

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; providing a requirement for public
21 bid advertisements made by governmental agencies on
22 publicly accessible websites; amending s. 50.041,
23 F.S.; removing provisions relating to the publication
24 of legal notices in newspapers; amending s. 50.051,
25 F.S.; revising a form for affidavits of publication;

26 | amending s. 50.0711, F.S.; revising provisions
 27 | relating to the use of court docket funds; amending s.
 28 | 83.806, F.S.; providing that an advertisement of a
 29 | sale or disposition of property may be published on
 30 | certain websites for a specified time period; amending
 31 | ss. 11.02, 45.031, 121.0511, 121.055, 125.66, 162.12,
 32 | 166.041, 189.015, 190.005, 190.046, 194.037, 197.402,
 33 | 200.065, 338.223, 348.0308, 348.635, 348.7605,
 34 | 373.0397, 373.146, 403.722, 712.06, 849.38, 865.09,
 35 | and 932.704; conforming provisions to changes made by
 36 | the act; providing an effective date.

37 |

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

39 |

40 | Section 1. Section 50.011, Florida Statutes, is amended to
 41 | read:

42 | 50.011 Publication of ~~Where and in what language~~ legal
 43 | notices ~~to be published.~~ Whenever by statute an official or
 44 | legal advertisement or a publication, or notice in a newspaper
 45 | or governmental agency website has been or is directed or
 46 | permitted in the nature of or in lieu of process, or for
 47 | constructive service, or in initiating, assuming, reviewing,
 48 | exercising or enforcing jurisdiction or power, or for any
 49 | purpose, including all legal notices and advertisements of
 50 | sheriffs and tax collectors, the contemporaneous and continuous

51 intent and meaning of such legislation all and singular,
 52 existing or repealed, is and has been and is hereby declared to
 53 be and to have been, and the rule of interpretation is and has
 54 been the following:

55 (1) A publication in a newspaper printed and published
 56 periodically at least once a week ~~or oftener~~, containing at
 57 least 25 percent of its words in the English language, entered
 58 or qualified to be admitted and entered as periodicals matter at
 59 a post office in the county where published, ~~for sale to the~~
 60 ~~public generally~~, available to the public generally for the
 61 publication of official or other notices and customarily
 62 containing information of a public character or of interest or
 63 of value to the residents or owners of property in the county
 64 where published, or of interest or of value to the general
 65 public; or

66 (2) On a publicly accessible website pursuant to s.
 67 50.0311.

68 Section 2. Section 50.021, Florida Statutes, is amended to
 69 read:

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

76 | different places in the ~~said~~ county, one of which shall be at
77 | the front door of the courthouse, and by publication in the
78 | nearest county in which a newspaper is published.

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

81 | 50.0211 Internet website publication.—

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

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

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

108 1. Accessible and searchable by party name and case
 109 number.

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

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

118 Section 4. Section 50.031, Florida Statutes, is amended to
 119 read:

120 50.031 Newspapers in which legal notices and process may
 121 be published.-If a governmental agency publishes a legal notice
 122 in a newspaper, no notice or publication required to be
 123 published ~~in a newspaper~~ in the nature of or in lieu of process
 124 of any kind, nature, character or description provided for under
 125 any law of the state, whether heretofore or hereafter enacted,

126 | and whether pertaining to constructive service, or the
127 | initiating, assuming, reviewing, exercising or enforcing
128 | jurisdiction or power, by any court in this state, or any notice
129 | of sale of property, real or personal, for taxes, state, county
130 | or municipal, or sheriff's, guardian's or administrator's or any
131 | sale made pursuant to any judicial order, decree or statute or
132 | any other publication or notice pertaining to any affairs of the
133 | state, or any county, municipality or other political
134 | subdivision thereof, shall be deemed to have been published in
135 | accordance with the statutes providing for such publication,
136 | unless the same shall have been published for the prescribed
137 | period of time required for such publication, in a newspaper
138 | which at the time of such publication shall have been in
139 | existence for 1 year and shall have been entered as periodicals
140 | matter at a post office in the county where published, or in a
141 | newspaper which is a direct successor of a newspaper which
142 | together have been so published; provided, however, that nothing
143 | herein contained shall apply where in any county there shall be
144 | no newspaper in existence which shall have been published for
145 | the length of time above prescribed. No legal publication of any
146 | kind, nature or description, as herein defined, shall be valid
147 | or binding or held to be in compliance with the statutes
148 | providing for such publication unless the same shall have been
149 | published in accordance with the provisions of this section or
150 | s. 50.0311. Proof of such publication shall be made by uniform

151 affidavit.

152 Section 5. Section 50.0311, Florida Statutes, is created
153 to read:

154 50.0311 Publication of advertisements and public notices
155 on a publicly accessible website and governmental access
156 channels.—

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

160 (2) For purposes of notices and advertisements required
161 under s. 50.011, the term "publicly accessible website" means a
162 governmental agency's official website or other private website
163 designated by the governmental agency for the posting of legal
164 notices and advertisements that is accessible via the Internet.
165 All advertisements and public notices published on a website as
166 provided in this chapter must be in searchable form.

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

173 (4) A governmental agency in a county that is not a
174 fiscally constrained county may use a publicly accessible
175 website to publish legally required advertisements and public

176 notices if the cost of publishing advertisements and public
177 notices on a website is less than the cost of publishing
178 advertisements and public notices in a newspaper.

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

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

187 (b) The cost of publishing advertisements and public
188 notices on a publicly accessible website is less than the cost
189 of publishing advertisements and public notices in a newspaper.

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

195 (6) A governmental agency that uses a publicly accessible
196 website to publish legally required advertisements and public
197 notices shall provide notice at least once per year in a
198 newspaper of general circulation or another publication that is
199 mailed or delivered to all residents and property owners
200 throughout the government's jurisdiction, indicating that

201 property owners and residents may receive legally required
202 advertisements and public notices from the government agency by
203 first-class mail or e-mail upon registering their name and
204 address or e-mail address with the governmental agency. The
205 governmental agency shall maintain a registry of names,
206 addresses, and e-mail addresses of property owners and residents
207 who request in writing that they receive legally required
208 advertisements and public notices from the governmental agency
209 by first-class mail or e-mail.

210 (7) A link to advertisements and public notices published
211 on a publicly accessible website shall be conspicuously placed
212 on the website's homepage or accessible through a direct link
213 from the homepage. Each advertisement or public notice shall
214 indicate the date on which the advertisement or public notice
215 was first published on the publicly accessible website.

216 (8) A governmental agency that has a governmental access
217 channel authorized under s. 610.109 may also include on its
218 governmental access channel a summary of all advertisements and
219 public notices that are posted on its publicly accessible
220 website.

221 (9) A public bid advertisement made by a governmental
222 agency on a publicly accessible website must include a method to
223 accept electronic bids.

224 Section 6. Section 50.041, Florida Statutes, is amended to
225 read:

226 50.041 Proof of publication; uniform affidavits required.—

227 (1) All affidavits ~~of publishers of newspapers (or their~~
 228 ~~official representatives)~~ made for the purpose of establishing
 229 proof of publication of public notices or legal advertisements
 230 shall be uniform throughout the state.

231 (2) Each such affidavit shall be printed upon white paper
 232 and shall be 8 1/2 inches in width and of convenient length, not
 233 less than 5 1/2 inches. A white margin of not less than 2 1/2
 234 inches shall be left at the right side of each affidavit form
 235 and upon or in this space shall be substantially pasted a
 236 clipping which shall be a true copy of the public notice or
 237 legal advertisement for which proof is executed. Alternatively,
 238 the affidavit may be provided in electronic rather than paper
 239 form, provided the notarization of the affidavit complies with
 240 the requirements of s. 117.021.

241 (3) ~~In all counties having a population in excess of~~
 242 ~~450,000 according to the latest official decennial census, in~~
 243 ~~addition to the charges which are now or may hereafter be~~
 244 ~~established by law for the publication of every official notice~~
 245 ~~or legal advertisement,~~ There may be a charge not to exceed \$2
 246 levied for the preparation and execution of each such proof of
 247 publication or ~~publisher's~~ affidavit.

248 Section 7. Section 50.051, Florida Statutes, is amended to
 249 read:

250 50.051 Proof of publication; form of uniform affidavit.—

251 The printed form upon which all such affidavits establishing
 252 proof of publication are to be executed shall be substantially
 253 as follows:

254 NAME OF COUNTY NEWSPAPER
 255 Published ~~(Weekly or Daily)~~
 256 ~~(Town or City)~~ ~~(County)~~ FLORIDA

257 STATE OF FLORIDA
 258 COUNTY OF

259 Before the undersigned authority personally appeared,
 260 who on oath says that he or she is of ~~the, a~~
 261 ~~newspaper published at in~~ County, Florida; that the
 262 attached copy of advertisement, being a in the matter of
 263 in the Court, was published on the publicly accessible
 264 website of the governmental agency or in a said newspaper. ~~in~~
 265 ~~the issues of~~

266 Affiant further says that the website or newspaper complies
 267 with all legal requirements for publication in chapter 50,
 268 Florida Statutes. ~~said is a newspaper published at, in~~
 269 ~~said County, Florida, and that the said newspaper has~~
 270 ~~heretofore been continuously published in said County,~~
 271 ~~Florida, each and has been entered as periodicals matter at~~
 272 ~~the post office in, in said County, Florida, for a~~
 273 ~~period of 1 year next preceding the first publication of the~~
 274 ~~attached copy of advertisement; and affiant further says that he~~
 275 ~~or she has neither paid nor promised any person, firm or~~

276 ~~corporation any discount, rebate, commission or refund for the~~
 277 ~~purpose of securing this advertisement for publication in the~~
 278 ~~said newspaper.~~

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

282 ...(Signature of Notary Public)...

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

284 ...(Notary Public)...

285 Section 8. Section 50.0711, Florida Statutes, is amended
 286 to read:

287 50.0711 Court docket fund; service charges; publications.—

288 (1) The clerk of the court in each county may establish a
 289 court docket fund for the purpose of paying the cost of
 290 publication of the fact of the filing of any civil case in the
 291 circuit court of the county by the style and of the calendar
 292 relating to such cases. This court docket fund shall be funded
 293 by \$1 mandatory court cost for all civil actions, suits, or
 294 proceedings filed in the circuit court of the county. The clerk
 295 shall maintain such funds separate and apart, and the proceeds
 296 from this court cost shall not be diverted to any other fund or
 297 for any purpose other than that established in this section. The
 298 clerk of the court shall dispense the fund to the designated
 299 publicly accessible website publisher or record newspaper in the
 300 county on a quarterly basis.

301 (2) If a judicial circuit publishes legal notices in a
302 newspaper, a newspaper qualified under the terms of s. 50.011
303 shall be designated as the record newspaper for such publication
304 by an order of the majority of the judges in the judicial
305 circuit in which such county is located, and such order shall be
306 filed and recorded with the clerk of the circuit court for such
307 county. The designated record newspaper may be changed at the
308 end of any fiscal year of the county by a majority vote of the
309 judges of the judicial circuit of the county ordering such
310 change 30 days prior to the end of the fiscal year, notice of
311 which order shall be given to the previously designated record
312 newspaper.

313 (3) The publicly accessible website publisher or
314 publishers of any designated record newspapers receiving payment
315 from this court docket fund shall publish, without additional
316 charge, the fact of the filing of any civil case, suit, or
317 action filed in such county in the circuit. Such publication
318 shall be in accordance with a schedule agreed upon between the
319 website publisher or record newspaper and the clerk of the court
320 in such county.

321 (4) The publicly accessible website publisher or
322 publishers of any designated record newspapers receiving
323 revenues from the court docket fund established in subsection
324 (1) shall, without charge, accept legal advertisements for the
325 purpose of service of process by publication under s. 49.011(4),

326 (10), and (11) when such publication is required of persons
327 authorized to proceed as indigent persons under s. 57.081.

328 Section 9. Subsection (4) of section 83.806, Florida
329 Statutes, is amended to read:

330 83.806 Enforcement of lien.—An owner's lien as provided in
331 s. 83.805 may be satisfied as follows:

332 (4) After the expiration of the time given in the notice,
333 an advertisement of the sale or other disposition shall be
334 published once a week for 2 consecutive weeks in a newspaper of
335 general circulation in the area where the self-service storage
336 facility or self-contained storage unit is located or published
337 continuously for 14 consecutive days on a public website that
338 customarily conducts personal property auctions.

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

345 (b) The advertisement shall include:

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

349 2. The address of the self-service storage facility or the
350 address where the self-contained storage unit is located and the

351 name of the tenant.

352 3. The time, place, and manner of the sale or other
353 disposition. The sale or other disposition shall take place at
354 least 15 days after the first publication.

355 (c) If there is no newspaper of general circulation in the
356 area where the self-service storage facility or self-contained
357 storage unit is located, the advertisement shall be posted at
358 least 10 days before the date of the sale or other disposition
359 in at least three conspicuous places in the neighborhood where
360 the self-service storage facility or self-contained storage unit
361 is located or published continuously for 14 consecutive days on
362 a public website that customarily conducts personal property
363 auctions.

364 Section 10. Section 11.02, Florida Statutes, is amended to
365 read:

366 11.02 Notice of special or local legislation or certain
367 relief acts.—The notice required to obtain special or local
368 legislation or any relief act specified in s. 11.065 shall be by
369 publishing the identical notice ~~in each county involved in some~~
370 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~
371 circulated throughout the county or counties where the matter or
372 thing to be affected by such legislation shall be situated one
373 time at least 30 days before introduction of the proposed law
374 into the Legislature or, if the notice is not posted on a
375 publicly accessible website as provided in chapter 50 and there

376 | being no newspaper circulated throughout or published in the
377 | county, by posting for at least 30 days at not less than three
378 | public places in the county or each of the counties, one of
379 | which places shall be at the courthouse in the county or
380 | counties where the matter or thing to be affected by such
381 | legislation shall be situated. Notice of special or local
382 | legislation shall state the substance of the contemplated law,
383 | as required by s. 10, Art. III of the State Constitution. Notice
384 | of any relief act specified in s. 11.065 shall state the name of
385 | the claimant, the nature of the injury or loss for which the
386 | claim is made, and the amount of the claim against the affected
387 | municipality's revenue-sharing trust fund.

388 | Section 11. Subsection (2) of section 45.031, Florida
389 | Statutes, is amended to read:

390 | 45.031 Judicial sales procedure.—In any sale of real or
391 | personal property under an order or judgment, the procedures
392 | provided in this section and ss. 45.0315-45.035 may be followed
393 | as an alternative to any other sale procedure if so ordered by
394 | the court.

395 | (2) PUBLICATION OF SALE.—Notice of sale shall be published
396 | on a publicly accessible website for at least 2 consecutive
397 | weeks before the sale or once a week for 2 consecutive weeks in
398 | a newspaper of general circulation, ~~as provided~~ defined in
399 | chapter 50, published in the county where the sale is to be
400 | held. The second publication by newspaper shall be at least 5

401 days before the sale. The notice shall contain:

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

403 (b) The time and place of sale.

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

406 (d) The caption of the action.

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

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

412

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

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

418 121.0511 Revocation of election and alternative plan.—The
419 governing body of any municipality or independent special
420 district that has elected to participate in the Florida
421 Retirement System may revoke its election in accordance with the
422 following procedure:

423 (2) At least 7 days, but not more than 15 days, before the
424 hearing, notice of intent to revoke, specifying the time and
425 place of the hearing, must be published as provided in chapter

426 ~~50 in a newspaper of general circulation in the area affected,~~
427 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the
428 notice must be submitted to the Department of Management
429 Services.

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

432 121.055 Senior Management Service Class.—There is hereby
433 established a separate class of membership within the Florida
434 Retirement System to be known as the "Senior Management Service
435 Class," which shall become effective February 1, 1987.

436 (1)

437 (b)1. Except as provided in subparagraph 2., effective
438 January 1, 1990, participation in the Senior Management Service
439 Class is compulsory for the president of each community college,
440 the manager of each participating municipality or county, and
441 all appointed district school superintendents. Effective January
442 1, 1994, additional positions may be designated for inclusion in
443 the Senior Management Service Class if:

444 a. Positions to be included in the class are designated by
445 the local agency employer. Notice of intent to designate
446 positions for inclusion in the class must be published for at
447 least 2 consecutive weeks if published on a publicly accessible
448 website or once a week for 2 consecutive weeks in a newspaper of
449 general circulation published in the county or counties
450 affected, as provided in chapter 50.

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

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

461 (I) Heads an organizational unit; or

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

465 2. In lieu of participation in the Senior Management
466 Service Class, members of the Senior Management Service Class,
467 pursuant to subparagraph 1., may withdraw from the Florida
468 Retirement System altogether. The decision to withdraw from the
469 system is irrevocable as long as the employee holds the
470 position. Any service creditable under the Senior Management
471 Service Class shall be retained after the member withdraws from
472 the system; however, additional service credit in the Senior
473 Management Service Class may not be earned after such
474 withdrawal. Such members are not eligible to participate in the
475 Senior Management Service Optional Annuity Program.

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

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

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

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

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

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

520 a. Positions to be included in the class shall be
521 designated by the state attorney or public defender, as
522 appropriate. Notice of intent to designate positions for
523 inclusion in the class shall be published for at least 2
524 consecutive weeks if published on a publicly accessible website
525 or once a week for 2 consecutive weeks in a newspaper of general

526 circulation published in the county or counties affected, as
527 provided in chapter 50.

528 b. One nonelective full-time position may be designated
529 for each state attorney and public defender reporting to the
530 Department of Management Services; for agencies with 200 or more
531 regularly established positions under the state attorney or
532 public defender, additional nonelective full-time positions may
533 be designated, not to exceed 0.5 percent of the regularly
534 established positions within the agency.

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

539 (I) Heads an organizational unit; or

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

543 2. Participation in this class shall be compulsory, except
544 as provided in subparagraph 3., for any judicial employee who
545 holds a position designated for coverage in the Senior
546 Management Service Class, and such participation shall continue
547 until the employee terminates employment in a covered position.
548 Effective January 1, 2001, participation in this class is
549 compulsory for assistant state attorneys, assistant statewide
550 prosecutors, assistant public defenders, and assistant capital

551 collateral regional counsel. Effective January 1, 2002,
552 participation in this class is compulsory for assistant
553 attorneys general.

554 3. In lieu of participation in the Senior Management
555 Service Class, such members, excluding assistant state
556 attorneys, assistant public defenders, assistant statewide
557 prosecutors, assistant attorneys general, and assistant capital
558 collateral regional counsel, may participate in the Senior
559 Management Service Optional Annuity Program as established in
560 subsection (6).

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

564 125.66 Ordinances; enactment procedure; emergency
565 ordinances; rezoning or change of land use ordinances or
566 resolutions.—

567 (2) (a) The regular enactment procedure shall be as
568 follows: The board of county commissioners at any regular or
569 special meeting may enact or amend any ordinance, except as
570 provided in subsection (4), if notice of intent to consider such
571 ordinance is given at least 10 days prior to said meeting by
572 publication as provided in chapter 50 ~~in a newspaper of general~~
573 ~~circulation in the county~~. A copy of such notice shall be kept
574 available for public inspection during the regular business
575 hours of the office of the clerk of the board of county

576 commissioners. The notice of proposed enactment shall state the
577 date, time, and place of the meeting; the title or titles of
578 proposed ordinances; and the place or places within the county
579 where such proposed ordinances may be inspected by the public.
580 The notice shall also advise that interested parties may appear
581 at the meeting and be heard with respect to the proposed
582 ordinance.

583 (4) Ordinances or resolutions, initiated by other than the
584 county, that change the actual zoning map designation of a
585 parcel or parcels of land shall be enacted pursuant to
586 subsection (2). Ordinances or resolutions that change the actual
587 list of permitted, conditional, or prohibited uses within a
588 zoning category, or ordinances or resolutions initiated by the
589 county that change the actual zoning map designation of a parcel
590 or parcels of land shall be enacted pursuant to the following
591 procedure:

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

598 1. The board of county commissioners shall hold two
599 advertised public hearings on the proposed ordinance or
600 resolution. At least one hearing shall be held after 5 p.m. on a

601 weekday, unless the board of county commissioners, by a majority
 602 plus one vote, elects to conduct that hearing at another time of
 603 day. The first public hearing shall be held at least 7 days
 604 after the day that the first advertisement is published. The
 605 second hearing shall be held at least 10 days after the first
 606 hearing and shall be advertised at least 5 days prior to the
 607 public hearing.

608 2. If published in a newspaper, the required
 609 advertisements shall be no less than 2 columns wide by 10 inches
 610 long in a standard size or a tabloid size newspaper, and the
 611 headline in the advertisement shall be in a type no smaller than
 612 18 point. The advertisement shall not be placed in that portion
 613 of the newspaper where legal notices and classified
 614 advertisements appear. The advertisement shall be placed in a
 615 newspaper ~~of general paid circulation~~ in the county and of
 616 general interest and readership in the community pursuant to
 617 chapter 50, not one of limited subject matter. It is the
 618 legislative intent that, whenever possible, the advertisement
 619 shall appear in a newspaper that is published at least weekly ~~5~~
 620 ~~days a week~~ unless the only newspaper in the community is
 621 published less than weekly ~~5 days a week~~. The advertisement
 622 shall be in substantially the following form:

623 NOTICE OF (TYPE OF) CHANGE

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

626 ordinance or resolution)....

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

629 Except for amendments which change the actual list of permitted,
630 conditional, or prohibited uses within a zoning category, the
631 advertisement shall contain a geographic location map which
632 clearly indicates the area within the local government covered
633 by the proposed ordinance or resolution. The map shall include
634 major street names as a means of identification of the general
635 area. In addition to being published on a publicly accessible
636 website or in the newspaper, the map must be part of the online
637 notice required pursuant to s. 50.0211 or s. 50.0311.

638 3. In lieu of publishing the advertisements set out in
639 this paragraph, the board of county commissioners may mail a
640 notice to each person owning real property within the area
641 covered by the ordinance or resolution. Such notice shall
642 clearly explain the proposed ordinance or resolution and shall
643 notify the person of the time, place, and location of both
644 public hearings on the proposed ordinance or resolution.

645 Section 15. Paragraph (a) of subsection (2) of section
646 162.12, Florida Statutes, is amended to read:

647 162.12 Notices.—

648 (2) In addition to providing notice as set forth in
649 subsection (1), at the option of the code enforcement board or
650 the local government, notice may be served by publication or

651 posting, as follows:

652 (a)1. Such notice shall be published for 4 consecutive
653 weeks on a publicly accessible website as provided in chapter 50
654 or once during each week for 4 consecutive weeks (four
655 publications being sufficient) in a newspaper of general
656 circulation in the county where the code enforcement board is
657 located. The newspaper shall meet such requirements as are
658 prescribed under chapter 50 for legal and official
659 advertisements.

660 2. Proof of publication shall be made as provided in ss.
661 50.041 and 50.051.

662 Section 16. Paragraph (c) of subsection (3) of section
663 166.041, Florida Statutes, is amended to read:

664 166.041 Procedures for adoption of ordinances and
665 resolutions.—

666 (3)

667 (c) Ordinances initiated by other than the municipality
668 that change the actual zoning map designation of a parcel or
669 parcels of land shall be enacted pursuant to paragraph (a).
670 Ordinances that change the actual list of permitted,
671 conditional, or prohibited uses within a zoning category, or
672 ordinances initiated by the municipality that change the actual
673 zoning map designation of a parcel or parcels of land shall be
674 enacted pursuant to the following procedure:

675 1. In cases in which the proposed ordinance changes the

676 actual zoning map designation for a parcel or parcels of land
677 involving less than 10 contiguous acres, the governing body
678 shall direct the clerk of the governing body to notify by mail
679 each real property owner whose land the municipality will
680 redesignate by enactment of the ordinance and whose address is
681 known by reference to the latest ad valorem tax records. The
682 notice shall state the substance of the proposed ordinance as it
683 affects that property owner and shall set a time and place for
684 one or more public hearings on such ordinance. Such notice shall
685 be given at least 30 days prior to the date set for the public
686 hearing, and a copy of the notice shall be kept available for
687 public inspection during the regular business hours of the
688 office of the clerk of the governing body. The governing body
689 shall hold a public hearing on the proposed ordinance and may,
690 upon the conclusion of the hearing, immediately adopt the
691 ordinance.

692 2. In cases in which the proposed ordinance changes the
693 actual list of permitted, conditional, or prohibited uses within
694 a zoning category, or changes the actual zoning map designation
695 of a parcel or parcels of land involving 10 contiguous acres or
696 more, the governing body shall provide for public notice and
697 hearings as follows:

698 a. The local governing body shall hold two advertised
699 public hearings on the proposed ordinance. At least one hearing
700 shall be held after 5 p.m. on a weekday, unless the local

701 governing body, by a majority plus one vote, elects to conduct
 702 that hearing at another time of day. The first public hearing
 703 shall be held at least 7 days after the day that the first
 704 advertisement is published. The second hearing shall be held at
 705 least 10 days after the first hearing and shall be advertised at
 706 least 5 days prior to the public hearing.

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

722 NOTICE OF (TYPE OF) CHANGE

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

725 A public hearing on the ordinance will be held on ...(date

726 and time)... at ...(meeting place)....
 727 Except for amendments which change the actual list of permitted,
 728 conditional, or prohibited uses within a zoning category, the
 729 advertisement shall contain a geographic location map which
 730 clearly indicates the area covered by the proposed ordinance.
 731 The map shall include major street names as a means of
 732 identification of the general area. If ~~In addition to being~~
 733 published in the newspaper, the map must also be part of the
 734 online notice required pursuant to s. 50.0211 or s. 50.0311.

735 c. In lieu of publishing the advertisement set out in this
 736 paragraph, the municipality may mail a notice to each person
 737 owning real property within the area covered by the ordinance.
 738 Such notice shall clearly explain the proposed ordinance and
 739 shall notify the person of the time, place, and location of any
 740 public hearing on the proposed ordinance.

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

743 189.015 Meetings; notice; required reports.—

744 (1) The governing body of each special district shall file
 745 quarterly, semiannually, or annually a schedule of its regular
 746 meetings with the local governing authority or authorities. The
 747 schedule shall include the date, time, and location of each
 748 scheduled meeting. The schedule shall be published quarterly,
 749 semiannually, or annually ~~in a newspaper of general paid~~
 750 ~~circulation~~ in the manner required in this subsection. The

751 governing body of an independent special district shall
752 advertise the day, time, place, and purpose of any meeting other
753 than a regular meeting or any recessed and reconvened meeting of
754 the governing body, at least 7 days before such meeting as
755 provided in chapter 50, ~~in a newspaper of general paid~~
756 ~~circulation in the county or counties in which the special~~
757 ~~district is located,~~ unless a bona fide emergency situation
758 exists, in which case a meeting to deal with the emergency may
759 be held as necessary, with reasonable notice, so long as it is
760 subsequently ratified by the governing body. No approval of the
761 annual budget shall be granted at an emergency meeting. The
762 notice shall be posted as provided in ~~advertisement shall be~~
763 ~~placed in that portion of the newspaper where legal notices and~~
764 ~~classified advertisements appear. The advertisement shall appear~~
765 ~~in a newspaper that is published at least 5 days a week, unless~~
766 ~~the only newspaper in the county is published fewer than 5 days~~
767 ~~a week. The newspaper selected must be one of general interest~~
768 ~~and readership in the community and not one of limited subject~~
769 ~~matter, pursuant to chapter 50. Any other provision of law to~~
770 the contrary notwithstanding, and except in the case of
771 emergency meetings, water management districts may provide
772 reasonable notice of public meetings held to evaluate responses
773 to solicitations issued by the water management district, by
774 publication as provided in chapter 50 on a publicly accessible
775 website or ~~in a newspaper of general paid circulation in the~~

776 county where the principal office of the water management
777 district is located, or in the county or counties where the
778 public work will be performed, no less than 7 days before such
779 meeting.

780 Section 18. Paragraph (d) of subsection (1) of section
781 190.005, Florida Statutes, is amended to read:

782 190.005 Establishment of district.—

783 (1) The exclusive and uniform method for the establishment
784 of a community development district with a size of 2,500 acres
785 or more shall be pursuant to a rule, adopted under chapter 120
786 by the Florida Land and Water Adjudicatory Commission, granting
787 a petition for the establishment of a community development
788 district.

789 (d) A local public hearing on the petition shall be
790 conducted by a hearing officer in conformance with the
791 applicable requirements and procedures of the Administrative
792 Procedure Act. The hearing shall include oral and written
793 comments on the petition pertinent to the factors specified in
794 paragraph (e). The hearing shall be held at an accessible
795 location in the county in which the community development
796 district is to be located. The petitioner shall cause a notice
797 of the hearing to be published for 4 successive weeks on a
798 publicly accessible website or in a newspaper at least once a
799 week for the 4 successive weeks immediately prior to the hearing
800 as provided in chapter 50. Such notice shall give the time and

801 place for the hearing, a description of the area to be included
802 in the district, which description shall include a map showing
803 clearly the area to be covered by the district, and any other
804 relevant information which the establishing governing bodies may
805 require. If published in a newspaper, the advertisement shall
806 not be placed in that portion of the newspaper where legal
807 notices and classified advertisements appear. The advertisement
808 shall be published in a newspaper ~~of general paid circulation~~ in
809 the county and of general interest and readership in the
810 community, not one of limited subject matter, pursuant to
811 chapter 50. Whenever possible, the advertisement shall appear in
812 a newspaper that is published at least weekly ~~5 days a week,~~
813 unless the only newspaper in the community is published less
814 than weekly ~~fewer than 5 days a week.~~ If ~~In addition to being~~
815 published in the newspaper, the map referenced above must also
816 be part of the online advertisement required pursuant to s.
817 50.0211 or s. 50.0311. All affected units of general-purpose
818 local government and the general public shall be given an
819 opportunity to appear at the hearing and present oral or written
820 comments on the petition.

821 Section 19. Paragraph (h) of subsection (1) of section
822 190.046, Florida Statutes, is amended to read:

823 190.046 Termination, contraction, or expansion of
824 district.—

825 (1) A landowner or the board may petition to contract or

826 expand the boundaries of a community development district in the
827 following manner:

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

846 1. After establishment of the district, a person may
847 petition the county or municipality to amend the boundaries of
848 the district to include a previously identified parcel that was
849 a proposed addition to the district before its establishment. A
850 filing fee may not be charged for this petition. Each such

851 petition must include:

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

854 b. A new legal description by metes and bounds of the
855 district;

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

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

859 e. A description of the development proposed on the
860 additional parcel; and

861 f. A copy of the original petition identifying the parcel
862 to be added.

863 2. Before filing with the county or municipality, the
864 person must provide the petition to the district and to the
865 owner of the proposed additional parcel, if the owner is not the
866 petitioner.

867 3. Once the petition is determined sufficient and
868 complete, the county or municipality must process the addition
869 of the parcel to the district as an amendment to the ordinance
870 that establishes the district. The county or municipality may
871 process all petitions to amend the ordinance for parcels
872 identified in the original petition, even if, by adding such
873 parcels, the district exceeds 2,500 acres.

874 4. The petitioner shall cause to be published in a
875 newspaper of general circulation in the proposed district a

876 notice of the intent to amend the ordinance that establishes the
877 district. The notice must be in addition to any notice required
878 for adoption of the ordinance amendment. Such notice must be
879 published as provided in chapter 50 at least 10 days before the
880 scheduled hearing on the ordinance amendment ~~and may be~~
881 ~~published in the section of the newspaper reserved for legal~~
882 ~~notices~~. The notice must include a general description of the
883 land to be added to the district and the date and time of the
884 scheduled hearing to amend the ordinance. The petitioner shall
885 deliver, including by mail or hand delivery, the notice of the
886 hearing on the ordinance amendment to the owner of the parcel
887 and to the district at least 14 days before the scheduled
888 hearing.

889 5. The amendment of a district by the addition of a parcel
890 pursuant to this paragraph does not alter the transition from
891 landowner voting to qualified elector voting pursuant to s.
892 190.006, even if the total size of the district after the
893 addition of the parcel exceeds 5,000 acres. Upon adoption of the
894 ordinance expanding the district, the petitioner must cause to
895 be recorded a notice of boundary amendment which reflects the
896 new boundaries of the district.

897 6. This paragraph is intended to facilitate the orderly
898 addition of lands to a district under certain circumstances and
899 does not preclude the addition of lands to any district using
900 the procedures in the other provisions of this section.

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

903 194.037 Disclosure of tax impact.—

904 (1) After hearing all petitions, complaints, appeals, and
 905 disputes, the clerk shall make public notice of the findings and
 906 results of the board as provided in chapter 50. If published in
 907 a newspaper, the notice must be in at least a quarter-page size
 908 advertisement of a standard size or tabloid size newspaper, and
 909 the headline shall be in a type no smaller than 18 point. The
 910 advertisement shall not be placed in that portion of the
 911 newspaper where legal notices and classified advertisements
 912 appear. The advertisement shall be published in a newspaper ~~of~~
 913 ~~general paid circulation~~ in the county. The newspaper selected
 914 shall be one of general interest and readership in the
 915 community, and not one of limited subject matter, pursuant to
 916 chapter 50. For all advertisements published pursuant to this
 917 section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT
 918 BOARD. The public notice shall list the members of the value
 919 adjustment board and the taxing authorities to which they are
 920 elected. The form shall show, in columnar form, for each of the
 921 property classes listed under subsection (2), the following
 922 information, with appropriate column totals:

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

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

928 (c) In the third column, the number of parcels for which
929 the board considered the petition and reduced the assessment
930 from that made by the property appraiser on the initial
931 assessment roll.

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

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

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

942 (g) In the seventh column, the net shift in taxes to
943 parcels not granted relief by the board. The shift shall be
944 computed as the amount shown in column 6 multiplied by the
945 applicable millage rates adopted by the taxing authorities in
946 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
947 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
948 Constitution, but without adjustment as authorized pursuant to
949 s. 200.065(6). If for any taxing authority the hearing has not
950 been completed at the time the notice required herein is

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

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

955 197.402 Advertisement of real or personal property with
 956 delinquent taxes.—

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

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

964 200.065 Method of fixing millage.—

965 (3) The advertisement shall be published as provided in
 966 chapter 50. If the advertisement is published by newspaper, the
 967 advertisement must be no less than one-quarter page in size of a
 968 standard size or a tabloid size newspaper, and the headline in
 969 the advertisement shall be in a type no smaller than 18 point.
 970 The advertisement shall not be placed in that portion of the
 971 newspaper where legal notices and classified advertisements
 972 appear. The advertisement shall be published in a newspaper ~~of~~
 973 ~~general paid circulation~~ in the county or in a geographically
 974 limited insert of such newspaper. The geographic boundaries in
 975 which such insert is circulated shall include the geographic

976 boundaries of the taxing authority. It is the legislative intent
 977 that, whenever possible, the advertisement appear in a newspaper
 978 that is published at least weekly ~~5 days a week~~ unless the only
 979 newspaper in the county is published less than weekly ~~5 days a~~
 980 ~~week~~, or that the advertisement appear in a geographically
 981 limited insert of such newspaper which insert is published
 982 throughout the taxing authority's jurisdiction at least twice
 983 each week. It is further the legislative intent that the
 984 newspaper selected be one of general interest and readership in
 985 the community and not one of limited subject matter, pursuant to
 986 chapter 50.

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

991 NOTICE OF PROPOSED TAX INCREASE

992 The ...(name of the taxing authority)... has tentatively
 993 adopted a measure to increase its property tax levy.

994 Last year's property tax levy:

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

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

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

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

1000 All concerned citizens are invited to attend a public

1001 hearing on the tax increase to be held on ...(date and time)...
 1002 at ...(meeting place)....

1003 A FINAL DECISION on the proposed tax increase and the
 1004 budget will be made at this hearing.

1005 (b) In all instances in which the provisions of paragraph
 1006 (a) are inapplicable for taxing authorities other than school
 1007 districts, the advertisement shall be in the following form:

1008 NOTICE OF BUDGET HEARING

1009 The ...(name of taxing authority)... has tentatively
 1010 adopted a budget for ...(fiscal year).... A public hearing to
 1011 make a FINAL DECISION on the budget AND TAXES will be held on
 1012 ...(date and time)... at ...(meeting place)....

1013 (c) For school districts which have proposed a millage
 1014 rate in excess of 100 percent of the rolled-back rate computed
 1015 pursuant to subsection (1) and which propose to levy nonvoted
 1016 millage in excess of the minimum amount required pursuant to s.
 1017 1011.60(6), the advertisement shall be in the following form:

1018 NOTICE OF PROPOSED TAX INCREASE

1019 The ...(name of school district)... will soon consider a
 1020 measure to increase its property tax levy.

1021 Last year's property tax levy:

- 1022 A. Initially proposed tax levy.....\$XX,XXX,XXX
- 1023 B. Less tax reductions due to Value Adjustment Board and
 1024 other assessment changes..... (\$XX,XXX,XXX)
- 1025 C. Actual property tax levy.....\$XX,XXX,XXX

1026 This year's proposed tax levy.....\$XX,XXX,XXX

1027 A portion of the tax levy is required under state law in
 1028 order for the school board to receive \$...(amount A)... in state
 1029 education grants. The required portion has ...(increased or
 1030 decreased)... by ...(amount B)... percent and represents
 1031 approximately ...(amount C)... of the total proposed taxes.

1032 The remainder of the taxes is proposed solely at the
 1033 discretion of the school board.

1034 All concerned citizens are invited to a public hearing on
 1035 the tax increase to be held on ...(date and time)... at
 1036 ...(meeting place)....

1037 A DECISION on the proposed tax increase and the budget will
 1038 be made at this hearing.

1039 1. AMOUNT A shall be an estimate, provided by the
 1040 Department of Education, of the amount to be received in the
 1041 current fiscal year by the district from state appropriations
 1042 for the Florida Education Finance Program.

1043 2. AMOUNT B shall be the percent increase over the rolled-
 1044 back rate necessary to levy only the required local effort in
 1045 the current fiscal year, computed as though in the preceding
 1046 fiscal year only the required local effort was levied.

1047 3. AMOUNT C shall be the quotient of required local-effort
 1048 millage divided by the total proposed nonvoted millage, rounded
 1049 to the nearest tenth and stated in words; however, the stated
 1050 amount shall not exceed nine-tenths.

1051 (d) For school districts which have proposed a millage
 1052 rate in excess of 100 percent of the rolled-back rate computed
 1053 pursuant to subsection (1) and which propose to levy as nonvoted
 1054 millage only the minimum amount required pursuant to s.
 1055 1011.60(6), the advertisement shall be the same as provided in
 1056 paragraph (c), except that the second and third paragraphs shall
 1057 be replaced with the following paragraph:

1058 This increase is required under state law in order for the
 1059 school board to receive \$...(amount A)... in state education
 1060 grants.

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 NOTICE OF BUDGET HEARING

1065 The ...(name of school district)... will soon consider a
 1066 budget for ...(fiscal year).... A public hearing to make a
 1067 DECISION on the budget AND TAXES will be held on ...(date and
 1068 time)... at ...(meeting place)....

1069 (f) In lieu of publishing the notice set out in this
 1070 subsection, the taxing authority may mail a copy of the notice
 1071 to each elector residing within the jurisdiction of the taxing
 1072 authority.

1073 (g) In the event that the mailing of the notice of
 1074 proposed property taxes is delayed beyond September 3 in a
 1075 county, any multicounty taxing authority which levies ad valorem

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

1086 NOTICE OF TAX INCREASE

1087 The ...(name of the taxing authority)... proposes to
 1088 increase its property tax levy by ...(percentage of increase
 1089 over rolled-back rate)... percent.

1090 All concerned citizens are invited to attend a public
 1091 hearing on the proposed tax increase to be held on ...(date and
 1092 time)... at ...(meeting place)....

1093 (h) In no event shall any taxing authority add to or
 1094 delete from the language of the advertisements as specified
 1095 herein unless expressly authorized by law, except that, if an
 1096 increase in ad valorem tax rates will affect only a portion of
 1097 the jurisdiction of a taxing authority, advertisements may
 1098 include a map or geographical description of the area to be
 1099 affected and the proposed use of the tax revenues under
 1100 consideration. In addition, if published in the newspaper, the

1101 map must be part of the online advertisement required by s.
1102 50.0211 or s. 50.0311. The advertisements required herein shall
1103 not be accompanied, preceded, or followed by other advertising
1104 or notices which conflict with or modify the substantive content
1105 prescribed herein.

1106 (i) The advertisements required pursuant to paragraphs (b)
1107 and (e) need not be one-quarter page in size or have a headline
1108 in type no smaller than 18 point.

1109 (j) The amounts to be published as percentages of increase
1110 over the rolled-back rate pursuant to this subsection shall be
1111 based on aggregate millage rates and shall exclude voted millage
1112 levies unless expressly provided otherwise in this subsection.

1113 (k) Any taxing authority which will levy an ad valorem tax
1114 for an upcoming budget year but does not levy an ad valorem tax
1115 currently shall, in the advertisement specified in paragraph
1116 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
1117 phrase "increase its property tax levy by ... (percentage of
1118 increase over rolled-back rate)... percent" with the phrase
1119 "impose a new property tax levy of \$...(amount)... per \$1,000
1120 value."

1121 (l) Any advertisement required pursuant to this section
1122 shall be accompanied by an adjacent notice meeting the budget
1123 summary requirements of s. 129.03(3)(b). Except for those taxing
1124 authorities proposing to levy ad valorem taxes for the first
1125 time, the following statement shall appear in the budget summary

1126 | in boldfaced type immediately following the heading, if the
 1127 | applicable percentage is greater than zero:

1128 | THE PROPOSED OPERATING BUDGET EXPENDITURES OF ... (name of
 1129 | taxing authority)... ARE ... (percent rounded to one decimal
 1130 | place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

1131 | For purposes of this paragraph, "proposed operating budget
 1132 | expenditures" or "operating expenditures" means all moneys of
 1133 | the local government, including dependent special districts,
 1134 | that:

1135 | 1. Were or could be expended during the applicable fiscal
 1136 | year, or

1137 | 2. Were or could be retained as a balance for future
 1138 | spending in the fiscal year.

1139 |

1140 | Provided, however, those moneys held in or used in trust,
 1141 | agency, or internal service funds, and expenditures of bond
 1142 | proceeds for capital outlay or for advanced refunded debt
 1143 | principal, shall be excluded.

1144 | Section 23. Paragraph (c) of subsection (1) of section
 1145 | 338.223, Florida Statutes, is amended to read:

1146 | 338.223 Proposed turnpike projects.—

1147 | (1)

1148 | (c) Prior to requesting legislative approval of a proposed
 1149 | turnpike project, the environmental feasibility of the proposed
 1150 | project shall be reviewed by the Department of Environmental

1151 Protection. The department shall submit its Project Development
1152 and Environmental Report to the Department of Environmental
1153 Protection, along with a draft copy of a public notice. Within
1154 14 days of receipt of the draft public notice, the Department of
1155 Environmental Protection shall return the draft public notice to
1156 the Department of Transportation with an approval of the
1157 language or modifications to the language. Upon receipt of the
1158 approved or modified draft, or if no comments are provided
1159 within 14 days, the Department of Transportation shall publish
1160 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1161 30-day public comment period. If published in a newspaper, the
1162 headline of the required notice shall be in a type no smaller
1163 than 18 point, ~~The notice~~ shall be placed in that portion of
1164 the newspaper where legal notices appear, and ~~The notice~~ shall
1165 be published in a newspaper of general circulation in the county
1166 or counties of general interest and readership in the community
1167 as provided in s. 50.031, not one of limited subject matter.
1168 Whenever possible, the notice shall appear in a newspaper that
1169 is published at least weekly ~~5 days a week~~. All The notices
1170 ~~notice~~ published pursuant to this section shall include, at a
1171 minimum ~~but is not limited to~~, the following information:
1172 1. The purpose of the notice is to provide for a 30-day
1173 period for written public comments on the environmental impacts
1174 of a proposed turnpike project.
1175 2. The name and description of the project, along with a

1176 geographic location map clearly indicating the area where the
1177 proposed project will be located.

1178 3. The address where such comments must be sent and the
1179 date such comments are due.

1180

1181 After a review of the department's report and any public
1182 comments, the Department of Environmental Protection shall
1183 submit a statement of environmental feasibility to the
1184 department within 30 days after the date on which public
1185 comments are due. The notice and the statement of environmental
1186 feasibility shall not give rise to any rights to a hearing or
1187 other rights or remedies provided pursuant to chapter 120 or
1188 chapter 403, and shall not bind the Department of Environmental
1189 Protection in any subsequent environmental permit review.

1190 Section 24. Subsection (3) of section 348.0308, Florida
1191 Statutes, is amended to read:

1192 348.0308 Public-private partnership.—The Legislature
1193 declares that there is a public need for the rapid construction
1194 of safe and efficient transportation facilities for traveling
1195 within the state and that it is in the public's interest to
1196 provide for public-private partnership agreements to effectuate
1197 the construction of additional safe, convenient, and economical
1198 transportation facilities.

1199 (3) The agency may request proposals for public-private
1200 transportation projects or, if it receives an unsolicited

1201 proposal, it must publish a notice in the Florida Administrative
1202 Register and as provided in chapter 50 ~~a newspaper of general~~
1203 ~~circulation~~ in each ~~the~~ county in which the project ~~it~~ is
1204 located at least once a week for 2 weeks stating that it has
1205 received the proposal and will accept, for 60 days after the
1206 initial date of publication, other proposals for the same
1207 project purpose. A copy of the notice must be mailed to each
1208 local government in the affected areas. After the public
1209 notification period has expired, the agency shall rank the
1210 proposals in order of preference. In ranking the proposals, the
1211 agency shall consider professional qualifications, general
1212 business terms, innovative engineering or cost-reduction terms,
1213 finance plans, and the need for state funds to deliver the
1214 proposal. If the agency is not satisfied with the results of the
1215 negotiations, it may, at its sole discretion, terminate
1216 negotiations with the proposer. If these negotiations are
1217 unsuccessful, the agency may go to the second and lower-ranked
1218 firms, in order, using the same procedure. If only one proposal
1219 is received, the agency may negotiate in good faith, and if it
1220 is not satisfied with the results, it may, at its sole
1221 discretion, terminate negotiations with the proposer. The agency
1222 may, at its discretion, reject all proposals at any point in the
1223 process up to completion of a contract with the proposer.

1224 Section 25. Subsection (3) of section 348.635, Florida
1225 Statutes, is amended to read:

1226 348.635 Public-private partnership.—The Legislature
1227 declares that there is a public need for the rapid construction
1228 of safe and efficient transportation facilities for traveling
1229 within the state and that it is in the public's interest to
1230 provide for public-private partnership agreements to effectuate
1231 the construction of additional safe, convenient, and economical
1232 transportation facilities.

1233 (3) The authority may request proposals for public-private
1234 transportation projects or, if it receives an unsolicited
1235 proposal, it must publish a notice in the Florida Administrative
1236 Register as provided in chapter 50 ~~and a newspaper of general~~
1237 ~~circulation~~ in each ~~the~~ county in which the project ~~it~~ is
1238 located at least once a week for 2 weeks stating that it has
1239 received the proposal and will accept, for 60 days after the
1240 initial date of publication, other proposals for the same
1241 project purpose. A copy of the notice must be mailed to each
1242 local government in the affected areas. After the public
1243 notification period has expired, the authority shall rank the
1244 proposals in order of preference. In ranking the proposals, the
1245 authority shall consider professional qualifications, general
1246 business terms, innovative engineering or cost-reduction terms,
1247 finance plans, and the need for state funds to deliver the
1248 proposal. If the authority is not satisfied with the results of
1249 the negotiations, it may, at its sole discretion, terminate
1250 negotiations with the proposer. If these negotiations are

1251 unsuccessful, the authority may go to the second and lower-
1252 ranked firms, in order, using the same procedure. If only one
1253 proposal is received, the authority may negotiate in good faith,
1254 and if it is not satisfied with the results, it may, at its sole
1255 discretion, terminate negotiations with the proposer. The
1256 authority may, at its discretion, reject all proposals at any
1257 point in the process up to completion of a contract with the
1258 proposer.

1259 Section 26. Subsection (3) of section 348.7605, Florida
1260 Statutes, is amended to read:

1261 348.7605 Public-private partnership.—The Legislature
1262 declares that there is a public need for the rapid construction
1263 of safe and efficient transportation facilities for traveling
1264 within the state and that it is in the public's interest to
1265 provide for public-private partnership agreements to effectuate
1266 the construction of additional safe, convenient, and economical
1267 transportation facilities.

1268 (3) The authority may request proposals for public-private
1269 transportation projects or, if it receives an unsolicited
1270 proposal, it must publish a notice in the Florida Administrative
1271 Register and as provided in chapter 50 ~~a newspaper of general~~
1272 ~~circulation~~ in each ~~the~~ county in which the project ~~it~~ is
1273 located at least once a week for 2 weeks stating that it has
1274 received the proposal and will accept, for 60 days after the
1275 initial date of publication, other proposals for the same

1276 project purpose. A copy of the notice must be mailed to each
1277 local government in the affected areas. After the public
1278 notification period has expired, the authority shall rank the
1279 proposals in order of preference. In ranking the proposals, the
1280 authority shall consider professional qualifications, general
1281 business terms, innovative engineering or cost-reduction terms,
1282 finance plans, and the need for state funds to deliver the
1283 proposal. If the authority is not satisfied with the results of
1284 the negotiations, it may, at its sole discretion, terminate
1285 negotiations with the proposer. If these negotiations are
1286 unsuccessful, the authority may go to the second and lower-
1287 ranked firms, in order, using the same procedure. If only one
1288 proposal is received, the authority may negotiate in good faith,
1289 and if it is not satisfied with the results, it may, at its sole
1290 discretion, terminate negotiations with the proposer. The
1291 authority may, at its discretion, reject all proposals at any
1292 point in the process up to completion of a contract with the
1293 proposer.

1294 Section 27. Section 373.0397, Florida Statutes, is amended
1295 to read:

1296 373.0397 Floridan and Biscayne aquifers; designation of
1297 prime groundwater recharge areas.—Upon preparation of an
1298 inventory of prime groundwater recharge areas for the Floridan
1299 or Biscayne aquifers, but prior to adoption by the governing
1300 board, the water management district shall publish a legal

1301 notice of public hearing on the designated areas for the
 1302 Floridan and Biscayne aquifers, with a map delineating the
 1303 boundaries of the areas, as provided ~~in newspapers defined in~~
 1304 chapter 50 in each county ~~as having general circulation~~ within
 1305 the area to be affected. The notice shall be at least one-fourth
 1306 page and shall read as follows:

1307 NOTICE OF PRIME RECHARGE

1308 AREA DESIGNATION

1309 The ...(name of taxing authority)... proposes to designate
 1310 specific land areas as areas of prime recharge to the ...(name
 1311 of aquifer)... Aquifer.

1312 All concerned citizens are invited to attend a public
 1313 hearing on the proposed designation to be held on ...(date and
 1314 time)... at ...(meeting place)....

1315 A map of the affected areas follows.
 1316 The governing board of the water management district shall adopt
 1317 a designation of prime groundwater recharge areas to the
 1318 Floridan and Biscayne aquifers by rule within 120 days after the
 1319 public hearing, subject to the provisions of chapter 120.

1320 Section 28. Section 373.146, Florida Statutes, is amended
 1321 to read:

1322 373.146 Publication of notices, process, and papers.—

1323 (1) Whenever in this chapter the publication of any
 1324 notice, process, or paper is required or provided for, unless
 1325 otherwise provided by law, the publication thereof ~~in some~~

1326 ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 in
1327 each county ~~having general circulation~~ within the area to be
1328 affected shall be taken and considered as being sufficient.

1329 (2) Notwithstanding any other provision of law to the
1330 contrary, and except in the case of emergency meetings, water
1331 management districts may provide reasonable notice of public
1332 meetings held to evaluate responses to solicitations issued by
1333 the water management district, by publication as provided in
1334 chapter 50 ~~in a newspaper of general paid circulation~~ in the
1335 county where the principal office of the water management
1336 district is located, or in the county or counties where the
1337 public work will be performed, no less than 7 days before such
1338 meeting.

1339 Section 29. Subsection (12) of section 403.722, Florida
1340 Statutes, is amended to read:

1341 403.722 Permits; hazardous waste disposal, storage, and
1342 treatment facilities.—

1343 (12) On the same day of filing with the department of an
1344 application for a permit for the construction modification, or
1345 operation of a hazardous waste facility, the applicant shall
1346 notify each city and county within 1 mile of the facility of the
1347 filing of the application and shall publish notice of the filing
1348 of the application. The applicant shall publish a second notice
1349 of the filing within 14 days after the date of filing. Each
1350 notice shall be published ~~in a newspaper of general circulation~~

1351 in the county in which the facility is located or is proposed to
1352 be located as provided in chapter 50. ~~Notwithstanding the~~
1353 ~~provisions of chapter 50, for purposes of this section, a~~
1354 ~~"newspaper of general circulation" shall be the newspaper within~~
1355 ~~the county in which the installation or facility is proposed~~
1356 ~~which has the largest daily circulation in that county and has~~
1357 ~~its principal office in that county. If the newspaper with the~~
1358 ~~largest daily circulation has its principal office outside the~~
1359 ~~county, the notice shall appear in both the newspaper with the~~
1360 ~~largest daily circulation in that county, and a newspaper~~
1361 ~~authorized to publish legal notices in that county. The notice~~
1362 shall contain:

1363 (a) The name of the applicant and a brief description of
1364 the project and its location.

1365 (b) The location of the application file and when it is
1366 available for public inspection.

1367
1368 The notice shall be prepared by the applicant and shall comply
1369 with the following format:

1370 Notice of Application

1371 The Department of Environmental Protection announces receipt of
1372 an application for a permit from ...(name of applicant)... to
1373 ...(brief description of project).... This proposed project will
1374 be located at ...(location)... in ...(county)... ...(city)....
1375 This application is being processed and is available for public

1376 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
 1377 Monday through Friday, except legal holidays, at ...(name and
 1378 address of office)....

1379 Section 30. Paragraph (b) of subsection (3) of section
 1380 712.06, Florida Statutes, is amended to read:

1381 712.06 Contents of notice; recording and indexing.—

1382 (3) The person providing the notice referred to in s.
 1383 712.05, other than a notice for preservation of a community
 1384 covenant or restriction, shall:

1385 (b) Publish the notice referred to in s. 712.05 for 2
 1386 consecutive weeks on a publicly accessible website as provided
 1387 in chapter 50 or once a week, for 2 consecutive weeks in a
 1388 newspaper as defined in chapter 50, ~~the notice referred to in s.~~
 1389 ~~712.05,~~ with the official record book and page number in which
 1390 such notice was recorded, ~~in a newspaper as defined in chapter~~
 1391 ~~50~~ in the county in which the property is located.

1392 Section 31. Subsection (5) of section 849.38, Florida
 1393 Statutes, is amended to read:

1394 849.38 Proceedings for forfeiture; notice of seizure and
 1395 order to show cause.—

1396 (5) If the value of the property seized is shown by the
 1397 sheriff's return to have an appraised value of \$1,000 or less,
 1398 the above citation shall be served by posting at three public
 1399 places in the county, one of which shall be the front door of
 1400 the courthouse; if the value of the property is shown by the

1401 sheriff's return to have an approximate value of more than
 1402 \$1,000, the citation shall be published for at least 2
 1403 consecutive weeks on a publicly accessible website as provided
 1404 in chapter 50 or at least once each week for 2 consecutive weeks
 1405 in some newspaper of general publication published in the
 1406 county, if there be such a newspaper published in the county and
 1407 if not, then said notice of such publication shall be made by
 1408 certificate of the clerk if publication is made by posting, and
 1409 by affidavit as provided in chapter 50, if made by publication
 1410 as provided in chapter 50 ~~in a newspaper~~, which affidavit or
 1411 certificate shall be filed and become a part of the record in
 1412 the cause. Failure of the record to show proof of such
 1413 publication shall not affect any judgment made in the cause
 1414 unless it shall affirmatively appear that no such publication
 1415 was made.

1416 Section 32. Paragraph (a) of subsection (3) of section
 1417 865.09, Florida Statutes, is amended to read:

1418 865.09 Fictitious name registration.—

1419 (3) REGISTRATION.—

1420 (a) A person may not engage in business under a fictitious
 1421 name unless the person first registers the name with the
 1422 division by filing a registration listing:

- 1423 1. The name to be registered.
- 1424 2. The mailing address of the business.
- 1425 3. The name and address of each registrant.

1426 4. If the registrant is a business entity that was
1427 required to file incorporation or similar documents with its
1428 state of organization when it was organized, such entity must be
1429 registered with the division and in active status with the
1430 division; provide its Florida document registration number; and
1431 provide its federal employer identification number if the entity
1432 has such a number.

1433 5. Certification by at least one registrant that the
1434 intention to register such fictitious name has been advertised
1435 as provided ~~at least once in a newspaper as defined in chapter~~
1436 50 in the county in which the principal place of business of the
1437 registrant is or will be located.

1438 6. Any other information the division may reasonably deem
1439 necessary to adequately inform other governmental agencies and
1440 the public as to the registrant so conducting business.

1441 Section 33. Paragraph (a) of subsection (6) of section
1442 932.704, Florida Statutes, is amended to read:

1443 932.704 Forfeiture proceedings.—

1444 (6) (a) If the property is required by law to be titled or
1445 registered, or if the owner of the property is known in fact to
1446 the seizing agency, or if the seized property is subject to a
1447 perfected security interest in accordance with the Uniform
1448 Commercial Code, chapter 679, the attorney for the seizing
1449 agency shall serve the forfeiture complaint as an original
1450 service of process under the Florida Rules of Civil Procedure

1451 and other applicable law to each person having an ownership or
1452 security interest in the property. The seizing agency shall also
1453 publish, in accordance with chapter 50, notice of the forfeiture
1454 complaint for 2 consecutive weeks on a publicly accessible
1455 website or once each week for 2 consecutive weeks in a newspaper
1456 of general circulation, ~~as defined in s. 165.031,~~ in the county
1457 where the seizure occurred.

1458 Section 34. This act shall take effect July 1, 2021.