

By Senator Gruters

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1 A bill to be entitled
2 An act relating to legal notices; amending s. 50.011,
3 F.S.; providing for the publication of legal notices
4 on certain publicly accessible websites; amending ss.
5 50.021, 50.0211, and 50.031, F.S.; conforming
6 provisions to changes made by the act; creating s.
7 50.0311, F.S.; providing definitions; allowing a
8 governmental agency to publish legal notices on a
9 publicly accessible website under certain
10 circumstances; providing criteria for website
11 publication; authorizing a fiscally constrained county
12 to use a publicly accessible website to publish
13 legally required advertisements and public notices
14 only if certain requirements are met; requiring a
15 governmental agency to provide specified notice to
16 certain residents and property owners relating to
17 alternative methods of receiving legal notices;
18 authorizing a governmental agency to publish certain
19 public notices and advertisements on its governmental
20 access channels; amending s. 50.041, F.S.; removing
21 provisions relating to the publication of legal
22 notices in newspapers; amending s. 50.051, F.S.;
23 revising a form for affidavits of publication;
24 amending s. 50.0711, F.S.; revising provisions
25 relating to the use of court docket funds; amending s.
26 83.806, F.S.; providing that an advertisement of a
27 sale or disposition of property may be published on
28 certain websites for a specified time period; amending
29 ss. 11.02, 45.031, 121.0511, 121.055, 125.66, 162.12,

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30 166.041, 189.015, 190.005, 190.046, 194.037, 197.402,
 31 200.065, 338.223, 348.0308, 348.635, 348.7605,
 32 373.0397, 373.146, 403.722, 712.06, 849.38, 865.09,
 33 and 932.704; conforming provisions to changes made by
 34 the act; providing an effective date.

35

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

37

38 Section 1. Section 50.011, Florida Statutes, is amended to
 39 read:

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

53 (1) A publication in a newspaper printed and published
 54 periodically at least once a week ~~or oftener~~, containing at
 55 least 25 percent of its words in the English language, entered
 56 or qualified to be admitted and entered as periodicals matter at
 57 a post office in the county where published, ~~for sale to the~~
 58 ~~public generally,~~ available to the public generally for the

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59 publication of official or other notices and customarily
60 containing information of a public character or of interest or
61 of value to the residents or owners of property in the county
62 where published, or of interest or of value to the general
63 public; or

64 (2) On a publicly accessible website pursuant to s.
65 50.0311.

66 Section 2. Section 50.021, Florida Statutes, is amended to
67 read:

68 50.021 Publication when no newspaper in county.—When any
69 law, or order or decree of court, directs ~~shall direct~~
70 advertisements to be made in a any county and there is ~~be~~ no
71 newspaper published in the ~~said~~ county, the advertisement may be
72 posted on a publicly accessible website as provided in s.
73 50.0311 or made by posting three copies thereof in three
74 different places in the ~~said~~ county, one of which shall be at
75 the front door of the courthouse, and by publication in the
76 nearest county in which a newspaper is published.

77 Section 3. Subsections (2) and (3) of section 50.0211,
78 Florida Statutes, are amended to read:

79 50.0211 Internet website publication.—

80 (2) If a governmental agency publishes a legal notice in a
81 newspaper, each legal notice must be posted on the newspaper's
82 website on the same day that the printed notice appears in the
83 newspaper, at no additional charge, in a separate web page
84 titled "Legal Notices," "Legal Advertising," or comparable
85 identifying language. A link to the legal notices web page shall
86 be provided on the front page of the newspaper's website that
87 provides access to the legal notices. If there is a specified

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88 size and placement required for a printed legal notice, the size
89 and placement of the notice on the newspaper's website must
90 optimize its online visibility in keeping with the print
91 requirements. The newspaper's web pages that contain legal
92 notices must present the legal notices as the dominant and
93 leading subject matter of those pages. The newspaper's website
94 must contain a search function to facilitate searching the legal
95 notices. A fee may not be charged, and registration may not be
96 required, for viewing or searching legal notices on a
97 newspaper's website if the legal notice is published in a
98 newspaper.

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

104 (b) A legal notice placed on the statewide website created
105 under this subsection must be:

- 106 1. Accessible and searchable by party name and case number.
- 107 2. Posted for a period of at least 90 consecutive days
108 after the first day of posting.

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

115 Section 4. Section 50.031, Florida Statutes, is amended to
116 read:

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117 50.031 Newspapers in which legal notices and process may be
118 published.—If a governmental agency publishes a legal notice in
119 a newspaper, no notice or publication required to be published
120 ~~in a newspaper~~ in the nature of or in lieu of process of any
121 kind, nature, character or description provided for under any
122 law of the state, whether heretofore or hereafter enacted, and
123 whether pertaining to constructive service, or the initiating,
124 assuming, reviewing, exercising or enforcing jurisdiction or
125 power, by any court in this state, or any notice of sale of
126 property, real or personal, for taxes, state, county or
127 municipal, or sheriff's, guardian's or administrator's or any
128 sale made pursuant to any judicial order, decree or statute or
129 any other publication or notice pertaining to any affairs of the
130 state, or any county, municipality or other political
131 subdivision thereof, shall be deemed to have been published in
132 accordance with the statutes providing for such publication,
133 unless the same shall have been published for the prescribed
134 period of time required for such publication, in a newspaper
135 which at the time of such publication shall have been in
136 existence for 1 year and shall have been entered as periodicals
137 matter at a post office in the county where published, or in a
138 newspaper which is a direct successor of a newspaper which
139 together have been so published; provided, however, that nothing
140 herein contained shall apply where in any county there shall be
141 no newspaper in existence which shall have been published for
142 the length of time above prescribed. No legal publication of any
143 kind, nature or description, as herein defined, shall be valid
144 or binding or held to be in compliance with the statutes
145 providing for such publication unless the same shall have been

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146 published in accordance with the provisions of this section or
147 s. 50.0311. Proof of such publication shall be made by uniform
148 affidavit.

149 Section 5. Section 50.0311, Florida Statutes, is created to
150 read:

151 50.0311 Publication of advertisements and public notices on
152 a publicly accessible website and governmental access channels.-

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

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

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

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

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175 (5) A governmental agency in a fiscally constrained county
176 may use a publicly accessible website to publish legally
177 required advertisements and public notices only if the
178 governmental agency, after a public hearing that has been
179 noticed in a newspaper as provided in this chapter, makes a
180 determination of the following:

181 (a) Publishing advertisements and public notices on a
182 publicly accessible website is in the public interest.

183 (b) The cost of publishing advertisements and public
184 notices on a publicly accessible website is less than the cost
185 of publishing advertisements and public notices in a newspaper.

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

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

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

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

215 Section 6. Section 50.041, Florida Statutes, is amended to
216 read:

217 50.041 Proof of publication; uniform affidavits required.-

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

222 (2) Each such affidavit shall be printed upon white paper
223 and shall be 8 1/2 inches in width and of convenient length, not
224 less than 5 1/2 inches. A white margin of not less than 2 1/2
225 inches shall be left at the right side of each affidavit form
226 and upon or in this space shall be substantially pasted a
227 clipping which shall be a true copy of the public notice or
228 legal advertisement for which proof is executed. Alternatively,
229 the affidavit may be provided in electronic rather than paper
230 form, provided the notarization of the affidavit complies with
231 the requirements of s. 117.021.

232 (3) ~~In all counties having a population in excess of~~

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233 ~~450,000 according to the latest official decennial census, in~~
 234 ~~addition to the charges which are now or may hereafter be~~
 235 ~~established by law for the publication of every official notice~~
 236 ~~or legal advertisement,~~ There may be a charge not to exceed \$2
 237 levied for the preparation and execution of each such proof of
 238 publication or ~~publisher's~~ affidavit.

239 Section 7. Section 50.051, Florida Statutes, is amended to
 240 read:

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

245 NAME OF COUNTY NEWSPAPER
 246 Published ~~(Weekly or Daily)~~
 247 ~~(Town or City)~~ (County) FLORIDA

248 STATE OF FLORIDA
 249 COUNTY OF :

250 Before the undersigned authority personally appeared ,
 251 who on oath says that he or she is of ~~the , a~~
 252 ~~newspaper published at in County, Florida;~~ that the
 253 attached copy of advertisement, being a in the matter of
 254 in the Court, was published on the publicly accessible
 255 website of the governmental agency or in a ~~said~~ newspaper. ~~in~~
 256 ~~the issues of~~

257 Affiant further says that the website or newspaper complies
 258 with all legal requirements for publication in chapter 50,
 259 Florida Statutes ~~said is a newspaper published at , in~~
 260 ~~said County, Florida, and that the said newspaper has~~
 261 ~~heretofore been continuously published in said County,~~

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262 ~~Florida, each and has been entered as periodicals matter at~~
 263 ~~the post office in, in said County, Florida, for a~~
 264 ~~period of 1 year next preceding the first publication of the~~
 265 ~~attached copy of advertisement; and affiant further says that he~~
 266 ~~or she has neither paid nor promised any person, firm or~~
 267 ~~corporation any discount, rebate, commission or refund for the~~
 268 ~~purpose of securing this advertisement for publication in the~~
 269 ~~said newspaper.~~

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

273 ... (Signature of Notary Public) ...

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

275 ... (Notary Public) ...

276 Section 8. Section 50.0711, Florida Statutes, is amended to
 277 read:

278 50.0711 Court docket fund; service charges; publications.-

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

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291 county on a quarterly basis.

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

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

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

319 Section 9. Subsection (4) of section 83.806, Florida

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320 Statutes, is amended to read:

321 83.806 Enforcement of lien.—An owner's lien as provided in
322 s. 83.805 may be satisfied as follows:

323 (4) After the expiration of the time given in the notice,
324 an advertisement of the sale or other disposition shall be
325 published once a week for 2 consecutive weeks in a newspaper of
326 general circulation in the area where the self-service storage
327 facility or self-contained storage unit is located or published
328 continuously for 14 consecutive days on a public website that
329 customarily conducts personal property auctions.

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

336 (b) The advertisement shall include:

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

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

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

346 (c) If there is no newspaper of general circulation in the
347 area where the self-service storage facility or self-contained
348 storage unit is located, the advertisement shall be posted at

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349 least 10 days before the date of the sale or other disposition
350 in at least three conspicuous places in the neighborhood where
351 the self-service storage facility or self-contained storage unit
352 is located or published continuously for 14 consecutive days on
353 a public website that customarily conducts personal property
354 auctions.

355 Section 10. Section 11.02, Florida Statutes, is amended to
356 read:

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

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378 municipality's revenue-sharing trust fund.

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

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

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

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

394 (b) The time and place of sale.

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

397 (d) The caption of the action.

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

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

403

404 The court, in its discretion, may enlarge the time of the sale.

405 Notice of the changed time of sale shall be published as

406 provided herein.

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

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

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

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

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

427 (1)

428 (b)1. Except as provided in subparagraph 2., effective
429 January 1, 1990, participation in the Senior Management Service
430 Class is compulsory for the president of each community college,
431 the manager of each participating municipality or county, and
432 all appointed district school superintendents. Effective January
433 1, 1994, additional positions may be designated for inclusion in
434 the Senior Management Service Class if:

435 a. Positions to be included in the class are designated by

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

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

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

452 (I) Heads an organizational unit; or

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

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

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465 withdrawal. Such members are not eligible to participate in the
466 Senior Management Service Optional Annuity Program.

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

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

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

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

492 (II) The employee must transfer a sum representing the net
493 cost owed for the actuarial accrued liability in sub-sub-

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494 subparagraph (I) immediately following the time of such
495 movement, determined assuming that attained service equals the
496 sum of service in the pension plan and the period of withdrawal.

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

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

519 b. One nonelective full-time position may be designated for
520 each state attorney and public defender reporting to the
521 Department of Management Services; for agencies with 200 or more
522 regularly established positions under the state attorney or

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523 public defender, additional nonelective full-time positions may
524 be designated, not to exceed 0.5 percent of the regularly
525 established positions within the agency.

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

530 (I) Heads an organizational unit; or

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

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

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

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552 Section 14. Paragraph (a) of subsection (2) and paragraph
553 (b) of subsection (4) of section 125.66, Florida Statutes, are
554 amended to read:

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

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

573 (4) Ordinances or resolutions, initiated by other than the
574 county, that change the actual zoning map designation of a
575 parcel or parcels of land shall be enacted pursuant to
576 subsection (2). Ordinances or resolutions that change the actual
577 list of permitted, conditional, or prohibited uses within a
578 zoning category, or ordinances or resolutions initiated by the
579 county that change the actual zoning map designation of a parcel
580 or parcels of land shall be enacted pursuant to the following

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581 procedure:

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

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

598 2. If published in a newspaper, the required advertisements
599 shall be no less than 2 columns wide by 10 inches long in a
600 standard size or a tabloid size newspaper, and the headline in
601 the advertisement shall be in a type no smaller than 18 point.
602 The advertisement shall not be placed in that portion of the
603 newspaper where legal notices and classified advertisements
604 appear. The advertisement shall be placed in a newspaper ~~of~~
605 ~~general paid circulation~~ in the county and of general interest
606 and readership in the community pursuant to chapter 50, not one
607 of limited subject matter. It is the legislative intent that,
608 whenever possible, the advertisement shall appear in a newspaper
609 that is published at least weekly ~~5 days a week~~ unless the only

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610 newspaper in the community is published less than weekly ~~5 days~~
611 ~~a week~~. The advertisement shall be in substantially the
612 following form:

613 NOTICE OF (TYPE OF) CHANGE

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

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

619 Except for amendments which change the actual list of permitted,
620 conditional, or prohibited uses within a zoning category, the
621 advertisement shall contain a geographic location map which
622 clearly indicates the area within the local government covered
623 by the proposed ordinance or resolution. The map shall include
624 major street names as a means of identification of the general
625 area. In addition to being published on a publicly accessible
626 website or in the newspaper, the map must be part of the online
627 notice required pursuant to s. 50.0211 or s. 50.0311.

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

635 Section 15. Paragraph (a) of subsection (2) of section
636 162.12, Florida Statutes, is amended to read:

637 162.12 Notices.—

638 (2) In addition to providing notice as set forth in

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639 subsection (1), at the option of the code enforcement board or
640 the local government, notice may be served by publication or
641 posting, as follows:

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

650 2. Proof of publication shall be made as provided in ss.
651 50.041 and 50.051.

652 Section 16. Paragraph (c) of subsection (3) of section
653 166.041, Florida Statutes, is amended to read:

654 166.041 Procedures for adoption of ordinances and
655 resolutions.-

656 (3)

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

665 1. In cases in which the proposed ordinance changes the
666 actual zoning map designation for a parcel or parcels of land
667 involving less than 10 contiguous acres, the governing body

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668 shall direct the clerk of the governing body to notify by mail
669 each real property owner whose land the municipality will
670 redesignate by enactment of the ordinance and whose address is
671 known by reference to the latest ad valorem tax records. The
672 notice shall state the substance of the proposed ordinance as it
673 affects that property owner and shall set a time and place for
674 one or more public hearings on such ordinance. Such notice shall
675 be given at least 30 days prior to the date set for the public
676 hearing, and a copy of the notice shall be kept available for
677 public inspection during the regular business hours of the
678 office of the clerk of the governing body. The governing body
679 shall hold a public hearing on the proposed ordinance and may,
680 upon the conclusion of the hearing, immediately adopt the
681 ordinance.

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

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

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697 b. If published in a newspaper, the required advertisements
698 shall be no less than 2 columns wide by 10 inches long in a
699 standard size or a tabloid size newspaper, and the headline in
700 the advertisement shall be in a type no smaller than 18 point.
701 The advertisement shall not be placed in that portion of the
702 newspaper where legal notices and classified advertisements
703 appear. The advertisement shall be placed in a newspaper ~~of~~
704 ~~general paid circulation~~ in the municipality and of general
705 interest and readership in the municipality, not one of limited
706 subject matter, pursuant to chapter 50. It is the legislative
707 intent that, whenever possible, the advertisement appear in a
708 newspaper that is published at least weekly ~~5 days a week~~ unless
709 the only newspaper in the municipality is published less than
710 weekly ~~5 days a week~~. The advertisement shall be in
711 substantially the following form:

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

725 c. In lieu of publishing the advertisement set out in this

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

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

733 189.015 Meetings; notice; required reports.-

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

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

770 Section 18. Paragraph (d) of subsection (1) of section
771 190.005, Florida Statutes, is amended to read:

772 190.005 Establishment of district.—

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

779 (d) A local public hearing on the petition shall be
780 conducted by a hearing officer in conformance with the
781 applicable requirements and procedures of the Administrative
782 Procedure Act. The hearing shall include oral and written
783 comments on the petition pertinent to the factors specified in

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784 paragraph (e). The hearing shall be held at an accessible
785 location in the county in which the community development
786 district is to be located. The petitioner shall cause a notice
787 of the hearing to be published for 4 successive weeks on a
788 publicly accessible website or in a newspaper at least once a
789 week for the 4 successive weeks immediately prior to the hearing
790 as provided in chapter 50. Such notice shall give the time and
791 place for the hearing, a description of the area to be included
792 in the district, which description shall include a map showing
793 clearly the area to be covered by the district, and any other
794 relevant information which the establishing governing bodies may
795 require. If published in a newspaper, the advertisement shall
796 not be placed in that portion of the newspaper where legal
797 notices and classified advertisements appear. The advertisement
798 shall be published in a newspaper ~~of general paid circulation~~ in
799 the county and of general interest and readership in the
800 community, not one of limited subject matter, pursuant to
801 chapter 50. Whenever possible, the advertisement shall appear in
802 a newspaper that is published at least weekly ~~5 days a week,~~
803 unless the only newspaper in the community is published less
804 than weekly ~~fewer than 5 days a week~~. ~~If~~ ~~In addition to being~~
805 published in the newspaper, the map referenced above must also
806 be part of the online advertisement required pursuant to s.
807 50.0211 or s. 50.0311. All affected units of general-purpose
808 local government and the general public shall be given an
809 opportunity to appear at the hearing and present oral or written
810 comments on the petition.

811 Section 19. Paragraph (h) of subsection (1) of section
812 190.046, Florida Statutes, is amended to read:

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813 190.046 Termination, contraction, or expansion of
814 district.—

815 (1) A landowner or the board may petition to contract or
816 expand the boundaries of a community development district in the
817 following manner:

818 (h) For a petition to establish a new community development
819 district of less than 2,500 acres on land located solely in one
820 county or one municipality, sufficiently contiguous lands
821 located within the county or municipality which the petitioner
822 anticipates adding to the boundaries of the district within 10
823 years after the effective date of the ordinance establishing the
824 district may also be identified. If such sufficiently contiguous
825 land is identified, the petition must include a legal
826 description of each additional parcel within the sufficiently
827 contiguous land, the current owner of the parcel, the acreage of
828 the parcel, and the current land use designation of the parcel.
829 At least 14 days before the hearing required under s.
830 190.005(2)(b), the petitioner must give the current owner of
831 each such parcel notice of filing the petition to establish the
832 district, the date and time of the public hearing on the
833 petition, and the name and address of the petitioner. A parcel
834 may not be included in the district without the written consent
835 of the owner of the parcel.

836 1. After establishment of the district, a person may
837 petition the county or municipality to amend the boundaries of
838 the district to include a previously identified parcel that was
839 a proposed addition to the district before its establishment. A
840 filing fee may not be charged for this petition. Each such
841 petition must include:

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842 a. A legal description by metes and bounds of the parcel to
843 be added;

844 b. A new legal description by metes and bounds of the
845 district;

846 c. Written consent of all owners of the parcel to be added;

847 d. A map of the district including the parcel to be added;

848 e. A description of the development proposed on the
849 additional parcel; and

850 f. A copy of the original petition identifying the parcel
851 to be added.

852 2. Before filing with the county or municipality, the
853 person must provide the petition to the district and to the
854 owner of the proposed additional parcel, if the owner is not the
855 petitioner.

856 3. Once the petition is determined sufficient and complete,
857 the county or municipality must process the addition of the
858 parcel to the district as an amendment to the ordinance that
859 establishes the district. The county or municipality may process
860 all petitions to amend the ordinance for parcels identified in
861 the original petition, even if, by adding such parcels, the
862 district exceeds 2,500 acres.

863 4. The petitioner shall cause to be published in a
864 newspaper of general circulation in the proposed district a
865 notice of the intent to amend the ordinance that establishes the
866 district. The notice must be in addition to any notice required
867 for adoption of the ordinance amendment. Such notice must be
868 published as provided in chapter 50 at least 10 days before the
869 scheduled hearing on the ordinance amendment ~~and may be~~
870 ~~published in the section of the newspaper reserved for legal~~

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871 ~~notices.~~ The notice must include a general description of the
872 land to be added to the district and the date and time of the
873 scheduled hearing to amend the ordinance. The petitioner shall
874 deliver, including by mail or hand delivery, the notice of the
875 hearing on the ordinance amendment to the owner of the parcel
876 and to the district at least 14 days before the scheduled
877 hearing.

878 5. The amendment of a district by the addition of a parcel
879 pursuant to this paragraph does not alter the transition from
880 landowner voting to qualified elector voting pursuant to s.
881 190.006, even if the total size of the district after the
882 addition of the parcel exceeds 5,000 acres. Upon adoption of the
883 ordinance expanding the district, the petitioner must cause to
884 be recorded a notice of boundary amendment which reflects the
885 new boundaries of the district.

886 6. This paragraph is intended to facilitate the orderly
887 addition of lands to a district under certain circumstances and
888 does not preclude the addition of lands to any district using
889 the procedures in the other provisions of this section.

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

892 194.037 Disclosure of tax impact.—

893 (1) After hearing all petitions, complaints, appeals, and
894 disputes, the clerk shall make public notice of the findings and
895 results of the board as provided in chapter 50. If published in
896 a newspaper, the notice must be in at least a quarter-page size
897 advertisement of a standard size or tabloid size newspaper, and
898 the headline shall be in a type no smaller than 18 point. The
899 advertisement shall not be placed in that portion of the

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900 newspaper where legal notices and classified advertisements
901 appear. The advertisement shall be published in a newspaper ~~of~~
902 ~~general paid circulation~~ in the county. The newspaper selected
903 shall be one of general interest and readership in the
904 community, and not one of limited subject matter, pursuant to
905 chapter 50. For all advertisements published pursuant to this
906 section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT
907 BOARD. The public notice shall list the members of the value
908 adjustment board and the taxing authorities to which they are
909 elected. The form shall show, in columnar form, for each of the
910 property classes listed under subsection (2), the following
911 information, with appropriate column totals:

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

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

917 (c) In the third column, the number of parcels for which
918 the board considered the petition and reduced the assessment
919 from that made by the property appraiser on the initial
920 assessment roll.

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

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

928 (f) In the sixth column, the net change in taxable value

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929 from the assessor's initial roll which results from board
930 decisions.

931 (g) In the seventh column, the net shift in taxes to
932 parcels not granted relief by the board. The shift shall be
933 computed as the amount shown in column 6 multiplied by the
934 applicable millage rates adopted by the taxing authorities in
935 hearings held pursuant to s. 200.065(2) (d) or adopted by vote of
936 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
937 Constitution, but without adjustment as authorized pursuant to
938 s. 200.065(6). If for any taxing authority the hearing has not
939 been completed at the time the notice required herein is
940 prepared, the millage rate used shall be that adopted in the
941 hearing held pursuant to s. 200.065(2) (c).

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

944 197.402 Advertisement of real or personal property with
945 delinquent taxes.—

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

951 Section 22. Subsection (3) of section 200.065, Florida
952 Statutes, is amended to read:

953 200.065 Method of fixing millage.—

954 (3) The advertisement shall be published as provided in
955 chapter 50. If the advertisement is published by newspaper, the
956 advertisement must be no less than one-quarter page in size of a
957 standard size or a tabloid size newspaper, and the headline in

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958 the advertisement shall be in a type no smaller than 18 point.
 959 The advertisement shall not be placed in that portion of the
 960 newspaper where legal notices and classified advertisements
 961 appear. The advertisement shall be published in a newspaper ~~of~~
 962 ~~general paid circulation~~ in the county or in a geographically
 963 limited insert of such newspaper. The geographic boundaries in
 964 which such insert is circulated shall include the geographic
 965 boundaries of the taxing authority. It is the legislative intent
 966 that, whenever possible, the advertisement appear in a newspaper
 967 that is published at least weekly ~~5 days a week~~ unless the only
 968 newspaper in the county is published less than weekly ~~5 days a~~
 969 ~~week~~, or that the advertisement appear in a geographically
 970 limited insert of such newspaper which insert is published
 971 throughout the taxing authority's jurisdiction at least twice
 972 each week. It is further the legislative intent that the
 973 newspaper selected be one of general interest and readership in
 974 the community and not one of limited subject matter, pursuant to
 975 chapter 50.

976 (a) For taxing authorities other than school districts
 977 which have tentatively adopted a millage rate in excess of 100
 978 percent of the rolled-back rate computed pursuant to subsection
 979 (1), the advertisement shall be in the following form:

980
 981 NOTICE OF PROPOSED TAX INCREASE
 982

983 The ...(name of the taxing authority)... has tentatively
 984 adopted a measure to increase its property tax levy.
 985 Last year's property tax levy:

986 A. Initially proposed tax levy.....\$XX,XXX,XXX

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987 B. Less tax reductions due to Value Adjustment Board and
988 other assessment changes.....(\$XX,XXX,XXX)

989 C. Actual property tax levy.....\$XX,XXX,XXX
990 This year's proposed tax levy.....\$XX,XXX,XXX

991 All concerned citizens are invited to attend a public
992 hearing on the tax increase to be held on ...(date and time)...
993 at ...(meeting place)....

994 A FINAL DECISION on the proposed tax increase and the
995 budget will be made at this hearing.

996

997 (b) In all instances in which the provisions of paragraph
998 (a) are inapplicable for taxing authorities other than school
999 districts, the advertisement shall be in the following form:

1000

1001 NOTICE OF BUDGET HEARING

1002

1003 The ...(name of taxing authority)... has tentatively
1004 adopted a budget for ...(fiscal year).... A public hearing to
1005 make a FINAL DECISION on the budget AND TAXES will be held on
1006 ...(date and time)... at ...(meeting place)....

1007

1008 (c) For school districts which have proposed a millage rate
1009 in excess of 100 percent of the rolled-back rate computed
1010 pursuant to subsection (1) and which propose to levy nonvoted
1011 millage in excess of the minimum amount required pursuant to s.
1012 1011.60(6), the advertisement shall be in the following form:

1013

1014 NOTICE OF PROPOSED TAX INCREASE

1015

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1016 The ...(name of school district)... will soon consider a
1017 measure to increase its property tax levy.

1018 Last year's property tax levy:

1019 A. Initially proposed tax levy.....\$XX,XXX,XXX

1020 B. Less tax reductions due to Value Adjustment Board and
1021 other assessment changes..... (\$XX,XXX,XXX)

1022 C. Actual property tax levy.....\$XX,XXX,XXX

1023 This year's proposed tax levy.....\$XX,XXX,XXX

1024 A portion of the tax levy is required under state law in
1025 order for the school board to receive \$...(amount A)... in state
1026 education grants. The required portion has ...(increased or
1027 decreased)... by ...(amount B)... percent and represents
1028 approximately ...(amount C)... of the total proposed taxes.

1029 The remainder of the taxes is proposed solely at the
1030 discretion of the school board.

1031 All concerned citizens are invited to a public hearing on
1032 the tax increase to be held on ...(date and time)... at
1033 ...(meeting place)....

1034 A DECISION on the proposed tax increase and the budget will
1035 be made at this hearing.

1036 1. AMOUNT A shall be an estimate, provided by the
1037 Department of Education, of the amount to be received in the
1038 current fiscal year by the district from state appropriations
1039 for the Florida Education Finance Program.

1040 2. AMOUNT B shall be the percent increase over the rolled-
1041 back rate necessary to levy only the required local effort in
1042 the current fiscal year, computed as though in the preceding
1043 fiscal year only the required local effort was levied.

1044 3. AMOUNT C shall be the quotient of required local-effort

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1045 millage divided by the total proposed nonvoted millage, rounded
1046 to the nearest tenth and stated in words; however, the stated
1047 amount shall not exceed nine-tenths.

1048

1049 (d) For school districts which have proposed a millage rate
1050 in excess of 100 percent of the rolled-back rate computed
1051 pursuant to subsection (1) and which propose to levy as nonvoted
1052 millage only the minimum amount required pursuant to s.

1053 1011.60(6), the advertisement shall be the same as provided in
1054 paragraph (c), except that the second and third paragraphs shall
1055 be replaced with the following paragraph:

1056

1057 This increase is required under state law in order for the
1058 school board to receive \$...(amount A)... in state education
1059 grants.

1060

1061 (e) In all instances in which the provisions of paragraphs
1062 (c) and (d) are inapplicable for school districts, the
1063 advertisement shall be in the following form:

1064

1065 NOTICE OF BUDGET HEARING

1066

1067 The ...(name of school district)... will soon consider a
1068 budget for ...(fiscal year).... A public hearing to make a
1069 DECISION on the budget AND TAXES will be held on ...(date and
1070 time)... at ...(meeting place)....

1071

1072 (f) In lieu of publishing the notice set out in this
1073 subsection, the taxing authority may mail a copy of the notice

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1074 to each elector residing within the jurisdiction of the taxing
1075 authority.

1076 (g) In the event that the mailing of the notice of proposed
1077 property taxes is delayed beyond September 3 in a county, any
1078 multicounty taxing authority which levies ad valorem taxes
1079 within that county shall advertise its intention to adopt a
1080 tentative budget and millage rate in a newspaper of paid general
1081 circulation within that county, as provided in this subsection,
1082 and shall hold the hearing required pursuant to paragraph (2)(c)
1083 not less than 2 days or more than 5 days thereafter, and not
1084 later than September 18. The advertisement shall be in the
1085 following form, unless the proposed millage rate is less than or
1086 equal to the rolled-back rate, computed pursuant to subsection
1087 (1), in which case the advertisement shall be as provided in
1088 paragraph (e):

1089
1090 NOTICE OF TAX INCREASE
1091

1092 The ...(name of the taxing authority)... proposes to
1093 increase its property tax levy by ...(percentage of increase
1094 over rolled-back rate)... percent.

1095 All concerned citizens are invited to attend a public
1096 hearing on the proposed tax increase to be held on ...(date and
1097 time)... at ...(meeting place)....
1098

1099 (h) In no event shall any taxing authority add to or delete
1100 from the language of the advertisements as specified herein
1101 unless expressly authorized by law, except that, if an increase
1102 in ad valorem tax rates will affect only a portion of the

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1103 jurisdiction of a taxing authority, advertisements may include a
1104 map or geographical description of the area to be affected and
1105 the proposed use of the tax revenues under consideration. In
1106 addition, if published in the newspaper, the map must be part of
1107 the online advertisement required by s. 50.0211 or s. 50.0311.
1108 The advertisements required herein shall not be accompanied,
1109 preceded, or followed by other advertising or notices which
1110 conflict with or modify the substantive content prescribed
1111 herein.

1112 (i) The advertisements required pursuant to paragraphs (b)
1113 and (e) need not be one-quarter page in size or have a headline
1114 in type no smaller than 18 point.

1115 (j) The amounts to be published as percentages of increase
1116 over the rolled-back rate pursuant to this subsection shall be
1117 based on aggregate millage rates and shall exclude voted millage
1118 levies unless expressly provided otherwise in this subsection.

1119 (k) Any taxing authority which will levy an ad valorem tax
1120 for an upcoming budget year but does not levy an ad valorem tax
1121 currently shall, in the advertisement specified in paragraph
1122 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
1123 phrase "increase its property tax levy by ... (percentage of
1124 increase over rolled-back rate)... percent" with the phrase
1125 "impose a new property tax levy of \$...(amount)... per \$1,000
1126 value."

1127 (l) Any advertisement required pursuant to this section
1128 shall be accompanied by an adjacent notice meeting the budget
1129 summary requirements of s. 129.03(3)(b). Except for those taxing
1130 authorities proposing to levy ad valorem taxes for the first
1131 time, the following statement shall appear in the budget summary

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1132 in boldfaced type immediately following the heading, if the
1133 applicable percentage is greater than zero:

1134
1135 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
1136 taxing authority)... ARE ...(percent rounded to one decimal
1137 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.
1138

1139 For purposes of this paragraph, "proposed operating budget
1140 expenditures" or "operating expenditures" means all moneys of
1141 the local government, including dependent special districts,
1142 that:

1143 1. Were or could be expended during the applicable fiscal
1144 year, or

1145 2. Were or could be retained as a balance for future
1146 spending in the fiscal year.

1147
1148 Provided, however, those moneys held in or used in trust,
1149 agency, or internal service funds, and expenditures of bond
1150 proceeds for capital outlay or for advanced refunded debt
1151 principal, shall be excluded.

1152 Section 23. Paragraph (c) of subsection (1) of section
1153 338.223, Florida Statutes, is amended to read:

1154 338.223 Proposed turnpike projects.—

1155 (1)

1156 (c) Prior to requesting legislative approval of a proposed
1157 turnpike project, the environmental feasibility of the proposed
1158 project shall be reviewed by the Department of Environmental
1159 Protection. The department shall submit its Project Development
1160 and Environmental Report to the Department of Environmental

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1161 Protection, along with a draft copy of a public notice. Within
1162 14 days of receipt of the draft public notice, the Department of
1163 Environmental Protection shall return the draft public notice to
1164 the Department of Transportation with an approval of the
1165 language or modifications to the language. Upon receipt of the
1166 approved or modified draft, or if no comments are provided
1167 within 14 days, the Department of Transportation shall publish
1168 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1169 30-day public comment period. If published in a newspaper, the
1170 headline of the required notice shall be in a type no smaller
1171 than 18 point. The notice shall be placed in that portion of the
1172 newspaper where legal notices appear and. ~~The notice~~ shall be
1173 published in a newspaper of general circulation in the county or
1174 counties of general interest and readership in the community as
1175 provided in s. 50.031, not one of limited subject matter.
1176 Whenever possible, the notice shall appear in a newspaper that
1177 is published at least weekly ~~5 days a week~~. All The notices
1178 ~~notice~~ published pursuant to this section shall include, at a
1179 minimum ~~but is not limited to~~, the following information:

1180 1. The purpose of the notice is to provide for a 30-day
1181 period for written public comments on the environmental impacts
1182 of a proposed turnpike project.

1183 2. The name and description of the project, along with a
1184 geographic location map clearly indicating the area where the
1185 proposed project will be located.

1186 3. The address where such comments must be sent and the
1187 date such comments are due.

1188

1189 After a review of the department's report and any public

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1190 comments, the Department of Environmental Protection shall
1191 submit a statement of environmental feasibility to the
1192 department within 30 days after the date on which public
1193 comments are due. The notice and the statement of environmental
1194 feasibility shall not give rise to any rights to a hearing or
1195 other rights or remedies provided pursuant to chapter 120 or
1196 chapter 403, and shall not bind the Department of Environmental
1197 Protection in any subsequent environmental permit review.

1198 Section 24. Subsection (3) of section 348.0308, Florida
1199 Statutes, is amended to read:

1200 348.0308 Public-private partnership.—The Legislature
1201 declares that there is a public need for the rapid construction
1202 of safe and efficient transportation facilities for traveling
1203 within the state and that it is in the public's interest to
1204 provide for public-private partnership agreements to effectuate
1205 the construction of additional safe, convenient, and economical
1206 transportation facilities.

1207 (3) The agency may request proposals for public-private
1208 transportation projects or, if it receives an unsolicited
1209 proposal, it must publish a notice in the Florida Administrative
1210 Register and as provided in chapter 50 ~~a newspaper of general~~
1211 ~~circulation in the county in which it is located at least once a~~
1212 ~~week~~ for 2 weeks stating that it has received the proposal and
1213 will accept, for 60 days after the initial date of publication,
1214 other proposals for the same project purpose. A copy of the
1215 notice must be mailed to each local government in the affected
1216 areas. After the public notification period has expired, the
1217 agency shall rank the proposals in order of preference. In
1218 ranking the proposals, the agency shall consider professional

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1219 qualifications, general business terms, innovative engineering
1220 or cost-reduction terms, finance plans, and the need for state
1221 funds to deliver the proposal. If the agency is not satisfied
1222 with the results of the negotiations, it may, at its sole
1223 discretion, terminate negotiations with the proposer. If these
1224 negotiations are unsuccessful, the agency may go to the second
1225 and lower-ranked firms, in order, using the same procedure. If
1226 only one proposal is received, the agency may negotiate in good
1227 faith, and if it is not satisfied with the results, it may, at
1228 its sole discretion, terminate negotiations with the proposer.
1229 The agency may, at its discretion, reject all proposals at any
1230 point in the process up to completion of a contract with the
1231 proposer.

1232 Section 25. Subsection (3) of section 348.635, Florida
1233 Statutes, is amended to read:

1234 348.635 Public-private partnership.—The Legislature
1235 declares that there is a public need for the rapid construction
1236 of safe and efficient transportation facilities for traveling
1237 within the state and that it is in the public's interest to
1238 provide for public-private partnership agreements to effectuate
1239 the construction of additional safe, convenient, and economical
1240 transportation facilities.

1241 (3) The authority may request proposals for public-private
1242 transportation projects or, if it receives an unsolicited
1243 proposal, it must publish a notice in the Florida Administrative
1244 Register as provided in chapter 50 and ~~a newspaper of general~~
1245 ~~circulation in the county in which it is located at least once a~~
1246 ~~week~~ for 2 weeks stating that it has received the proposal and
1247 will accept, for 60 days after the initial date of publication,

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1248 other proposals for the same project purpose. A copy of the
1249 notice must be mailed to each local government in the affected
1250 areas. After the public notification period has expired, the
1251 authority shall rank the proposals in order of preference. In
1252 ranking the proposals, the authority shall consider professional
1253 qualifications, general business terms, innovative engineering
1254 or cost-reduction terms, finance plans, and the need for state
1255 funds to deliver the proposal. If the authority is not satisfied
1256 with the results of the negotiations, it may, at its sole
1257 discretion, terminate negotiations with the proposer. If these
1258 negotiations are unsuccessful, the authority may go to the
1259 second and lower-ranked firms, in order, using the same
1260 procedure. If only one proposal is received, the authority may
1261 negotiate in good faith, and if it is not satisfied with the
1262 results, it may, at its sole discretion, terminate negotiations
1263 with the proposer. The authority may, at its discretion, reject
1264 all proposals at any point in the process up to completion of a
1265 contract with the proposer.

1266 Section 26. Subsection (3) of section 348.7605, Florida
1267 Statutes, is amended to read:

1268 348.7605 Public-private partnership.—The Legislature
1269 declares that there is a public need for the rapid construction
1270 of safe and efficient transportation facilities for traveling
1271 within the state and that it is in the public's interest to
1272 provide for public-private partnership agreements to effectuate
1273 the construction of additional safe, convenient, and economical
1274 transportation facilities.

1275 (3) The authority may request proposals for public-private
1276 transportation projects or, if it receives an unsolicited

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1277 proposal, it must publish a notice in the Florida Administrative
1278 Register and as provided in chapter 50 ~~a newspaper of general~~
1279 ~~circulation in the county in which it is located at least once a~~
1280 ~~week~~ for 2 weeks stating that it has received the proposal and
1281 will accept, for 60 days after the initial date of publication,
1282 other proposals for the same project purpose. A copy of the
1283 notice must be mailed to each local government in the affected
1284 areas. After the public notification period has expired, the
1285 authority shall rank the proposals in order of preference. In
1286 ranking the proposals, the authority shall consider professional
1287 qualifications, general business terms, innovative engineering
1288 or cost-reduction terms, finance plans, and the need for state
1289 funds to deliver the proposal. If the authority is not satisfied
1290 with the results of the negotiations, it may, at its sole
1291 discretion, terminate negotiations with the proposer. If these
1292 negotiations are unsuccessful, the authority may go to the
1293 second and lower-ranked firms, in order, using the same
1294 procedure. If only one proposal is received, the authority may
1295 negotiate in good faith, and if it is not satisfied with the
1296 results, it may, at its sole discretion, terminate negotiations
1297 with the proposer. The authority may, at its discretion, reject
1298 all proposals at any point in the process up to completion of a
1299 contract with the proposer.

1300 Section 27. Section 373.0397, Florida Statutes, is amended
1301 to read:

1302 373.0397 Floridan and Biscayne aquifers; designation of
1303 prime groundwater recharge areas.—Upon preparation of an
1304 inventory of prime groundwater recharge areas for the Floridan
1305 or Biscayne aquifers, but prior to adoption by the governing

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1306 board, the water management district shall publish a legal
1307 notice of public hearing on the designated areas for the
1308 Floridan and Biscayne aquifers, with a map delineating the
1309 boundaries of the areas, as provided ~~in newspapers defined in~~
1310 chapter 50 in each county ~~as having general circulation~~ within
1311 the area to be affected. The notice shall be at least one-fourth
1312 page and shall read as follows:

NOTICE OF PRIME RECHARGE

AREA DESIGNATION

1315 The ...(name of taxing authority)... proposes to designate
1316 specific land areas as areas of prime recharge to the ...(name
1317 of aquifer)... Aquifer.

1318 All concerned citizens are invited to attend a public
1319 hearing on the proposed designation to be held on ...(date and
1320 time)... at ...(meeting place)....

1321 A map of the affected areas follows.

1322 The governing board of the water management district shall adopt
1323 a designation of prime groundwater recharge areas to the
1324 Floridan and Biscayne aquifers by rule within 120 days after the
1325 public hearing, subject to the provisions of chapter 120.

1326 Section 28. Section 373.146, Florida Statutes, is amended
1327 to read:

1328 373.146 Publication of notices, process, and papers.—

1329 (1) Whenever in this chapter the publication of any notice,
1330 process, or paper is required or provided for, unless otherwise
1331 provided by law, the publication thereof ~~in some newspaper or~~
1332 ~~newspapers~~ as provided ~~defined~~ in chapter 50 in each county
1333 ~~having general circulation~~ within the area to be affected shall
1334 be taken and considered as being sufficient.

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1335 (2) Notwithstanding any other provision of law to the
1336 contrary, and except in the case of emergency meetings, water
1337 management districts may provide reasonable notice of public
1338 meetings held to evaluate responses to solicitations issued by
1339 the water management district, by publication as provided in
1340 chapter 50 ~~in a newspaper of general paid circulation~~ in the
1341 county where the principal office of the water management
1342 district is located, or in the county or counties where the
1343 public work will be performed, no less than 7 days before such
1344 meeting.

1345 Section 29. Subsection (12) of section 403.722, Florida
1346 Statutes, is amended to read:

1347 403.722 Permits; hazardous waste disposal, storage, and
1348 treatment facilities.—

1349 (12) On the same day of filing with the department of an
1350 application for a permit for the construction modification, or
1351 operation of a hazardous waste facility, the applicant shall
1352 notify each city and county within 1 mile of the facility of the
1353 filing of the application and shall publish notice of the filing
1354 of the application. The applicant shall publish a second notice
1355 of the filing within 14 days after the date of filing. Each
1356 notice shall be published ~~in a newspaper of general circulation~~
1357 in the county in which the facility is located or is proposed to
1358 be located as provided in chapter 50. ~~Notwithstanding the~~
1359 ~~provisions of chapter 50, for purposes of this section, a~~
1360 ~~"newspaper of general circulation" shall be the newspaper within~~
1361 ~~the county in which the installation or facility is proposed~~
1362 ~~which has the largest daily circulation in that county and has~~
1363 ~~its principal office in that county. If the newspaper with the~~

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1364 ~~largest daily circulation has its principal office outside the~~
1365 ~~county, the notice shall appear in both the newspaper with the~~
1366 ~~largest daily circulation in that county, and a newspaper~~
1367 ~~authorized to publish legal notices in that county.~~ The notice
1368 shall contain:

1369 (a) The name of the applicant and a brief description of
1370 the project and its location.

1371 (b) The location of the application file and when it is
1372 available for public inspection.

1373

1374 The notice shall be prepared by the applicant and shall comply
1375 with the following format:

1376 Notice of Application

1377 The Department of Environmental Protection announces receipt of
1378 an application for a permit from ...(name of applicant)... to
1379 ...(brief description of project).... This proposed project will
1380 be located at ...(location)... in ...(county)... ...(city)....
1381 This application is being processed and is available for public
1382 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
1383 Monday through Friday, except legal holidays, at ...(name and
1384 address of office)....

1385 Section 30. Paragraph (b) of subsection (3) of section
1386 712.06, Florida Statutes, is amended to read:

1387 712.06 Contents of notice; recording and indexing.—

1388 (3) The person providing the notice referred to in s.
1389 712.05, other than a notice for preservation of a community
1390 covenant or restriction, shall:

1391 (b) Publish the notice referred to in s. 712.05 for 2
1392 consecutive weeks on a publicly accessible website as provided

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1393 in chapter 50 or once a week, for 2 consecutive weeks in a
1394 newspaper as defined in chapter 50, ~~the notice referred to in s.~~
1395 ~~712.05,~~ with the official record book and page number in which
1396 such notice was recorded, ~~in a newspaper as defined in chapter~~
1397 ~~50~~ in the county in which the property is located.

1398 Section 31. Subsection (5) of section 849.38, Florida
1399 Statutes, is amended to read:

1400 849.38 Proceedings for forfeiture; notice of seizure and
1401 order to show cause.—

1402 (5) If the value of the property seized is shown by the
1403 sheriff's return to have an appraised value of \$1,000 or less,
1404 the above citation shall be served by posting at three public
1405 places in the county, one of which shall be the front door of
1406 the courthouse; if the value of the property is shown by the
1407 sheriff's return to have an approximate value of more than
1408 \$1,000, the citation shall be published for at least 2
1409 consecutive weeks on a publicly accessible website as provided
1410 in chapter 50 or at least once each week for 2 consecutive weeks
1411 in some newspaper of general publication published in the
1412 county, if there be such a newspaper published in the county and
1413 if not, then said notice of such publication shall be made by
1414 certificate of the clerk if publication is made by posting, and
1415 by affidavit as provided in chapter 50, if made by publication
1416 as provided in chapter 50 ~~in a newspaper,~~ which affidavit or
1417 certificate shall be filed and become a part of the record in
1418 the cause. Failure of the record to show proof of such
1419 publication shall not affect any judgment made in the cause
1420 unless it shall affirmatively appear that no such publication
1421 was made.

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1422 Section 32. Paragraph (a) of subsection (3) of section
1423 865.09, Florida Statutes, is amended to read:
1424 865.09 Fictitious name registration.—
1425 (3) REGISTRATION.—
1426 (a) A person may not engage in business under a fictitious
1427 name unless the person first registers the name with the
1428 division by filing a registration listing:
1429 1. The name to be registered.
1430 2. The mailing address of the business.
1431 3. The name and address of each registrant.
1432 4. If the registrant is a business entity that was required
1433 to file incorporation or similar documents with its state of
1434 organization when it was organized, such entity must be
1435 registered with the division and in active status with the
1436 division; provide its Florida document registration number; and
1437 provide its federal employer identification number if the entity
1438 has such a number.
1439 5. Certification by at least one registrant that the
1440 intention to register such fictitious name has been advertised
1441 as provided ~~at least once in a newspaper as defined in chapter~~
1442 50 in the county in which the principal place of business of the
1443 registrant is or will be located.
1444 6. Any other information the division may reasonably deem
1445 necessary to adequately inform other governmental agencies and
1446 the public as to the registrant so conducting business.
1447 Section 33. Paragraph (a) of subsection (6) of section
1448 932.704, Florida Statutes, is amended to read:
1449 932.704 Forfeiture proceedings.—
1450 (6) (a) If the property is required by law to be titled or

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1451 registered, or if the owner of the property is known in fact to
1452 the seizing agency, or if the seized property is subject to a
1453 perfected security interest in accordance with the Uniform
1454 Commercial Code, chapter 679, the attorney for the seizing
1455 agency shall serve the forfeiture complaint as an original
1456 service of process under the Florida Rules of Civil Procedure
1457 and other applicable law to each person having an ownership or
1458 security interest in the property. The seizing agency shall also
1459 publish, in accordance with chapter 50, notice of the forfeiture
1460 complaint for 2 consecutive weeks on a publicly accessible
1461 website or once each week for 2 consecutive weeks in a newspaper
1462 of general circulation, ~~as defined in s. 165.031,~~ in the county
1463 where the seizure occurred.

1464 Section 34. This act shall take effect July 1, 2021.