hearing, notice of intent to revoke, specifying the time and
 414 place of the hearing, must be published as provided in chapter
 415 50 ~~in a newspaper of general circulation in the area affected,~~
 416 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the
 417 notice must be submitted to the Department of Management
 418 Services.

419 Section 13. Paragraphs (b) and (h) of subsection (1) of
 420 section 121.055, Florida Statutes, are amended to read:

421 121.055 Senior Management Service Class.—There is hereby
 422 established a separate class of membership within the Florida
 423 Retirement System to be known as the "Senior Management Service
 424 Class," which shall become effective February 1, 1987.

425 (1)

426 (b)1. Except as provided in subparagraph 2., effective
427 January 1, 1990, participation in the Senior Management Service
428 Class is compulsory for the president of each community college,
429 the manager of each participating municipality or county, and
430 all appointed district school superintendents. Effective January
431 1, 1994, additional positions may be designated for inclusion in
432 the Senior Management Service Class if:

433 a. Positions to be included in the class are designated by
434 the local agency employer. Notice of intent to designate
435 positions for inclusion in the class must be published for at
436 least 2 consecutive weeks if published on a publicly accessible
437 website or once a week for 2 consecutive weeks in a newspaper of
438 general circulation published in the county or counties
439 affected, ~~as~~ provided in chapter 50.

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

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

450 (I) Heads an organizational unit; or

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

454 2. In lieu of participation in the Senior Management
455 Service Class, members of the Senior Management Service Class,
456 pursuant to subparagraph 1., may withdraw from the Florida
457 Retirement System altogether. The decision to withdraw from the
458 system is irrevocable as long as the employee holds the
459 position. Any service creditable under the Senior Management
460 Service Class shall be retained after the member withdraws from
461 the system; however, additional service credit in the Senior
462 Management Service Class may not be earned after such
463 withdrawal. Such members are not eligible to participate in the
464 Senior Management Service Optional Annuity Program.

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

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

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

476 | which the employee had withdrawn from the system.

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

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

495 | (h)1. Except as provided in subparagraph 3., effective
 496 | January 1, 1994, participation in the Senior Management Service
 497 | Class shall be compulsory for the State Courts Administrator and
 498 | the Deputy State Courts Administrators, the Clerk of the Supreme
 499 | Court, the Marshal of the Supreme Court, the Executive Director
 500 | of the Justice Administrative Commission, the capital collateral

501 regional counsel, the clerks of the district courts of appeals,
502 the marshals of the district courts of appeals, and the trial
503 court administrator and the Chief Deputy Court Administrator in
504 each judicial circuit. Effective January 1, 1994, additional
505 positions in the offices of the state attorney and public
506 defender in each judicial circuit may be designated for
507 inclusion in the Senior Management Service Class of the Florida
508 Retirement System, provided that:

509 a. Positions to be included in the class shall be
510 designated by the state attorney or public defender, as
511 appropriate. Notice of intent to designate positions for
512 inclusion in the class shall be published for at least 2
513 consecutive weeks if published on a publicly accessible website
514 or once a week for 2 consecutive weeks in a newspaper of general
515 circulation published in the county or counties affected, ~~as~~
516 provided in chapter 50.

517 b. One nonelective full-time position may be designated
518 for each state attorney and public defender reporting to the
519 Department of Management Services; for agencies with 200 or more
520 regularly established positions under the state attorney or
521 public defender, additional nonelective full-time positions may
522 be designated, not to exceed 0.5 percent of the regularly
523 established positions within the agency.

524 c. Each position added to the class must be a managerial
525 or policymaking position filled by an employee who serves at the

526 | pleasure of the state attorney or public defender without civil
527 | service protection, and who:

528 | (I) Heads an organizational unit; or

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

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

543 | 3. In lieu of participation in the Senior Management
544 | Service Class, such members, excluding assistant state
545 | attorneys, assistant public defenders, assistant statewide
546 | prosecutors, assistant attorneys general, and assistant capital
547 | collateral regional counsel, may participate in the Senior
548 | Management Service Optional Annuity Program as established in
549 | subsection (6).

550 | Section 14. Paragraph (a) of subsection (2) and paragraph

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

553 125.66 Ordinances; enactment procedure; emergency
554 ordinances; rezoning or change of land use ordinances or
555 resolutions.—

556 (2) (a) The regular enactment procedure shall be as
557 follows: The board of county commissioners at any regular or
558 special meeting may enact or amend any ordinance, except as
559 provided in subsection (4), if notice of intent to consider such
560 ordinance is given at least 10 days prior to said meeting by
561 publication as provided in chapter 50 ~~in a newspaper of general~~
562 ~~circulation in the county~~. A copy of such notice shall be kept
563 available for public inspection during the regular business
564 hours of the office of the clerk of the board of county
565 commissioners. The notice of proposed enactment shall state the
566 date, time, and place of the meeting; the title or titles of
567 proposed ordinances; and the place or places within the county
568 where such proposed ordinances may be inspected by the public.
569 The notice shall also advise that interested parties may appear
570 at the meeting and be heard with respect to the proposed
571 ordinance.

572 (4) Ordinances or resolutions, initiated by other than the
573 county, that change the actual zoning map designation of a
574 parcel or parcels of land shall be enacted pursuant to
575 subsection (2). Ordinances or resolutions that change the actual

576 list of permitted, conditional, or prohibited uses within a
577 zoning category, or ordinances or resolutions initiated by the
578 county that change the actual zoning map designation of a parcel
579 or parcels of land shall be enacted pursuant to the following
580 procedure:

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

587 1. The board of county commissioners shall hold two
588 advertised public hearings on the proposed ordinance or
589 resolution. At least one hearing shall be held after 5 p.m. on a
590 weekday, unless the board of county commissioners, by a majority
591 plus one vote, elects to conduct that hearing at another time of
592 day. The first public hearing shall be held at least 7 days
593 after the day that the first advertisement is published. The
594 second hearing shall be held at least 10 days after the first
595 hearing and shall be advertised at least 5 days prior to the
596 public hearing.

597 2. If published in a newspaper, the required
598 advertisements shall be no less than 2 columns wide by 10 inches
599 long in a standard size or a tabloid size newspaper, and the
600 headline in the advertisement shall be in a type no smaller than

601 18 point. The advertisement shall not be placed in that portion
602 of the newspaper where legal notices and classified
603 advertisements appear. The advertisement shall be placed in a
604 newspaper ~~of general paid circulation~~ in the county and of
605 general interest and readership in the community pursuant to
606 chapter 50, not one of limited subject matter. It is the
607 legislative intent that, whenever possible, the advertisement
608 shall appear in a newspaper that is published at least weekly ~~5~~
609 ~~days a week~~ unless the only newspaper in the community is
610 published less than weekly ~~5 days a week~~. The advertisement
611 shall be in substantially the following form:

612 NOTICE OF (TYPE OF) CHANGE

613 The ...(name of local governmental unit)... proposes to
614 adopt the following by ordinance or resolution:... (title of
615 ordinance or resolution)....

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

618 Except for amendments which change the actual list of permitted,
619 conditional, or prohibited uses within a zoning category, the
620 advertisement shall contain a geographic location map which
621 clearly indicates the area within the local government covered
622 by the proposed ordinance or resolution. The map shall include
623 major street names as a means of identification of the general
624 area. In addition to being published on a publicly accessible
625 website or in the newspaper, the map must be part of the online

626 notice required pursuant to s. 50.0211 or s. 50.0311.

627 3. In lieu of publishing the advertisements set out in
 628 this paragraph, the board of county commissioners may mail a
 629 notice to each person owning real property within the area
 630 covered by the ordinance or resolution. Such notice shall
 631 clearly explain the proposed ordinance or resolution and shall
 632 notify the person of the time, place, and location of both
 633 public hearings on the proposed ordinance or resolution.

634 Section 15. Paragraph (a) of subsection (2) of section
 635 162.12, Florida Statutes, is amended to read:

636 162.12 Notices.—

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

641 (a)1. Such notice shall be published for 4 consecutive
 642 weeks on a publicly accessible website as provided in chapter 50
 643 or once during each week for 4 consecutive weeks (four
 644 publications being sufficient) in a newspaper of general
 645 circulation in the county where the code enforcement board is
 646 located. The newspaper shall meet such requirements as are
 647 prescribed under chapter 50 for legal and official
 648 advertisements.

649 2. Proof of publication shall be made as provided in ss.
 650 50.041 and 50.051.

651 Section 16. Paragraph (c) of subsection (3) of section
652 166.041, Florida Statutes, is amended to read:

653 166.041 Procedures for adoption of ordinances and
654 resolutions.—

655 (3)

656 (c) Ordinances initiated by other than the municipality
657 that change the actual zoning map designation of a parcel or
658 parcels of land shall be enacted pursuant to paragraph (a).
659 Ordinances that change the actual list of permitted,
660 conditional, or prohibited uses within a zoning category, or
661 ordinances initiated by the municipality that change the actual
662 zoning map designation of a parcel or parcels of land shall be
663 enacted pursuant to the following procedure:

664 1. In cases in which the proposed ordinance changes the
665 actual zoning map designation for a parcel or parcels of land
666 involving less than 10 contiguous acres, the governing body
667 shall direct the clerk of the governing body to notify by mail
668 each real property owner whose land the municipality will
669 redesignate by enactment of the ordinance and whose address is
670 known by reference to the latest ad valorem tax records. The
671 notice shall state the substance of the proposed ordinance as it
672 affects that property owner and shall set a time and place for
673 one or more public hearings on such ordinance. Such notice shall
674 be given at least 30 days prior to the date set for the public
675 hearing, and a copy of the notice shall be kept available for

676 public inspection during the regular business hours of the
677 office of the clerk of the governing body. The governing body
678 shall hold a public hearing on the proposed ordinance and may,
679 upon the conclusion of the hearing, immediately adopt the
680 ordinance.

681 2. In cases in which the proposed ordinance changes the
682 actual list of permitted, conditional, or prohibited uses within
683 a zoning category, or changes the actual zoning map designation
684 of a parcel or parcels of land involving 10 contiguous acres or
685 more, the governing body shall provide for public notice and
686 hearings as follows:

687 a. The local governing body shall hold two advertised
688 public hearings on the proposed ordinance. At least one hearing
689 shall be held after 5 p.m. on a weekday, unless the local
690 governing body, by a majority plus one vote, elects to conduct
691 that hearing at another time of day. The first public hearing
692 shall be held at least 7 days after the day that the first
693 advertisement is published. The second hearing shall be held at
694 least 10 days after the first hearing and shall be advertised at
695 least 5 days prior to the public hearing.

696 b. If published in a newspaper, the required
697 advertisements shall be no less than 2 columns wide by 10 inches
698 long in a standard size or a tabloid size newspaper, and the
699 headline in the advertisement shall be in a type no smaller than
700 18 point. The advertisement shall not be placed in that portion

701 of the newspaper where legal notices and classified
 702 advertisements appear. The advertisement shall be placed in a
 703 newspaper ~~of general paid circulation~~ in the municipality and of
 704 general interest and readership in the municipality, not one of
 705 limited subject matter, pursuant to chapter 50. It is the
 706 legislative intent that, whenever possible, the advertisement
 707 appear in a newspaper that is published at least weekly ~~5 days a~~
 708 ~~week~~ unless the only newspaper in the municipality is published
 709 less than weekly ~~5 days a week~~. The advertisement shall be in
 710 substantially the following form:

711 NOTICE OF (TYPE OF) CHANGE

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

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

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

720 The map shall include major street names as a means of
 721 identification of the general area. If ~~In addition to being~~
 722 published in the newspaper, the map must also be part of the
 723 online notice required pursuant to s. 50.0211 or s. 50.0311.

724 c. In lieu of publishing the advertisement set out in this
 725 paragraph, the municipality may mail a notice to each person

726 owning real property within the area covered by the ordinance.
727 Such notice shall clearly explain the proposed ordinance and
728 shall notify the person of the time, place, and location of any
729 public hearing on the proposed ordinance.

730 Section 17. Subsection (1) of section 189.015, Florida
731 Statutes, is amended to read:

732 189.015 Meetings; notice; required reports.—

733 (1) The governing body of each special district shall file
734 quarterly, semiannually, or annually a schedule of its regular
735 meetings with the local governing authority or authorities. The
736 schedule shall include the date, time, and location of each
737 scheduled meeting. The schedule shall be published quarterly,
738 semiannually, or annually ~~in a newspaper of general paid~~
739 ~~circulation~~ in the manner required in this subsection. The
740 governing body of an independent special district shall
741 advertise the day, time, place, and purpose of any meeting other
742 than a regular meeting or any recessed and reconvened meeting of
743 the governing body, at least 7 days before such meeting as
744 provided in chapter 50, in a newspaper of general paid
745 ~~circulation in the county or counties in which the special~~
746 ~~district is located,~~ unless a bona fide emergency situation
747 exists, in which case a meeting to deal with the emergency may
748 be held as necessary, with reasonable notice, so long as it is
749 subsequently ratified by the governing body. No approval of the
750 annual budget shall be granted at an emergency meeting. The

751 notice shall be posted as provided in advertisement shall be
752 placed in that portion of the newspaper where legal notices and
753 classified advertisements appear. The advertisement shall appear
754 in a newspaper that is published at least 5 days a week, unless
755 the only newspaper in the county is published fewer than 5 days
756 a week. The newspaper selected must be one of general interest
757 and readership in the community and not one of limited subject
758 matter, pursuant to chapter 50. Any other provision of law to
759 the contrary notwithstanding, and except in the case of
760 emergency meetings, water management districts may provide
761 reasonable notice of public meetings held to evaluate responses
762 to solicitations issued by the water management district, by
763 publication as provided in chapter 50 on a publicly accessible
764 website or in a newspaper ~~of general paid circulation~~ in the
765 county where the principal office of the water management
766 district is located, or in the county or counties where the
767 public work will be performed, no less than 7 days before such
768 meeting.

769 Section 18. Paragraph (d) of subsection (1) of section
770 190.005, Florida Statutes, is amended to read:

771 190.005 Establishment of district.—

772 (1) The exclusive and uniform method for the establishment
773 of a community development district with a size of 2,500 acres
774 or more shall be pursuant to a rule, adopted under chapter 120
775 by the Florida Land and Water Adjudicatory Commission, granting

776 a petition for the establishment of a community development
777 district.

778 (d) A local public hearing on the petition shall be
779 conducted by a hearing officer in conformance with the
780 applicable requirements and procedures of the Administrative
781 Procedure Act. The hearing shall include oral and written
782 comments on the petition pertinent to the factors specified in
783 paragraph (e). The hearing shall be held at an accessible
784 location in the county in which the community development
785 district is to be located. The petitioner shall cause a notice
786 of the hearing to be published for 4 successive weeks on a
787 publicly accessible website or in a newspaper at least once a
788 week for the 4 successive weeks immediately prior to the hearing
789 as provided in chapter 50. Such notice shall give the time and
790 place for the hearing, a description of the area to be included
791 in the district, which description shall include a map showing
792 clearly the area to be covered by the district, and any other
793 relevant information which the establishing governing bodies may
794 require. If published in a newspaper, the advertisement shall
795 not be placed in that portion of the newspaper where legal
796 notices and classified advertisements appear. The advertisement
797 shall be published in a newspaper ~~of general paid circulation~~ in
798 the county and of general interest and readership in the
799 community, not one of limited subject matter, pursuant to
800 chapter 50. Whenever possible, the advertisement shall appear in

801 a newspaper that is published at least weekly ~~5 days a week,~~
802 unless the only newspaper in the community is published less
803 than weekly ~~fewer than 5 days a week.~~ ~~If~~ ~~In addition to being~~
804 published in the newspaper, the map referenced above must also
805 be part of the online advertisement required pursuant to s.
806 50.0211 or s. 50.0311. All affected units of general-purpose
807 local government and the general public shall be given an
808 opportunity to appear at the hearing and present oral or written
809 comments on the petition.

810 Section 19. Subsection (1) of section 194.037, Florida
811 Statutes, is amended to read:

812 194.037 Disclosure of tax impact.—

813 (1) After hearing all petitions, complaints, appeals, and
814 disputes, the clerk shall make public notice of the findings and
815 results of the board as provided in chapter 50. If published in
816 a newspaper, the notice must be in at least a quarter-page size
817 advertisement of a standard size or tabloid size newspaper, and
818 the headline shall be in a type no smaller than 18 point. The
819 advertisement shall not be placed in that portion of the
820 newspaper where legal notices and classified advertisements
821 appear. The advertisement shall be published in a newspaper ~~of~~
822 ~~general paid circulation~~ in the county. The newspaper selected
823 shall be one of general interest and readership in the
824 community, and not one of limited subject matter, pursuant to
825 chapter 50. For all advertisements published pursuant to this

826 section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT
827 BOARD. The public notice shall list the members of the value
828 adjustment board and the taxing authorities to which they are
829 elected. The form shall show, in columnar form, for each of the
830 property classes listed under subsection (2), the following
831 information, with appropriate column totals:

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

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

837 (c) In the third column, the number of parcels for which
838 the board considered the petition and reduced the assessment
839 from that made by the property appraiser on the initial
840 assessment roll.

841 (d) In the fourth column, the number of parcels for which
842 petitions were filed but not considered by the board because
843 such petitions were withdrawn or settled prior to the board's
844 consideration.

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

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

851 (g) In the seventh column, the net shift in taxes to
852 parcels not granted relief by the board. The shift shall be
853 computed as the amount shown in column 6 multiplied by the
854 applicable millage rates adopted by the taxing authorities in
855 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
856 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
857 Constitution, but without adjustment as authorized pursuant to
858 s. 200.065(6). If for any taxing authority the hearing has not
859 been completed at the time the notice required herein is
860 prepared, the millage rate used shall be that adopted in the
861 hearing held pursuant to s. 200.065(2)(c).

862 Section 20. Subsection (1) of section 197.402, Florida
863 Statutes, is amended to read:

864 197.402 Advertisement of real or personal property with
865 delinquent taxes.—

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

871 Section 21. Paragraph (h) of subsection (3) of section
872 200.065, Florida Statutes, is amended to read:

873 200.065 Method of fixing millage.—

874 (3) The advertisement shall be published as provided in
875 chapter 50. ~~If the advertisement is published by newspaper, the~~

876 advertisement must be no less than one-quarter page in size of a
877 standard size or a tabloid size newspaper, and the headline in
878 the advertisement shall be in a type no smaller than 18 point.
879 The advertisement shall not be placed in that portion of the
880 newspaper where legal notices and classified advertisements
881 appear. The advertisement shall be published in a newspaper ~~of~~
882 ~~general paid circulation~~ in the county or in a geographically
883 limited insert of such newspaper. The geographic boundaries in
884 which such insert is circulated shall include the geographic
885 boundaries of the taxing authority. It is the legislative intent
886 that, whenever possible, the advertisement appear in a newspaper
887 that is published at least weekly ~~5 days a week~~ unless the only
888 newspaper in the county is published less than weekly ~~5 days a~~
889 ~~week~~, or that the advertisement appear in a geographically
890 limited insert of such newspaper which insert is published
891 throughout the taxing authority's jurisdiction at least twice
892 each week. It is further the legislative intent that the
893 newspaper selected be one of general interest and readership in
894 the community and not one of limited subject matter, pursuant to
895 chapter 50.

896 (h) In no event shall any taxing authority add to or
897 delete from the language of the advertisements as specified
898 herein unless expressly authorized by law, except that, if an
899 increase in ad valorem tax rates will affect only a portion of
900 the jurisdiction of a taxing authority, advertisements may

901 include a map or geographical description of the area to be
902 affected and the proposed use of the tax revenues under
903 consideration. In addition, if published in the newspaper, the
904 map must be part of the online advertisement required by s.
905 50.0211 or s. 50.0311. The advertisements required herein shall
906 not be accompanied, preceded, or followed by other advertising
907 or notices which conflict with or modify the substantive content
908 prescribed herein.

909 Section 22. Paragraph (c) of subsection (1) of section
910 338.223, Florida Statutes, is amended to read:

911 338.223 Proposed turnpike projects.—

912 (1)

913 (c) Prior to requesting legislative approval of a proposed
914 turnpike project, the environmental feasibility of the proposed
915 project shall be reviewed by the Department of Environmental
916 Protection. The department shall submit its Project Development
917 and Environmental Report to the Department of Environmental
918 Protection, along with a draft copy of a public notice. Within
919 14 days of receipt of the draft public notice, the Department of
920 Environmental Protection shall return the draft public notice to
921 the Department of Transportation with an approval of the
922 language or modifications to the language. Upon receipt of the
923 approved or modified draft, or if no comments are provided
924 within 14 days, the Department of Transportation shall publish
925 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a

926 30-day public comment period. If published in a newspaper, the
927 headline of the required notice shall be in a type no smaller
928 than 18 point, ~~the notice shall be placed in that portion of~~
929 the newspaper where legal notices appear, and ~~the notice shall~~
930 be published in a newspaper of general circulation in the county
931 or counties of general interest and readership in the community
932 as provided in s. 50.031, not one of limited subject matter.
933 Whenever possible, the notice shall appear in a newspaper that
934 is published at least weekly ~~5 days a week~~. All The notices
935 published pursuant to this section shall include, at a minimum
936 ~~but is not limited to,~~ the following information:

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

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

943 3. The address where such comments must be sent and the
944 date such comments are due.

945
946 After a review of the department's report and any public
947 comments, the Department of Environmental Protection shall
948 submit a statement of environmental feasibility to the
949 department within 30 days after the date on which public
950 comments are due. The notice and the statement of environmental

951 feasibility shall not give rise to any rights to a hearing or
 952 other rights or remedies provided pursuant to chapter 120 or
 953 chapter 403, and shall not bind the Department of Environmental
 954 Protection in any subsequent environmental permit review.

955 Section 23. Section 373.0397, Florida Statutes, is amended
 956 to read:

957 373.0397 Floridan and Biscayne aquifers; designation of
 958 prime groundwater recharge areas.—Upon preparation of an
 959 inventory of prime groundwater recharge areas for the Floridan
 960 or Biscayne aquifers, but prior to adoption by the governing
 961 board, the water management district shall publish a legal
 962 notice of public hearing on the designated areas for the
 963 Floridan and Biscayne aquifers, with a map delineating the
 964 boundaries of the areas, as provided ~~in newspapers defined in~~
 965 chapter 50 in each county ~~as having general circulation~~ within
 966 the area to be affected. The notice shall be at least one-fourth
 967 page and shall read as follows:

968 NOTICE OF PRIME RECHARGE

969 AREA DESIGNATION

970 The ...(name of taxing authority)... proposes to designate
 971 specific land areas as areas of prime recharge to the ...(name
 972 of aquifer)... Aquifer.

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

976 A map of the affected areas follows.
 977 The governing board of the water management district shall adopt
 978 a designation of prime groundwater recharge areas to the
 979 Floridan and Biscayne aquifers by rule within 120 days after the
 980 public hearing, subject to the provisions of chapter 120.

981 Section 24. Section 373.146, Florida Statutes, is amended
 982 to read:

983 373.146 Publication of notices, process, and papers.—

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

990 (2) Notwithstanding any other provision of law to the
 991 contrary, and except in the case of emergency meetings, water
 992 management districts may provide reasonable notice of public
 993 meetings held to evaluate responses to solicitations issued by
 994 the water management district, by publication as provided in
 995 chapter 50 ~~in a newspaper of general paid circulation~~ in the
 996 county where the principal office of the water management
 997 district is located, or in the county or counties where the
 998 public work will be performed, no less than 7 days before such
 999 meeting.

1000 Section 25. Subsection (12) of section 403.722, Florida

1001 Statutes, is amended to read:

1002 403.722 Permits; hazardous waste disposal, storage, and
 1003 treatment facilities.—

1004 (12) On the same day of filing with the department of an
 1005 application for a permit for the construction modification, or
 1006 operation of a hazardous waste facility, the applicant shall
 1007 notify each city and county within 1 mile of the facility of the
 1008 filing of the application and shall publish notice of the filing
 1009 of the application. The applicant shall publish a second notice
 1010 of the filing within 14 days after the date of filing. Each
 1011 notice shall be published ~~in a newspaper of general circulation~~
 1012 in the county in which the facility is located or is proposed to
 1013 be located as provided in chapter 50. ~~Notwithstanding the~~
 1014 ~~provisions of chapter 50, for purposes of this section, a~~
 1015 ~~"newspaper of general circulation" shall be the newspaper within~~
 1016 ~~the county in which the installation or facility is proposed~~
 1017 ~~which has the largest daily circulation in that county and has~~
 1018 ~~its principal office in that county. If the newspaper with the~~
 1019 ~~largest daily circulation has its principal office outside the~~
 1020 ~~county, the notice shall appear in both the newspaper with the~~
 1021 ~~largest daily circulation in that county, and a newspaper~~
 1022 ~~authorized to publish legal notices in that county. The notice~~
 1023 shall contain:

1024 (a) The name of the applicant and a brief description of
 1025 the project and its location.

1026 (b) The location of the application file and when it is
 1027 available for public inspection.

1028
 1029 The notice shall be prepared by the applicant and shall comply
 1030 with the following format:

1031 Notice of Application
 1032 The Department of Environmental Protection announces receipt of
 1033 an application for a permit from ...(name of applicant)... to
 1034 ...(brief description of project).... This proposed project will
 1035 be located at ...(location)... in ...(county)... ...(city)....
 1036 This application is being processed and is available for public
 1037 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
 1038 Monday through Friday, except legal holidays, at ...(name and
 1039 address of office)....

1040 Section 26. Paragraph (b) of subsection (3) of section
 1041 712.06, Florida Statutes, is amended to read:

1042 712.06 Contents of notice; recording and indexing.—

1043 (3) The person providing the notice referred to in s.
 1044 712.05, other than a notice for preservation of a community
 1045 covenant or restriction, shall:

1046 (b) Publish the notice referred to in s. 712.05 for 2
 1047 consecutive weeks on a publicly accessible website as provided
 1048 in chapter 50 or once a week, for 2 consecutive weeks in a
 1049 newspaper as defined in chapter 50, ~~the notice referred to in s.~~
 1050 712.05, with the official record book and page number in which

1051 such notice was recorded, ~~in a newspaper as defined in chapter~~
1052 ~~50~~ in the county in which the property is located.

1053 Section 27. Subsection (5) of section 849.38, Florida
1054 Statutes, is amended to read:

1055 849.38 Proceedings for forfeiture; notice of seizure and
1056 order to show cause.—

1057 (5) If the value of the property seized is shown by the
1058 sheriff's return to have an appraised value of \$1,000 or less,
1059 the above citation shall be served by posting at three public
1060 places in the county, one of which shall be the front door of
1061 the courthouse; if the value of the property is shown by the
1062 sheriff's return to have an approximate value of more than
1063 \$1,000, the citation shall be published for at least 2
1064 consecutive weeks on a publicly accessible website as provided
1065 in chapter 50 or at least once each week for 2 consecutive weeks
1066 in some newspaper of general publication published in the
1067 county, if there be such a newspaper published in the county and
1068 if not, then said notice of such publication shall be made by
1069 certificate of the clerk if publication is made by posting, and
1070 by affidavit as provided in chapter 50, if made by publication
1071 as provided in chapter 50 ~~in a newspaper~~, which affidavit or
1072 certificate shall be filed and become a part of the record in
1073 the cause. Failure of the record to show proof of such
1074 publication shall not affect any judgment made in the cause
1075 unless it shall affirmatively appear that no such publication

1076 | was made.

1077 | Section 28. Paragraph (a) of subsection (3) of section
1078 | 865.09, Florida Statutes, is amended to read:

1079 | 865.09 Fictitious name registration.—

1080 | (3) REGISTRATION.—

1081 | (a) A person may not engage in business under a fictitious
1082 | name unless the person first registers the name with the
1083 | division by filing a registration listing:

1084 | 1. The name to be registered.

1085 | 2. The mailing address of the business.

1086 | 3. The name and address of each registrant.

1087 | 4. If the registrant is a business entity that was
1088 | required to file incorporation or similar documents with its
1089 | state of organization when it was organized, such entity must be
1090 | registered with the division and in active status with the
1091 | division; provide its Florida document registration number; and
1092 | provide its federal employer identification number if the entity
1093 | has such a number.

1094 | 5. Certification by at least one registrant that the
1095 | intention to register such fictitious name has been advertised
1096 | as provided ~~at least once in a newspaper as defined~~ in chapter
1097 | 50 in the county in which the principal place of business of the
1098 | registrant is or will be located.

1099 | 6. Any other information the division may reasonably deem
1100 | necessary to adequately inform other governmental agencies and

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1101 the public as to the registrant so conducting business.

1102 Section 29. Paragraph (a) of subsection (6) of section
1103 932.704, Florida Statutes, is amended to read:

1104 932.704 Forfeiture proceedings.—

1105 (6) (a) If the property is required by law to be titled or
1106 registered, or if the owner of the property is known in fact to
1107 the seizing agency, or if the seized property is subject to a
1108 perfected security interest in accordance with the Uniform
1109 Commercial Code, chapter 679, the attorney for the seizing
1110 agency shall serve the forfeiture complaint as an original
1111 service of process under the Florida Rules of Civil Procedure
1112 and other applicable law to each person having an ownership or
1113 security interest in the property. The seizing agency shall also
1114 publish, in accordance with chapter 50, notice of the forfeiture
1115 complaint for 2 consecutive weeks on a publicly accessible
1116 website or once each week for 2 consecutive weeks in a newspaper
1117 of general circulation, ~~as defined in s. 165.031,~~ in the county
1118 where the seizure occurred.

1119 Section 30. This act shall take effect July 1, 2020.