



671432

LEGISLATIVE ACTION

Senate	.	House
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	.	
Floor: 1/AD/2R	.	Floor: C
04/29/2021 11:41 AM	.	04/29/2021 07:24 PM
	.	

Senator Rodrigues moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

50.011 Publication of ~~Where and in what language~~ legal
notices ~~to be published.~~ Whenever by statute an official or
legal advertisement or a publication, or notice in a newspaper
has been or is directed or permitted in the nature of or in lieu
of process, or for constructive service, or in initiating,



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12 assuming, reviewing, exercising or enforcing jurisdiction or
13 power, or for any purpose, including all legal notices and
14 advertisements of sheriffs and tax collectors, the
15 contemporaneous and continuous intent and meaning of such
16 legislation all and singular, existing or repealed, is and has
17 been and is hereby declared to be and to have been, and the rule
18 of interpretation is and has been the following:

19 (1) A publication in a newspaper that meets all of the
20 following:

21 (a) Is printed and published periodically at least once a
22 week.

23 (b) Contains ~~or oftener, containing~~ at least 25 percent of
24 its words in the English language.

25 (c) Satisfies one of the following criteria:

26 1. Has an audience consisting of at least 10 percent of the
27 households in the county or municipality, as determined by the
28 most recent decennial census, where the legal or public notice
29 is being published or posted, by calculating the combination of
30 the total of the number of print copies reflecting the day of
31 highest print circulation, of which at least 25 percent of such
32 print copies must be delivered to individuals' home or business
33 addresses, as certified biennially by a certified independent
34 third-party auditor, and the total number of online unique
35 monthly visitors to the newspaper's website from within the
36 state, as measured by industry-accepted website analytics
37 software. The newspaper must also be sold, or otherwise
38 available to the public, at no less than 10 publicly accessible
39 outlets. For legal and public notices published by
40 nongovernmental entities, the newspaper's audience in the county



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41 or municipality where the project, property, or other primary
42 subject of the notice is located must meet the 10 percent
43 threshold.

44 2. Holds a periodicals permit as of March 1, 2021, and
45 accepts legal notices for publication as of that date. Any such
46 newspaper may continue to publish legal notices through December
47 31, 2023, so long as the newspaper continues to meet the
48 requirements set forth in section 21 of chapter 99-2, Laws of
49 Florida, and continues to hold a periodicals permit. Beginning
50 January 1, 2024, and thereafter, any such newspaper must meet
51 the criteria under subparagraph 1.

52 3. For newspapers publishing legal notices in a fiscally
53 constrained county, holds a periodicals permit and meets all
54 other requirements of this chapter. A newspaper qualified under
55 this subparagraph does not need to meet the criteria under
56 subparagraph 1. so long as the newspaper continues to hold a
57 periodicals permit. For purposes of this subparagraph, the term
58 "fiscally constrained county" means a county within a rural area
59 of opportunity designated by the Governor pursuant to s.
60 288.0656 or a county for which the value of a mill will raise no
61 more than \$5 million in revenue, based on the certified taxable
62 value certified pursuant to s. 1011.62(4)(a)1.a., from the
63 previous July 1.

64 (d) ~~Is, entered or qualified to be admitted and entered as~~
65 ~~periodicals matter at a post office in the county where~~
66 ~~published, for sale to the public generally, available to the~~
67 ~~public generally for the publication of official or other~~
68 ~~notices with no more than 75 percent of its content dedicated~~
69 ~~toward advertising, as measured in half of the newspaper's~~



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70 issues that are published during any 12-month period, and
71 customarily containing information of a public character or of
72 interest or of value to the residents or owners of property in
73 the county where published, or of interest or of value to the
74 general public.

75 (e) Continually publishes in a prominent manner the name,
76 street address, phone number, website URL of the newspaper's
77 approved print auditor, the newspaper's most recent statement of
78 ownership, and a statement of the auditor certifying the
79 veracity of the newspaper's print distribution and the number of
80 the newspaper's website's monthly unique visitors, or the
81 newspaper's periodicals permit, if applicable, within the first
82 five pages of the print edition and the bottom portion of the
83 homepage of the newspaper's website.

84 (2) Internet publication for governmental agency notices
85 under s. 50.0211(1)(b) on the website of any newspaper in the
86 county to which the legal notice pertains and on the statewide
87 legal notice website as provided in s. 50.0211(5). A newspaper
88 is deemed to be a newspaper in the county to which the legal
89 notice pertains if it satisfies the criteria in subsection (1).

90 Section 2. Section 50.021, Florida Statutes, is amended to
91 read:

92 50.021 Publication when no newspaper in county.—When any
93 law, or order or decree of court, directs ~~shall direct~~
94 advertisements to be made in a any county and there is ~~be~~ no
95 newspaper published in the ~~said~~ county, the advertisement may be
96 made by publication in any newspaper qualified under chapter 50
97 in an adjoining county or on the website of any such newspaper
98 for governmental agency notices under s. 50.0211(1)(b), and on



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99 the statewide legal notice website as provided in s. 50.0211(5)
100 or by posting three copies thereof in three different places in
101 the ~~said~~ county, one of which shall be at the front door of the
102 courthouse, and by publication in the nearest county in which a
103 newspaper is published.

104 Section 3. Section 50.0211, Florida Statutes, is amended to
105 read:

106 50.0211 Internet website publication.—

107 (1) As used in this section, the term:

108 (a) “Governmental agency” means a county, a municipality, a
109 district school board, or any other unit of local government or
110 political subdivision in this state.

111 (b) “Governmental agency notice” includes any of the
112 following notices required by law to be published in a
113 newspaper:

114 1. Notices related to special or legal legislation pursuant
115 to s. 11.02.

116 2. Educational unit notices pursuant to s. 120.81.

117 3. Retirement system notices pursuant to s. 121.0511.

118 4. Notices related to inclusion of positions in the Senior
119 Management Service Class of the Florida Retirement System
120 pursuant to s. 121.055.

121 5. Notices proposing the enactment of county ordinances
122 pursuant to s. 125.66.

123 6. Code enforcement notices published pursuant to s.
124 162.12.

125 7. Notices proposing the enactment of municipal ordinances
126 pursuant to s. 166.041.

127 8. Special district meeting notices pursuant to s. 189.015.



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128 9. Establishment and termination notices for community
129 development districts pursuant to ss. 190.005 and 190.046,
130 respectively.

131 10. Disclosures of tax impact by value adjustment boards
132 pursuant to s. 194.037.

133 11. Advertisements of real or personal property with
134 delinquent taxes pursuant to s. 197.402.

135 12. Advertisements of hearing notices, millage rates, and
136 budgets pursuant to s. 200.065.

137 13. Turnpike project notices pursuant to s. 338.223.

138 14. Public-private partnership notices pursuant to ss.
139 348.0308 and 348.7605.

140 15. Notices of prime recharge area designations for the
141 Floridan and Biscayne aquifers pursuant to s. 373.0397.

142 16. Water management district notices pursuant to s.
143 373.146.

144 17. Hazardous waste disposal notices pursuant to s.
145 403.722.

146 18. Forfeiture notices pursuant to ss. 849.38 and 932.704.

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

150 (3)~~(2)~~ If a governmental agency publishes a legal notice in
151 the print edition of a newspaper, each legal notice must be
152 posted on the newspaper's website on the same day that the
153 printed notice appears in the newspaper, at no additional
154 charge, in a separate web page titled "Legal Notices," "Legal
155 Advertising," or comparable identifying language. A link to the
156 legal notices web page shall be provided on the front page of



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157 the newspaper's website that provides access to the legal
158 notices. If there is a specified size and placement required for
159 a printed legal notice, the size and placement of the notice on
160 the newspaper's website must optimize its online visibility in
161 keeping with the print requirements. The newspaper's web pages
162 that contain legal notices must present the legal notices as the
163 dominant and leading subject matter of those pages. The
164 newspaper's website must contain a search function to facilitate
165 searching the legal notices. A fee may not be charged, and
166 registration may not be required, for viewing or searching legal
167 notices on a newspaper's website if the legal notice is
168 published in a newspaper.

169 (4) (a) ~~(3) (a)~~ If a legal notice is published in the print
170 edition of a newspaper or on a newspaper's website, the
171 newspaper publishing the notice shall place the notice on the
172 statewide website established and maintained as an initiative of
173 the Florida Press Association as a repository for such notices
174 located at the following address: www.floridapublicnotices.com.

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

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

180 (c) The statewide website created under this subsection
181 shall maintain a searchable archive of all legal notices posted
182 on the publicly accessible website ~~on or after October 1, 2014,~~
183 for 18 months after the first day of posting. Such searchable
184 archive shall be provided and accessible to the general public
185 without charge.



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186 (d) The Florida Press Association shall seek to ensure that
187 minority populations throughout the state have equitable access
188 to legal notices posted on the statewide legal notice website
189 located at: www.floridapublicnotices.com. The Florida Press
190 Association shall publish a report listing all newspapers that
191 have placed notices on www.floridapublicnotices.com in the
192 preceding calendar quarter. The report must specifically
193 identify which criteria under s. 50.011(1)(c)1.-3. that each
194 newspaper satisfied. Each quarterly report must also include the
195 number of unique visitors to the statewide legal notice website
196 during that quarter and the number of legal notices that were
197 published during that quarter by Internet-only publication or by
198 publication in a print newspaper and on the statewide website.
199 At a minimum, the reports for the 4 preceding calendar quarters
200 shall be available on the website.

201 (5) (a) In lieu of publishing a legal notice in the print
202 edition of a newspaper of general circulation, a governmental
203 agency may opt for Internet-only publication of governmental
204 agency notices with any newspaper of general circulation within
205 the jurisdiction of the affected governmental agency so long as
206 the governmental agency, after a public hearing noticed in a
207 print edition of a newspaper in accordance with this chapter,
208 makes a determination by a majority of the members of the
209 governing body of the governmental agency that the Internet
210 publication of such governmental agency notices is in the public
211 interest and that the residents within the jurisdiction of the
212 governmental agency have sufficient access to the Internet by
213 broadband service as defined in s. 364.02 or through other means
214 such that Internet-only publication of governmental agency



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215 notices would not unreasonably restrict public access. Any such
216 Internet-only publication published in accordance with this
217 subsection must be placed in the legal notices section of the
218 newspaper's website and the statewide legal notice website
219 established under subsection (4). All requirements regarding the
220 format and accessibility of legal notices placed on the
221 newspaper's website and the statewide legal notice website in
222 subsections (3) and (4) also apply to Internet-only publication
223 of legal notices published in accordance with this subsection. A
224 newspaper is deemed to be a newspaper of general circulation
225 within the jurisdiction of the affected governmental agency if
226 it satisfies the criteria in s. 50.011(1).

227 (b) The legal notices section of the print edition of a
228 newspaper must include a disclaimer stating that additional
229 legal notices may be accessed on the newspaper's website and the
230 statewide legal notice website. The legal notices section of the
231 newspaper's website must also include a disclaimer stating that
232 legal notices are also published in the print edition of the
233 newspaper and on the statewide legal notice website.

234 (c) A newspaper may charge for the publication of any
235 governmental agency notice that is published only on the
236 newspaper's website, without rebate, commission, or refund;
237 however, the newspaper may not charge any higher rate for
238 publication than the amount that would be authorized under s.
239 50.061 if the governmental agency notice had been printed in the
240 newspaper. The penalties prescribed in s. 50.061(7) for allowing
241 or accepting any rebate, commission, or refund in connection to
242 the amounts charged for publication also apply to any
243 governmental agency notices that are published only on the



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244 Internet in accordance with this subsection.

245 (d) If a governmental agency exercises the option to
246 publish Internet-only governmental agency notices in accordance
247 with this subsection, such agency must provide notice at least
248 once per week in the print edition of a newspaper of general
249 circulation within the region in which the governmental agency
250 is located which states that legal notices pertaining to the
251 agency do not all appear in the print edition of the local
252 newspaper and that additional legal notices may be accessed on
253 the newspaper's website and that a full listing of any legal
254 notices may be accessed on the statewide legal notice website
255 located at www.floridapublicnotices.com. Additionally, any such
256 governmental agency must post a link on its website homepage to
257 a webpage that lists all of the newspapers in which the
258 governmental agency publishes legal notices. A newspaper is
259 deemed to be a newspaper of general circulation within the
260 region in which the governmental agency is located if it
261 satisfies the criteria in s. 50.011(1).

262 (6) ~~(4)~~ Newspapers that publish legal notices shall, upon
263 request, provide e-mail notification of new legal notices when
264 they are published ~~printed~~ in the newspaper or on ~~and added to~~
265 the newspaper's website. Such e-mail notification shall be
266 provided without charge, and notification for such an e-mail
267 registry shall be available on the front page of the legal
268 notices section of the newspaper's website.

269 (7) Notwithstanding the authorization of Internet-only
270 publication for certain governmental agency notices in
271 accordance with subsection (5), any other statute requiring the
272 publication of an official legal notice in the print edition of



273 a newspaper may not be construed to be superseded.

274 Section 4. Section 50.031, Florida Statutes, is amended to
275 read:

276 50.031 Newspapers in which legal notices and process may be
277 published.—No notice or publication required to be published in
278 the print edition of a newspaper or on a newspaper's website, if
279 authorized, in the nature of or in lieu of process of any kind,
280 nature, character or description provided for under any law of
281 the state, whether heretofore or hereafter enacted, and whether
282 pertaining to constructive service, or the initiating, assuming,
283 reviewing, exercising or enforcing jurisdiction or power, by any
284 court in this state, or any notice of sale of property, real or
285 personal, for taxes, state, county or municipal, or sheriff's,
286 guardian's or administrator's or any sale made pursuant to any
287 judicial order, decree or statute or any other publication or
288 notice pertaining to any affairs of the state, or any county,
289 municipality or other political subdivision thereof, shall be
290 deemed to have been published in accordance with the statutes
291 providing for such publication, unless the same shall have been
292 published for the prescribed period of time required for such
293 publication, in a newspaper or on a newspaper's website which at
294 the time of such publication shall have been in existence for 2
295 years and meets the requirements set forth in s. 50.011 ~~1-year~~
296 ~~and shall have been entered as periodicals matter at a post~~
297 ~~office in the county where published,~~ or in a newspaper which is
298 a direct successor of a newspaper which has ~~together~~ have been
299 so published; provided, however, that nothing herein contained
300 shall apply where in any county there shall be no newspaper in
301 existence which shall have been published for the length of time



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302 above prescribed. No legal publication of any kind, nature or
303 description, as herein defined, shall be valid or binding or
304 held to be in compliance with the statutes providing for such
305 publication unless the same shall have been published in
306 accordance with the provisions of this section or s. 50.0211(5).
307 Proof of such publication shall be made by uniform affidavit.

308 Section 5. Section 50.041, Florida Statutes, is amended to
309 read:

310 50.041 Proof of publication; uniform affidavits required.—

311 (1) All affidavits ~~of publishers of newspapers (or their~~
312 ~~official representatives)~~ made for the purpose of establishing
313 proof of publication of public notices or legal advertisements
314 shall be uniform throughout the state.

315 (2) Each such affidavit shall be printed upon white paper
316 and shall be 8 1/2 inches in width and of convenient length, not
317 less than 5 1/2 inches. A white margin of not less than 2 1/2
318 inches shall be left at the right side of each affidavit form
319 and upon or in this space shall be substantially pasted a
320 clipping which shall be a true copy of the public notice or
321 legal advertisement for which proof is executed. Alternatively,
322 the affidavit may be provided in electronic rather than paper
323 form, provided the notarization of the affidavit complies with
324 the requirements of s. 117.021.

325 (3) ~~In all counties having a population in excess of~~
326 ~~450,000 according to the latest official decennial census, in~~
327 ~~addition to the charges which are now or may hereafter be~~
328 ~~established by law for the publication of every official notice~~
329 ~~or legal advertisement,~~ There may be a charge not to exceed \$2
330 levied for the preparation and execution of each such proof of



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331 publication or ~~publisher's~~ affidavit.

332 Section 6. Section 50.051, Florida Statutes, is amended to
333 read:

334 50.051 Proof of publication; form of uniform affidavit.—The
335 printed form upon which all such affidavits establishing proof
336 of publication are to be executed shall be substantially as
337 follows:

338 NAME OF COUNTY NEWSPAPER
339 Published ~~(Weekly or Daily)~~
340 ~~(Town or City)~~ (County) FLORIDA

341 STATE OF FLORIDA

342

343 COUNTY OF

344 Before the undersigned authority personally appeared,
345 who on oath says that he or she is of the, a
346 newspaper published at in County, Florida; that the
347 attached copy of advertisement, being a in the matter of
348 in the Court, was published in said newspaper by print
349 in the issues of or by publication on the newspaper's
350 website, if authorized, on ... (date)....

351 Affiant further says that the newspaper complies with all
352 legal requirements for publication in chapter 50, Florida
353 Statutes said is a newspaper published at, in said
354 County, Florida, and that the said newspaper has heretofore
355 been continuously published in said County, Florida, each
356 and has been entered as periodicals matter at the post
357 office in, in said County, Florida, for a period of 1
358 year next preceding the first publication of the attached copy
359 of advertisement; and affiant further says that he or she has



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360 ~~neither paid nor promised any person, firm or corporation any~~
361 ~~discount, rebate, commission or refund for the purpose of~~
362 ~~securing this advertisement for publication in the said~~
363 ~~newspaper.~~

364
365 Sworn to and subscribed before me this day of,
366 ...(year)..., by, who is personally known to me or who has
367 produced (type of identification) as identification.

368
369 ...(Signature of Notary Public)...

370
371 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

372
373 ...(Notary Public)...

374 Section 7. Subsection (5) of section 50.061, Florida
375 Statutes, is amended to read:

376 50.061 Amounts chargeable.-

377 (5) If the public notice is published in the print edition
378 of a newspaper, the posting of the notice on the newspaper's
379 website pursuant to s. 50.0211(3) ~~s. 50.0211(2)~~ must be done at
380 no additional charge.

381 Section 8. Subsection (12) is added to section 90.902,
382 Florida Statutes, to read:

383 90.902 Self-authentication.-Extrinsic evidence of
384 authenticity as a condition precedent to admissibility is not
385 required for:

386 (12) A legal notice published in accordance with the
387 requirements of chapter 50 in the print edition or on the
388 website of a qualified newspaper.



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389 Section 9. Section 11.02, Florida Statutes, is amended to
390 read:

391 11.02 Notice of special or local legislation or certain
392 relief acts.—The notice required to obtain special or local
393 legislation or any relief act specified in s. 11.065 shall be by
394 publishing the identical notice ~~in each county involved in some~~
395 ~~newspaper~~ as provided defined in chapter 50 ~~published in~~ or
396 circulated throughout the county or counties where the matter or
397 thing to be affected by such legislation shall be situated one
398 time at least 30 days before introduction of the proposed law
399 into the Legislature or, if the notice is not made by Internet
400 publication as provided in s. 50.0211(5) and there being no
401 newspaper circulated throughout or published in the county, by
402 posting for at least 30 days at not less than three public
403 places in the county or each of the counties, one of which
404 places shall be at the courthouse in the county or counties
405 where the matter or thing to be affected by such legislation
406 shall be situated. Notice of special or local legislation shall
407 state the substance of the contemplated law, as required by s.
408 10, Art. III of the State Constitution. Notice of any relief act
409 specified in s. 11.065 shall state the name of the claimant, the
410 nature of the injury or loss for which the claim is made, and
411 the amount of the claim against the affected municipality's
412 revenue-sharing trust fund.

413 Section 10. Paragraph (d) of subsection (1) of section
414 120.81, Florida Statutes, is amended to read:

415 120.81 Exceptions and special requirements; general areas.—

416 (1) EDUCATIONAL UNITS.—

417 (d) Notwithstanding any other provision of this chapter,



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418 educational units shall not be required to include the full text
419 of the rule or rule amendment in notices relating to rules and
420 need not publish these or other notices in the Florida
421 Administrative Register, but notice shall be made:

422 1. By publication in a newspaper qualified under chapter 50
423 ~~of general circulation~~ in the affected area;

424 2. By mail to all persons who have made requests of the
425 educational unit for advance notice of its proceedings and to
426 organizations representing persons affected by the proposed
427 rule; and

428 3. By posting in appropriate places so that those
429 particular classes of persons to whom the intended action is
430 directed may be duly notified.

431 Section 11. Subsection (2) of section 121.0511, Florida
432 Statutes, is amended to read:

433 121.0511 Revocation of election and alternative plan.—The
434 governing body of any municipality or independent special
435 district that has elected to participate in the Florida
436 Retirement System may revoke its election in accordance with the
437 following procedure:

438 (2) At least 7 days, but not more than 15 days, before the
439 hearing, notice of intent to revoke, specifying the time and
440 place of the hearing, must be published as provided in chapter
441 50 ~~in a newspaper of general circulation in the area affected,~~
442 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the
443 notice must be submitted to the Department of Management
444 Services.

445 Section 12. Paragraphs (b) and (h) of subsection (1) of
446 section 121.055, Florida Statutes, are amended to read:



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447 121.055 Senior Management Service Class.—There is hereby
448 established a separate class of membership within the Florida
449 Retirement System to be known as the "Senior Management Service
450 Class," which shall become effective February 1, 1987.

451 (1)

452 (b)1. Except as provided in subparagraph 2., effective
453 January 1, 1990, participation in the Senior Management Service
454 Class is compulsory for the president of each community college,
455 the manager of each participating municipality or county, and
456 all appointed district school superintendents. Effective January
457 1, 1994, additional positions may be designated for inclusion in
458 the Senior Management Service Class if:

459 a. Positions to be included in the class are designated by
460 the local agency employer. Notice of intent to designate
461 positions for inclusion in the class must be published for at
462 least 2 consecutive weeks if published by Internet publication
463 as provided in s. 50.0211(5) or, if published in print, once a
464 week for 2 consecutive weeks in a newspaper qualified under
465 chapter 50 that is ~~of general circulation~~ published in the
466 county or counties affected, ~~as provided in chapter 50.~~

467 b. Up to 10 nonelective full-time positions may be
468 designated for each local agency employer reporting to the
469 department; for local agencies with 100 or more regularly
470 established positions, additional nonelective full-time
471 positions may be designated, not to exceed 1 percent of the
472 regularly established positions within the agency.

473 c. Each position added to the class must be a managerial or
474 policymaking position filled by an employee who is not subject
475 to continuing contract and serves at the pleasure of the local



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476 agency employer without civil service protection, and who:

477 (I) Heads an organizational unit; or

478 (II) Has responsibility to effect or recommend personnel,
479 budget, expenditure, or policy decisions in his or her areas of
480 responsibility.

481 2. In lieu of participation in the Senior Management
482 Service Class, members of the Senior Management Service Class,
483 pursuant to subparagraph 1., may withdraw from the Florida
484 Retirement System altogether. The decision to withdraw from the
485 system is irrevocable as long as the employee holds the
486 position. Any service creditable under the Senior Management
487 Service Class shall be retained after the member withdraws from
488 the system; however, additional service credit in the Senior
489 Management Service Class may not be earned after such
490 withdrawal. Such members are not eligible to participate in the
491 Senior Management Service Optional Annuity Program.

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

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

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

504 (I) The cost for such credit shall be an amount



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505 representing the actuarial accrued liability for the affected
506 period of service. The cost shall be calculated using the
507 discount rate and other relevant actuarial assumptions that were
508 used to value the pension plan liabilities in the most recent
509 actuarial valuation. The calculation must include any service
510 already maintained under the pension plan in addition to the
511 period of withdrawal. The actuarial accrued liability
512 attributable to any service already maintained under the pension
513 plan shall be applied as a credit to the total cost resulting
514 from the calculation. The division must ensure that the transfer
515 sum is prepared using a formula and methodology certified by an
516 actuary.

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

522 (h)1. Except as provided in subparagraph 3., effective
523 January 1, 1994, participation in the Senior Management Service
524 Class shall be compulsory for the State Courts Administrator and
525 the Deputy State Courts Administrators, the Clerk of the Supreme
526 Court, the Marshal of the Supreme Court, the Executive Director
527 of the Justice Administrative Commission, the capital collateral
528 regional counsel, the clerks of the district courts of appeals,
529 the marshals of the district courts of appeals, and the trial
530 court administrator and the Chief Deputy Court Administrator in
531 each judicial circuit. Effective January 1, 1994, additional
532 positions in the offices of the state attorney and public
533 defender in each judicial circuit may be designated for



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534 inclusion in the Senior Management Service Class of the Florida
535 Retirement System, provided that:

536 a. Positions to be included in the class shall be
537 designated by the state attorney or public defender, as
538 appropriate. Notice of intent to designate positions for
539 inclusion in the class shall be published for at least 2
540 consecutive weeks by Internet publication as provided in s.
541 50.0211(5) or, if published in print, once a week for 2
542 consecutive weeks in a newspaper qualified under chapter 50 of
543 general circulation published in the county or counties
544 affected, as provided in chapter 50.

545 b. One nonelective full-time position may be designated for
546 each state attorney and public defender reporting to the
547 Department of Management Services; for agencies with 200 or more
548 regularly established positions under the state attorney or
549 public defender, additional nonelective full-time positions may
550 be designated, not to exceed 0.5 percent of the regularly
551 established positions within the agency.

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

556 (I) Heads an organizational unit; or

557 (II) Has responsibility to effect or recommend personnel,
558 budget, expenditure, or policy decisions in his or her areas of
559 responsibility.

560 2. Participation in this class shall be compulsory, except
561 as provided in subparagraph 3., for any judicial employee who
562 holds a position designated for coverage in the Senior



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563 Management Service Class, and such participation shall continue
564 until the employee terminates employment in a covered position.
565 Effective January 1, 2001, participation in this class is
566 compulsory for assistant state attorneys, assistant statewide
567 prosecutors, assistant public defenders, and assistant capital
568 collateral regional counsel. Effective January 1, 2002,
569 participation in this class is compulsory for assistant
570 attorneys general.

571 3. In lieu of participation in the Senior Management
572 Service Class, such members, excluding assistant state
573 attorneys, assistant public defenders, assistant statewide
574 prosecutors, assistant attorneys general, and assistant capital
575 collateral regional counsel, may participate in the Senior
576 Management Service Optional Annuity Program as established in
577 subsection (6).

578 Section 13. Paragraph (a) of subsection (2) and paragraph
579 (b) of subsection (4) of section 125.66, Florida Statutes, are
580 amended to read:

581 125.66 Ordinances; enactment procedure; emergency
582 ordinances; rezoning or change of land use ordinances or
583 resolutions.-

584 (2) (a) The regular enactment procedure shall be as follows:
585 The board of county commissioners at any regular or special
586 meeting may enact or amend any ordinance, except as provided in
587 subsection (4), if notice of intent to consider such ordinance
588 is given at least 10 days before such ~~prior to said~~ meeting by
589 publication as provided in chapter 50 ~~in a newspaper of general~~
590 ~~circulation in the county~~. A copy of such notice shall be kept
591 available for public inspection during the regular business



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592 hours of the office of the clerk of the board of county
593 commissioners. The notice of proposed enactment shall state the
594 date, time, and place of the meeting; the title or titles of
595 proposed ordinances; and the place or places within the county
596 where such proposed ordinances may be inspected by the public.
597 The notice shall also advise that interested parties may appear
598 at the meeting and be heard with respect to the proposed
599 ordinance.

600 (4) Ordinances or resolutions, initiated by other than the
601 county, that change the actual zoning map designation of a
602 parcel or parcels of land shall be enacted pursuant to
603 subsection (2). Ordinances or resolutions that change the actual
604 list of permitted, conditional, or prohibited uses within a
605 zoning category, or ordinances or resolutions initiated by the
606 county that change the actual zoning map designation of a parcel
607 or parcels of land shall be enacted pursuant to the following
608 procedure:

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

615 1. The board of county commissioners shall hold two
616 advertised public hearings on the proposed ordinance or
617 resolution. At least one hearing shall be held after 5 p.m. on a
618 weekday, unless the board of county commissioners, by a majority
619 plus one vote, elects to conduct that hearing at another time of
620 day. The first public hearing shall be held at least 7 days



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621 after the day that the first advertisement is published. The
622 second hearing shall be held at least 10 days after the first
623 hearing and shall be advertised at least 5 days prior to the
624 public hearing.

625 2. If published in the print edition of a newspaper, the
626 required advertisements shall be no less than 2 columns wide by
627 10 inches long in a standard size or a tabloid size newspaper,
628 and the headline in the advertisement shall be in a type no
629 smaller than 18 point. The advertisement shall not be placed in
630 that portion of the newspaper where legal notices and classified
631 advertisements appear. The advertisement shall be placed in a
632 newspaper ~~of general paid circulation~~ in the county and of
633 general interest and readership in the community pursuant to
634 chapter 50, ~~not one of limited subject matter~~. It is the
635 legislative intent that, whenever possible, the advertisement
636 shall appear in a newspaper that is published at least weekly 5
637 ~~days a week~~ unless the only newspaper in the community is
638 published less than weekly 5 ~~days a week~~. The advertisement
639 shall be in substantially the following form:

640 NOTICE OF (TYPE OF) CHANGE

641
642 The ...(name of local governmental unit)... proposes to
643 adopt the following by ordinance or resolution:...(title of
644 ordinance or resolution)....

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

647
648 Except for amendments which change the actual list of permitted,
649 conditional, or prohibited uses within a zoning category, the



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650 advertisement shall contain a geographic location map which
651 clearly indicates the area within the local government covered
652 by the proposed ordinance or resolution. The map shall include
653 major street names as a means of identification of the general
654 area. ~~If In addition to being~~ published in the print edition of
655 the newspaper, the map must be part of any ~~the~~ online notice
656 made ~~required~~ pursuant to s. 50.0211.

657 3. In lieu of publishing the advertisements set out in this
658 paragraph, the board of county commissioners may mail a notice
659 to each person owning real property within the area covered by
660 the ordinance or resolution. Such notice shall clearly explain
661 the proposed ordinance or resolution and shall notify the person
662 of the time, place, and location of both public hearings on the
663 proposed ordinance or resolution.

664 Section 14. Paragraph (a) of subsection (2) of section
665 162.12, Florida Statutes, is amended to read:

666 162.12 Notices.—

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

671 (a)1. Such notice shall be published in print or on a
672 newspaper's website and the statewide legal notice website as
673 provided in s. 50.0211(5) for 4 consecutive weeks. If published
674 in print, the notice shall be published once during each week
675 for 4 consecutive weeks (four publications being sufficient) in
676 a newspaper ~~of general circulation~~ in the county where the code
677 enforcement board is located. The newspaper shall meet such
678 requirements as are prescribed under chapter 50 for legal and



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679 official advertisements.

680 2. Proof of publication shall be made as provided in ss.
681 50.041 and 50.051.

682 Section 15. Paragraph (c) of subsection (3) of section
683 166.041, Florida Statutes, is amended to read:

684 166.041 Procedures for adoption of ordinances and
685 resolutions.-

686 (3)

687 (c) Ordinances initiated by other than the municipality
688 that change the actual zoning map designation of a parcel or
689 parcels of land shall be enacted pursuant to paragraph (a).
690 Ordinances that change the actual list of permitted,
691 conditional, or prohibited uses within a zoning category, or
692 ordinances initiated by the municipality that change the actual
693 zoning map designation of a parcel or parcels of land shall be
694 enacted pursuant to the following procedure:

695 1. In cases in which the proposed ordinance changes the
696 actual zoning map designation for a parcel or parcels of land
697 involving less than 10 contiguous acres, the governing body
698 shall direct the clerk of the governing body to notify by mail
699 each real property owner whose land the municipality will
700 redesignate by enactment of the ordinance and whose address is
701 known by reference to the latest ad valorem tax records. The
702 notice shall state the substance of the proposed ordinance as it
703 affects that property owner and shall set a time and place for
704 one or more public hearings on such ordinance. Such notice shall
705 be given at least 30 days prior to the date set for the public
706 hearing, and a copy of the notice shall be kept available for
707 public inspection during the regular business hours of the



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708 office of the clerk of the governing body. The governing body
709 shall hold a public hearing on the proposed ordinance and may,
710 upon the conclusion of the hearing, immediately adopt the
711 ordinance.

712 2. In cases in which the proposed ordinance changes the
713 actual list of permitted, conditional, or prohibited uses within
714 a zoning category, or changes the actual zoning map designation
715 of a parcel or parcels of land involving 10 contiguous acres or
716 more, the governing body shall provide for public notice and
717 hearings as follows:

718 a. The local governing body shall hold two advertised
719 public hearings on the proposed ordinance. At least one hearing
720 shall be held after 5 p.m. on a weekday, unless the local
721 governing body, by a majority plus one vote, elects to conduct
722 that hearing at another time of day. The first public hearing
723 shall be held at least 7 days after the day that the first
724 advertisement is published. The second hearing shall be held at
725 least 10 days after the first hearing and shall be advertised at
726 least 5 days prior to the public hearing.

727 b. If published in the print edition of a newspaper, the
728 required advertisements shall be no less than 2 columns wide by
729 10 inches long in a standard size or a tabloid size newspaper,
730 and the headline in the advertisement shall be in a type no
731 smaller than 18 point. The advertisement shall not be placed in
732 that portion of the newspaper where legal notices and classified
733 advertisements appear. The advertisement shall be placed in a
734 newspaper ~~of general paid circulation~~ in the municipality and of
735 general interest and readership in the municipality, ~~not one of~~
736 ~~limited subject matter,~~ pursuant to chapter 50. It is the



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737 legislative intent that, whenever possible, the advertisement
738 appear in a newspaper that is published at least weekly ~~5 days a~~
739 ~~week~~ unless the only newspaper in the municipality is published
740 less than weekly ~~5 days a week~~. The advertisement shall be in
741 substantially the following form:

742
743 NOTICE OF (TYPE OF) CHANGE
744

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

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

749
750 Except for amendments which change the actual list of permitted,
751 conditional, or prohibited uses within a zoning category, the
752 advertisement shall contain a geographic location map which
753 clearly indicates the area covered by the proposed ordinance.
754 The map shall include major street names as a means of
755 identification of the general area. If ~~In addition to being~~
756 published in the print edition of the newspaper, the map must
757 also be part of any ~~the~~ online notice made ~~required~~ pursuant to
758 s. 50.0211.

759 c. In lieu of publishing the advertisement set out in this
760 paragraph, the municipality may mail a notice to each person
761 owning real property within the area covered by the ordinance.
762 Such notice shall clearly explain the proposed ordinance and
763 shall notify the person of the time, place, and location of any
764 public hearing on the proposed ordinance.

765 Section 16. Subsection (1) of section 189.015, Florida



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766 Statutes, is amended to read:

767 189.015 Meetings; notice; required reports.-

768 (1) The governing body of each special district shall file
769 quarterly, semiannually, or annually a schedule of its regular
770 meetings with the local governing authority or authorities. The
771 schedule shall include the date, time, and location of each
772 scheduled meeting. The schedule shall be published quarterly,
773 semiannually, or annually ~~in a newspaper of general paid~~
774 ~~circulation~~ in the manner required in this subsection. The
775 governing body of an independent special district shall
776 advertise the day, time, place, and purpose of any meeting other
777 than a regular meeting or any recessed and reconvened meeting of
778 the governing body, at least 7 days before such meeting as
779 provided in chapter 50, ~~in a newspaper of general paid~~
780 ~~circulation~~ in the county or counties in which the special
781 district is located, unless a bona fide emergency situation
782 exists, in which case a meeting to deal with the emergency may
783 be held as necessary, with reasonable notice, so long as it is
784 subsequently ratified by the governing body. No approval of the
785 annual budget shall be granted at an emergency meeting. The
786 notice shall be posted as provided in ~~advertisement shall be~~
787 ~~placed in that portion of the newspaper where legal notices and~~
788 ~~classified advertisements appear. The advertisement shall appear~~
789 ~~in a newspaper that is published at least 5 days a week, unless~~
790 ~~the only newspaper in the county is published fewer than 5 days~~
791 ~~a week. The newspaper selected must be one of general interest~~
792 ~~and readership in the community and not one of limited subject~~
793 ~~matter, pursuant to chapter 50. Any other provision of law to~~
794 the contrary notwithstanding, and except in the case of



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795 emergency meetings, water management districts may provide
796 reasonable notice of public meetings held to evaluate responses
797 to solicitations issued by the water management district, as
798 provided in chapter 50 by Internet publication or by publication
799 ~~by publication in a newspaper of general paid circulation in the~~
800 county where the principal office of the water management
801 district is located, or in the county or counties where the
802 public work will be performed, no less than 7 days before such
803 meeting.

804 Section 17. Paragraph (d) of subsection (1) of section
805 190.005, Florida Statutes, is amended to read:

806 190.005 Establishment of district.—

807 (1) The exclusive and uniform method for the establishment
808 of a community development district with a size of 2,500 acres
809 or more shall be pursuant to a rule, adopted under chapter 120
810 by the Florida Land and Water Adjudicatory Commission, granting
811 a petition for the establishment of a community development
812 district.

813 (d) A local public hearing on the petition shall be
814 conducted by a hearing officer in conformance with the
815 applicable requirements and procedures of the Administrative
816 Procedure Act. The hearing shall include oral and written
817 comments on the petition pertinent to the factors specified in
818 paragraph (e). The hearing shall be held at an accessible
819 location in the county in which the community development
820 district is to be located. The petitioner shall cause a notice
821 of the hearing to be published for 4 successive weeks on a
822 newspaper's website and the statewide legal notice website
823 provided in s. 50.0211(5) or, if published in print, in a



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824 newspaper at least once a week for the 4 successive weeks
825 immediately prior to the hearing as provided in chapter 50. Such
826 notice shall give the time and place for the hearing, a
827 description of the area to be included in the district, which
828 description shall include a map showing clearly the area to be
829 covered by the district, and any other relevant information
830 which the establishing governing bodies may require. If
831 published in the print edition of a newspaper, the advertisement
832 may shall not be placed in the that portion of the newspaper
833 where legal notices and classified advertisements appear. The
834 advertisement must shall be published in a newspaper ~~of general~~
835 ~~paid circulation~~ in the county and of general interest and
836 readership in the community, ~~not one of limited subject matter,~~
837 pursuant to chapter 50. Whenever possible, the advertisement
838 shall appear in a newspaper that is published at least weekly 5
839 ~~days a week~~, unless the only newspaper in the community is
840 published less than weekly fewer than 5 days a week. If the
841 notice is ~~In addition to being~~ published in the print edition of
842 the newspaper, the map ~~referenced above~~ must also be included in
843 any part of the online advertisement ~~required~~ pursuant to s.
844 50.0211. All affected units of general-purpose local government
845 and the general public shall be given an opportunity to appear
846 at the hearing and present oral or written comments on the
847 petition.

848 Section 18. Paragraph (h) of subsection (1) of section
849 190.046, Florida Statutes, is amended to read:

850 190.046 Termination, contraction, or expansion of
851 district.—

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



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853 expand the boundaries of a community development district in the
854 following manner:

855 (h) For a petition to establish a new community development
856 district of less than 2,500 acres on land located solely in one
857 county or one municipality, sufficiently contiguous lands
858 located within the county or municipality which the petitioner
859 anticipates adding to the boundaries of the district within 10
860 years after the effective date of the ordinance establishing the
861 district may also be identified. If such sufficiently contiguous
862 land is identified, the petition must include a legal
863 description of each additional parcel within the sufficiently
864 contiguous land, the current owner of the parcel, the acreage of
865 the parcel, and the current land use designation of the parcel.
866 At least 14 days before the hearing required under s.
867 190.005(2)(b), the petitioner must give the current owner of
868 each such parcel notice of filing the petition to establish the
869 district, the date and time of the public hearing on the
870 petition, and the name and address of the petitioner. A parcel
871 may not be included in the district without the written consent
872 of the owner of the parcel.

873 1. After establishment of the district, a person may
874 petition the county or municipality to amend the boundaries of
875 the district to include a previously identified parcel that was
876 a proposed addition to the district before its establishment. A
877 filing fee may not be charged for this petition. Each such
878 petition must include:

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

881 b. A new legal description by metes and bounds of the



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882 district;

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

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

885 e. A description of the development proposed on the
886 additional parcel; and

887 f. A copy of the original petition identifying the parcel
888 to be added.

889 2. Before filing with the county or municipality, the
890 person must provide the petition to the district and to the
891 owner of the proposed additional parcel, if the owner is not the
892 petitioner.

893 3. Once the petition is determined sufficient and complete,
894 the county or municipality must process the addition of the
895 parcel to the district as an amendment to the ordinance that
896 establishes the district. The county or municipality may process
897 all petitions to amend the ordinance for parcels identified in
898 the original petition, even if, by adding such parcels, the
899 district exceeds 2,500 acres.

900 4. The petitioner shall cause to be published in a
901 newspaper qualified to publish legal notices ~~of general~~
902 ~~circulation~~ in the proposed district a notice of the intent to
903 amend the ordinance that establishes the district. The notice
904 must be in addition to any notice required for adoption of the
905 ordinance amendment. Such notice must be published as provided
906 in chapter 50 at least 10 days before the scheduled hearing on
907 the ordinance amendment ~~and may be published in the section of~~
908 ~~the newspaper reserved for legal notices~~. The notice must
909 include a general description of the land to be added to the
910 district and the date and time of the scheduled hearing to amend



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911 the ordinance. The petitioner shall deliver, including by mail
912 or hand delivery, the notice of the hearing on the ordinance
913 amendment to the owner of the parcel and to the district at
914 least 14 days before the scheduled hearing.

915 5. The amendment of a district by the addition of a parcel
916 pursuant to this paragraph does not alter the transition from
917 landowner voting to qualified elector voting pursuant to s.
918 190.006, even if the total size of the district after the
919 addition of the parcel exceeds 5,000 acres. Upon adoption of the
920 ordinance expanding the district, the petitioner must cause to
921 be recorded a notice of boundary amendment which reflects the
922 new boundaries of the district.

923 6. This paragraph is intended to facilitate the orderly
924 addition of lands to a district under certain circumstances and
925 does not preclude the addition of lands to any district using
926 the procedures in the other provisions of this section.

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

929 194.037 Disclosure of tax impact.—

930 (1) After hearing all petitions, complaints, appeals, and
931 disputes, the clerk shall make public notice of the findings and
932 results of the board as provided in chapter 50. If published in
933 the print edition of a newspaper, the notice must be in at least
934 a quarter-page size advertisement of a standard size or tabloid
935 size newspaper, and the headline shall be in a type no smaller
936 than 18 point. The advertisement shall not be placed in that
937 portion of the newspaper where legal notices and classified
938 advertisements appear. The advertisement shall be published in a
939 newspaper ~~of general paid circulation~~ in the county. The



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940 newspaper selected shall be one of general interest and
941 readership in the community, ~~and not one of limited subject~~
942 ~~matter,~~ pursuant to chapter 50. For all advertisements published
943 pursuant to this section, the headline shall read: TAX IMPACT OF
944 VALUE ADJUSTMENT BOARD. The public notice shall list the members
945 of the value adjustment board and the taxing authorities to
946 which they are elected. The form shall show, in columnar form,
947 for each of the property classes listed under subsection (2),
948 the following information, with appropriate column totals:

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

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

954 (c) In the third column, the number of parcels for which
955 the board considered the petition and reduced the assessment
956 from that made by the property appraiser on the initial
957 assessment roll.

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

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

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

968 (g) In the seventh column, the net shift in taxes to



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969 parcels not granted relief by the board. The shift shall be
970 computed as the amount shown in column 6 multiplied by the
971 applicable millage rates adopted by the taxing authorities in
972 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
973 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
974 Constitution, but without adjustment as authorized pursuant to
975 s. 200.065(6). If for any taxing authority the hearing has not
976 been completed at the time the notice required herein is
977 prepared, the millage rate used shall be that adopted in the
978 hearing held pursuant to s. 200.065(2)(c).

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

981 197.402 Advertisement of real or personal property with
982 delinquent taxes.—

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

988 Section 21. Subsection (3) of section 200.065, Florida
989 Statutes, is amended to read:

990 200.065 Method of fixing millage.—

991 (3) The advertisement shall be published as provided in
992 chapter 50. If the advertisement is published in the print
993 edition of a newspaper, the advertisement must be no less than
994 one-quarter page in size of a standard size or a tabloid size
995 newspaper, and the headline in the advertisement shall be in a
996 type no smaller than 18 point. The advertisement shall not be
997 placed in that portion of the newspaper where legal notices and



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998 classified advertisements appear. The advertisement shall be
999 published in a newspaper ~~of general paid circulation~~ in the
1000 county or in a geographically limited insert of such newspaper.
1001 The geographic boundaries in which such insert is circulated
1002 shall include the geographic boundaries of the taxing authority.
1003 It is the legislative intent that, whenever possible, the
1004 advertisement appear in a newspaper that is published at least
1005 weekly 5 days a week ~~unless the only newspaper in the county is~~
1006 ~~published less than weekly 5 days a week,~~ or that the
1007 advertisement appear in a geographically limited insert of such
1008 newspaper which insert is published throughout the taxing
1009 authority's jurisdiction at least twice each week. It is further
1010 the legislative intent that the newspaper selected be one of
1011 general interest and readership in the community ~~and not one of~~
1012 ~~limited subject matter,~~ pursuant to chapter 50.

1013 (a) For taxing authorities other than school districts
1014 which have tentatively adopted a millage rate in excess of 100
1015 percent of the rolled-back rate computed pursuant to subsection
1016 (1), the advertisement shall be in the following form:

1017 NOTICE OF PROPOSED TAX INCREASE

1018
1019 The ...(name of the taxing authority)... has tentatively
1020 adopted a 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



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1027 All concerned citizens are invited to attend a public
1028 hearing on the tax increase to be held on ...(date and time)...
1029 at ...(meeting place)....

1030
1031 A FINAL DECISION on the proposed tax increase and the
1032 budget will be made at this hearing.

1033 (b) In all instances in which the provisions of paragraph
1034 (a) are inapplicable for taxing authorities other than school
1035 districts, the advertisement shall be in the following form:

1036
1037 NOTICE OF BUDGET HEARING

1038
1039 The ...(name of taxing authority)... has tentatively
1040 adopted a budget for ...(fiscal year).... A public hearing to
1041 make a FINAL DECISION on the budget AND TAXES will be held on
1042 ...(date and time)... at ...(meeting place)....

1043
1044 (c) For school districts which have proposed a millage rate
1045 in excess of 100 percent of the rolled-back rate computed
1046 pursuant to subsection (1) and which propose to levy nonvoted
1047 millage in excess of the minimum amount required pursuant to s.
1048 1011.60(6), the advertisement shall be in the following form:

1049 NOTICE OF PROPOSED TAX INCREASE

1050
1051 The ...(name of school district)... will soon consider a
1052 measure to increase its property tax levy.

1053 Last year's property tax levy:

1054 A. Initially proposed tax levy.....\$XX,XXX,XXX

1055 B. Less tax reductions due to Value Adjustment Board and



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1056 other assessment changes..... (\$XX,XXX,XXX)

1057 C. Actual property tax levy.....\$XX,XXX,XXX

1058 This year's proposed tax levy.....\$XX,XXX,XXX

1059 A portion of the tax levy is required under state law in
1060 order for the school board to receive \$...(amount A)... in state
1061 education grants. The required portion has ...(increased or
1062 decreased)... by ...(amount B)... percent and represents
1063 approximately ...(amount C)... of the total proposed taxes.

1064 The remainder of the taxes is proposed solely at the
1065 discretion of the school board.

1066 All concerned citizens are invited to a public hearing on
1067 the tax increase to be held on ...(date and time)... at
1068 ...(meeting place)....

1069 A DECISION on the proposed tax increase and the budget will
1070 be made at this hearing.

1071 1. AMOUNT A shall be an estimate, provided by the
1072 Department of Education, of the amount to be received in the
1073 current fiscal year by the district from state appropriations
1074 for the Florida Education Finance Program.

1075 2. AMOUNT B shall be the percent increase over the rolled-
1076 back rate necessary to levy only the required local effort in
1077 the current fiscal year, computed as though in the preceding
1078 fiscal year only the required local effort was levied.

1079 3. AMOUNT C shall be the quotient of required local-effort
1080 millage divided by the total proposed nonvoted millage, rounded
1081 to the nearest tenth and stated in words; however, the stated
1082 amount shall not exceed nine-tenths.

1083 (d) For school districts which have proposed a millage rate
1084 in excess of 100 percent of the rolled-back rate computed



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1085 pursuant to subsection (1) and which propose to levy as nonvoted
1086 millage only the minimum amount required pursuant to s.
1087 1011.60(6), the advertisement shall be the same as provided in
1088 paragraph (c), except that the second and third paragraphs shall
1089 be replaced with the following paragraph:

1090
1091 This increase is required under state law in order for the
1092 school board to receive \$...(amount A)... in state education
1093 grants.

1094
1095 (e) In all instances in which the provisions of paragraphs
1096 (c) and (d) are inapplicable for school districts, the
1097 advertisement shall be in the following form:

1098
1099 NOTICE OF BUDGET HEARING

1100
1101 The ...(name of school district)... will soon consider a
1102 budget for ...(fiscal year).... A public hearing to make a
1103 DECISION on the budget AND TAXES will be held on ...(date and
1104 time)... at ...(meeting place)....

1105
1106 (f) In lieu of publishing the notice set out in this
1107 subsection, the taxing authority may mail a copy of the notice
1108 to each elector residing within the jurisdiction of the taxing
1109 authority.

1110 (g) In the event that the mailing of the notice of proposed
1111 property taxes is delayed beyond September 3 in a county, any
1112 multicounty taxing authority which levies ad valorem taxes
1113 within that county shall advertise its intention to adopt a



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1114 tentative budget and millage rate in a newspaper ~~of paid general~~
1115 ~~circulation~~ within that county which meets the requirements of
1116 chapter 50, as provided in this subsection, and shall hold the
1117 hearing required pursuant to paragraph (2)(c) not less than 2
1118 days or more than 5 days thereafter, and not later than
1119 September 18. The advertisement shall be in the following form,
1120 unless the proposed millage rate is less than or equal to the
1121 rolled-back rate, computed pursuant to subsection (1), in which
1122 case the advertisement shall be as provided in paragraph (e):

1123 NOTICE OF TAX INCREASE

1124
1125 The ...(name of the taxing authority)... proposes to
1126 increase its property tax levy by ...(percentage of increase
1127 over rolled-back rate)... percent.

1128 All concerned citizens are invited to attend a public
1129 hearing on the proposed tax increase to be held on ...(date and
1130 time)... at ...(meeting place)....

1131
1132 (h) In no event shall any taxing authority add to or delete
1133 from the language of the advertisements as specified herein
1134 unless expressly authorized by law, except that, if an increase
1135 in ad valorem tax rates will affect only a portion of the
1136 jurisdiction of a taxing authority, advertisements may include a
1137 map or geographical description of the area to be affected and
1138 the proposed use of the tax revenues under consideration. In
1139 addition, if published in the print edition of the newspaper or
1140 only published on the Internet in accordance with s. 50.0211(5),
1141 the map must be included in ~~part of~~ the online advertisement
1142 required by s. 50.0211. The advertisements required herein shall



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1143 not be accompanied, preceded, or followed by other advertising
1144 or notices which conflict with or modify the substantive content
1145 prescribed herein.

1146 (i) The advertisements required pursuant to paragraphs (b)
1147 and (e) need not be one-quarter page in size or have a headline
1148 in type no smaller than 18 point.

1149 (j) The amounts to be published as percentages of increase
1150 over the rolled-back rate pursuant to this subsection shall be
1151 based on aggregate millage rates and shall exclude voted millage
1152 levies unless expressly provided otherwise in this subsection.

1153 (k) Any taxing authority which will levy an ad valorem tax
1154 for an upcoming budget year but does not levy an ad valorem tax
1155 currently shall, in the advertisement specified in paragraph
1156 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
1157 phrase "increase its property tax levy by ...(percentage of
1158 increase over rolled-back rate)... percent" with the phrase
1159 "impose a new property tax levy of \$...(amount)... per \$1,000
1160 value."

1161 (l) Any advertisement required pursuant to this section
1162 shall be accompanied by an adjacent notice meeting the budget
1163 summary requirements of s. 129.03(3)(b). Except for those taxing
1164 authorities proposing to levy ad valorem taxes for the first
1165 time, the following statement shall appear in the budget summary
1166 in boldfaced type immediately following the heading, if the
1167 applicable percentage is greater than zero:

1168
1169 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
1170 taxing authority)... ARE ...(percent rounded to one decimal
1171 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.



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

1. Were or could be expended during the applicable fiscal year, or
2. Were or could be retained as a balance for future spending in the fiscal year.

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

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

338.223 Proposed turnpike projects.—

(1)

(c) Prior to requesting legislative approval of a proposed turnpike project, the environmental feasibility of the proposed project shall be reviewed by the Department of Environmental Protection. The department shall submit its Project Development and Environmental Report to the Department of Environmental Protection, along with a draft copy of a public notice. Within 14 days of receipt of the draft public notice, the Department of Environmental Protection shall return the draft public notice to the Department of Transportation with an approval of the language or modifications to the language. Upon receipt of the approved or modified draft, or if no comments are provided



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1201 within 14 days, the Department of Transportation shall publish
1202 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1203 30-day public comment period. If published in the print edition
1204 of a newspaper, the headline of the required notice shall be in
1205 a type no smaller than 18 point, ~~the notice~~ shall be placed in
1206 that portion of the newspaper where legal notices appear, and ~~-~~
1207 ~~The notice~~ shall be published in a newspaper qualified to
1208 publish legal notices ~~of general circulation~~ in the county or
1209 counties of general interest and readership in the community as
1210 provided in s. 50.031, ~~not one of limited subject matter.~~

1211 Whenever possible, the notice shall appear in a newspaper that
1212 is published at least weekly ~~5 days a week~~. All notices
1213 published pursuant to this section ~~The notice~~ shall include, at
1214 a minimum ~~but is not limited to,~~ the following information:

1215 1. The purpose of the notice is to provide for a 30-day
1216 period for written public comments on the environmental impacts
1217 of a proposed turnpike project.

1218 2. The name and description of the project, along with a
1219 geographic location map clearly indicating the area where the
1220 proposed project will be located.

1221 3. The address where such comments must be sent and the
1222 date such comments are due.

1223
1224 After a review of the department's report and any public
1225 comments, the Department of Environmental Protection shall
1226 submit a statement of environmental feasibility to the
1227 department within 30 days after the date on which public
1228 comments are due. The notice and the statement of environmental
1229 feasibility shall not give rise to any rights to a hearing or



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1230 other rights or remedies provided pursuant to chapter 120 or
1231 chapter 403, and shall not bind the Department of Environmental
1232 Protection in any subsequent environmental permit review.

1233 Section 23. Subsection (3) of section 348.0308, Florida
1234 Statutes, is amended to read:

1235 348.0308 Public-private partnership.—The Legislature
1236 declares that there is a public need for the rapid construction
1237 of safe and efficient transportation facilities for traveling
1238 within the state and that it is in the public's interest to
1239 provide for public-private partnership agreements to effectuate
1240 the construction of additional safe, convenient, and economical
1241 transportation facilities.

1242 (3) The agency may request proposals for public-private
1243 transportation projects or, if it receives an unsolicited
1244 proposal, it must publish a notice in the Florida Administrative
1245 Register and, as provided in chapter 50, by Internet publication
1246 or by print in a newspaper qualified to publish legal notices of
1247 general circulation in the county in which the project ~~it~~ is
1248 located at least once a week for 2 weeks stating that it has
1249 received the proposal and will accept, for 60 days after the
1250 initial date of publication, other proposals for the same
1251 project purpose. A copy of the notice must be mailed to each
1252 local government in the affected areas. After the public
1253 notification period has expired, the agency shall rank the
1254 proposals in order of preference. In ranking the proposals, the
1255 agency shall consider professional qualifications, general
1256 business terms, innovative engineering or cost-reduction terms,
1257 finance plans, and the need for state funds to deliver the
1258 proposal. If the agency is not satisfied with the results of the



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1259 negotiations, it may, at its sole discretion, terminate
1260 negotiations with the proposer. If these negotiations are
1261 unsuccessful, the agency may go to the second and lower-ranked
1262 firms, in order, using the same procedure. If only one proposal
1263 is received, the agency may negotiate in good faith, and if it
1264 is not satisfied with the results, it may, at its sole
1265 discretion, terminate negotiations with the proposer. The agency
1266 may, at its discretion, reject all proposals at any point in the
1267 process up to completion of a contract with the proposer.

1268 Section 24. Subsection (3) of section 348.635, Florida
1269 Statutes, is amended to read:

1270 348.635 Public-private partnership.—The Legislature
1271 declares that there is a public need for the rapid construction
1272 of safe and efficient transportation facilities for traveling
1273 within the state and that it is in the public's interest to
1274 provide for public-private partnership agreements to effectuate
1275 the construction of additional safe, convenient, and economical
1276 transportation facilities.

1277 (3) The authority may request proposals for public-private
1278 transportation projects or, if it receives an unsolicited
1279 proposal, it must publish a notice in the Florida Administrative
1280 Register and, as provided in chapter 50, by either Internet
1281 publication or by print in ~~and a newspaper of general~~
1282 ~~circulation~~ in the county in which the project ~~it~~ is located at
1283 least once a week for 2 weeks stating that it has received the
1284 proposal and will accept, for 60 days after the initial date of
1285 publication, other proposals for the same project purpose. A
1286 copy of the notice must be mailed to each local government in
1287 the affected areas. After the public notification period has



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1288 expired, the authority shall rank the proposals in order of
1289 preference. In ranking the proposals, the authority shall
1290 consider professional qualifications, general business terms,
1291 innovative engineering or cost-reduction terms, finance plans,
1292 and the need for state funds to deliver the proposal. If the
1293 authority is not satisfied with the results of the negotiations,
1294 it may, at its sole discretion, terminate negotiations with the
1295 proposer. If these negotiations are unsuccessful, the authority
1296 may go to the second and lower-ranked firms, in order, using the
1297 same procedure. If only one proposal is received, the authority
1298 may negotiate in good faith, and if it is not satisfied with the
1299 results, it may, at its sole discretion, terminate negotiations
1300 with the proposer. The authority may, at its discretion, reject
1301 all proposals at any point in the process up to completion of a
1302 contract with the proposer.

1303 Section 25. Subsection (3) of section 348.7605, Florida
1304 Statutes, is amended to read:

1305 348.7605 Public-private partnership.—The Legislature
1306 declares that there is a public need for the rapid construction
1307 of safe and efficient transportation facilities for traveling
1308 within the state and that it is in the public's interest to
1309 provide for public-private partnership agreements to effectuate
1310 the construction of additional safe, convenient, and economical
1311 transportation facilities.

1312 (3) The authority may request proposals for public-private
1313 transportation projects or, if it receives an unsolicited
1314 proposal, it must publish a notice in the Florida Administrative
1315 Register and, as provided in chapter 50, by either Internet
1316 publication or by print in a newspaper of general circulation in



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1317 the county in which the project ~~it~~ is located at least once a
1318 week for 2 weeks stating that it has received the proposal and
1319 will accept, for 60 days after the initial date of publication,
1320 other proposals for the same project purpose. A copy of the
1321 notice must be mailed to each local government in the affected
1322 areas. After the public notification period has expired, the
1323 authority shall rank the proposals in order of preference. In
1324 ranking the proposals, the authority shall consider professional
1325 qualifications, general business terms, innovative engineering
1326 or cost-reduction terms, finance plans, and the need for state
1327 funds to deliver the proposal. If the authority is not satisfied
1328 with the results of the negotiations, it may, at its sole
1329 discretion, terminate negotiations with the proposer. If these
1330 negotiations are unsuccessful, the authority may go to the
1331 second and lower-ranked firms, in order, using the same
1332 procedure. If only one proposal is received, the authority may
1333 negotiate in good faith, and if it is not satisfied with the
1334 results, it may, at its sole discretion, terminate negotiations
1335 with the proposer. The authority may, at its discretion, reject
1336 all proposals at any point in the process up to completion of a
1337 contract with the proposer.

1338 Section 26. Section 373.0397, Florida Statutes, is amended
1339 to read:

1340 373.0397 Floridan and Biscayne aquifers; designation of
1341 prime groundwater recharge areas.—Upon preparation of an
1342 inventory of prime groundwater recharge areas for the Floridan
1343 or Biscayne aquifers, but prior to adoption by the governing
1344 board, the water management district shall publish a legal
1345 notice of public hearing on the designated areas for the



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1346 Floridan and Biscayne aquifers, with a map delineating the
1347 boundaries of the areas, as provided ~~in newspapers defined in~~
1348 chapter 50 ~~as having general circulation within the area to be~~
1349 ~~affected~~. The notice shall be at least one-fourth page and shall
1350 read as follows:

1351
1352 NOTICE OF PRIME RECHARGE
1353 AREA DESIGNATION
1354

1355 The ...(name of taxing authority)... proposes to designate
1356 specific land areas as areas of prime recharge to the ...(name
1357 of aquifer)... Aquifer.

1358 All concerned citizens are invited to attend a public
1359 hearing on the proposed designation to be held on ...(date and
1360 time)... at ...(meeting place)....

1361 A map of the affected areas follows.

1362
1363 The governing board of the water management district shall adopt
1364 a designation of prime groundwater recharge areas to the
1365 Floridan and Biscayne aquifers by rule within 120 days after the
1366 public hearing, subject to the provisions of chapter 120.

1367 Section 27. Section 373.146, Florida Statutes, is amended
1368 to read:

1369 373.146 Publication of notices, process, and papers.-

1370 (1) Whenever in this chapter the publication of any notice,
1371 process, or paper is required or provided for, unless otherwise
1372 provided by law, the publication thereof ~~in some newspaper or~~
1373 ~~newspapers~~ as provided ~~defined~~ in chapter 50 is ~~having general~~
1374 ~~circulation within the area to be affected shall be taken and~~



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1375 considered as being sufficient.

1376 (2) Notwithstanding any other provision of law to the
1377 contrary, and except in the case of emergency meetings, water
1378 management districts may provide reasonable notice of public
1379 meetings held to evaluate responses to solicitations issued by
1380 the water management district, by publication as provided in
1381 chapter 50 ~~in a newspaper of general paid circulation in the~~
1382 ~~county where the principal office of the water management~~
1383 ~~district is located, or in the county or counties where the~~
1384 ~~public work will be performed, no less than 7 days before such~~
1385 meeting.

1386 Section 28. Subsection (12) of section 403.722, Florida
1387 Statutes, is amended to read:

1388 403.722 Permits; hazardous waste disposal, storage, and
1389 treatment facilities.—

1390 (12) On the same day of filing with the department of an
1391 application for a permit for the construction modification, or
1392 operation of a hazardous waste facility, the applicant shall
1393 notify each city and county within 1 mile of the facility of the
1394 filing of the application and shall publish notice of the filing
1395 of the application. The applicant shall publish a second notice
1396 of the filing within 14 days after the date of filing. Each
1397 notice shall be published as provided in chapter 50 ~~in a~~
1398 ~~newspaper of general circulation~~ in the county in which the
1399 facility is located or is proposed to be located.

1400 ~~Notwithstanding the provisions of chapter 50, for purposes of~~
1401 ~~this section, a "newspaper of general circulation" shall be the~~
1402 ~~newspaper within the county in which the installation or~~
1403 ~~facility is proposed which has the largest daily circulation in~~



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1404 ~~that county and has its principal office in that county. If the~~
1405 ~~newspaper with the largest daily circulation has its principal~~
1406 ~~office outside the county, the notice shall appear in both the~~
1407 ~~newspaper with the largest daily circulation in that county, and~~
1408 ~~a newspaper authorized to publish legal notices in that county.~~

1409 The notice shall contain:

1410 (a) The name of the applicant and a brief description of
1411 the project and its location.

1412 (b) The location of the application file and when it is
1413 available for public inspection.

1414

1415 The notice shall be prepared by the applicant and shall comply
1416 with the following format:

1417

1418 Notice of Application

1419 The Department of Environmental Protection announces receipt of
1420 an application for a permit from ...(name of applicant)... to
1421 ...(brief description of project).... This proposed project will
1422 be located at ...(location)... in ...(county)... ...(city)....

1423

1424 This application is being processed and is available for public
1425 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
1426 Monday through Friday, except legal holidays, at ...(name and
1427 address of office)....

1428 Section 29. Subsection (5) of section 849.38, Florida
1429 Statutes, is amended to read:

1430 849.38 Proceedings for forfeiture; notice of seizure and
1431 order to show cause.—

1432 (5) If the value of the property seized is shown by the



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1433 sheriff's return to have an appraised value of \$1,000 or less,
1434 the above citation shall be served by posting at three public
1435 places in the county, one of which shall be the front door of
1436 the courthouse; if the value of the property is shown by the
1437 sheriff's return to have an approximate value of more than
1438 \$1,000, the citation shall be published by print or posted for
1439 at least 2 consecutive weeks on a newspaper's website and the
1440 statewide legal notice website in accordance with s. 50.0211(5).
1441 If published in print, the citation shall appear at least once
1442 each week for 2 consecutive weeks in a ~~some~~ newspaper qualified
1443 to publish legal notices under chapter 50 that is ~~of general~~
1444 ~~publication~~ published in the county, if there is ~~be~~ such a
1445 newspaper published in the county. ~~and~~ If there is no such
1446 newspaper ~~not~~, the then said notice of such publication shall be
1447 made by certificate of the clerk if publication is made by
1448 posting, and by affidavit as provided in chapter 50, if made by
1449 publication as provided in chapter 50 ~~in a newspaper~~, which
1450 affidavit or certificate shall be filed and become a part of the
1451 record in the cause. Failure of the record to show proof of such
1452 publication shall not affect any judgment made in the cause
1453 unless it shall affirmatively appear that no such publication
1454 was made.

1455 Section 30. Paragraph (a) of subsection (6) of section
1456 932.704, Florida Statutes, is amended to read:

1457 932.704 Forfeiture proceedings.—

1458 (6) (a) If the property is required by law to be titled or
1459 registered, or if the owner of the property is known in fact to
1460 the seizing agency, or if the seized property is subject to a
1461 perfected security interest in accordance with the Uniform



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1462 Commercial Code, chapter 679, the attorney for the seizing
1463 agency shall serve the forfeiture complaint as an original
1464 service of process under the Florida Rules of Civil Procedure
1465 and other applicable law to each person having an ownership or
1466 security interest in the property. The seizing agency shall also
1467 publish, in accordance with chapter 50, notice of the forfeiture
1468 complaint for 2 consecutive weeks on a newspaper's website and
1469 the statewide legal notice website in accordance with s.
1470 50.0211(5) or, if published in print, once each week for 2
1471 consecutive weeks in a newspaper qualified to publish legal
1472 notices under chapter 50 of general circulation, as defined in
1473 s. 165.031, in the county where the seizure occurred.

1474 Section 31. This act shall take effect January 1, 2022.

1475
1476 ===== T I T L E A M E N D M E N T =====

1477 And the title is amended as follows:

1478 Delete everything before the enacting clause
1479 and insert:

1480 A bill to be entitled

1481 An act relating to legal notices; amending s. 50.011,
1482 F.S.; revising construction as to the satisfaction of
1483 publication requirements for legal notices; revising
1484 requirements for newspapers that are qualified to
1485 publish legal notices; defining the term "fiscally
1486 constrained county"; authorizing the Internet
1487 publication of specified governmental agency notices
1488 on newspaper websites in lieu of print publication if
1489 certain requirements are met; amending s. 50.021,
1490 F.S.; conforming provisions to changes made by the



1491 act; amending s. 50.0211, F.S.; defining terms;
1492 requiring the Florida Press Association to seek to
1493 ensure equitable access for minority populations to
1494 legal notices posted on the statewide legal notice
1495 website; requiring the association to publish and
1496 maintain certain reports on the statewide legal notice
1497 website; authorizing a governmental agency to choose
1498 between print publication or Internet-only publication
1499 of specified governmental agency notices with
1500 specified newspapers if certain conditions are met;
1501 specifying requirements for the placement, format, and
1502 accessibility of any such notices; requiring the
1503 newspaper to display a specified disclaimer regarding
1504 the posting of legal notices; authorizing a newspaper
1505 to charge for Internet-only publication of
1506 governmental agency notices, subject to specified
1507 limitations; specifying applicable penalties for
1508 unauthorized rebates, commissions, or refunds in
1509 connection with publication charges; requiring a
1510 governmental agency that publishes governmental agency
1511 notices by Internet-only publication to publish a
1512 specified notice in the print edition of a local
1513 newspaper and on their website; providing for
1514 construction; amending s. 50.031, F.S.; conforming
1515 provisions to changes made by the act; amending ss.
1516 50.041 and 50.051, F.S.; revising provisions governing
1517 the uniform affidavit establishing proof of
1518 publication to conform to changes made by the act;
1519 amending s. 50.061, F.S.; conforming a cross-



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1520 reference; amending s. 90.902, F.S.; providing for the
1521 self-authentication of legal notices under the Florida
1522 Evidence Code; amending ss. 11.02, 120.81, 121.0511,
1523 121.055, 125.66, 162.12, 166.041, 189.015, 190.005,
1524 190.046, 194.037, 197.402, 200.065, 338.223, 348.0308,
1525 348.635, 348.7605, 373.0397, 373.146, 403.722, 849.38,
1526 and 932.704, F.S.; conforming provisions to changes
1527 made by the act; providing an effective date.