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CS/HB 35, Engrossed 1

2021 Legislature

1  
2 An act relating to legal notices; amending s. 50.011,  
3 F.S.; revising construction as to the satisfaction of  
4 publication requirements for legal notices; revising  
5 requirements for newspapers that are qualified to  
6 publish legal notices; defining the term "fiscally  
7 constrained county"; authorizing the Internet  
8 publication of specified governmental agency notices  
9 on newspaper websites in lieu of print publication if  
10 certain requirements are met; amending s. 50.021,  
11 F.S.; conforming provisions to changes made by the  
12 act; amending s. 50.0211, F.S.; defining terms;  
13 requiring the Florida Press Association to seek to  
14 ensure equitable access for minority populations to  
15 legal notices posted on the statewide legal notice  
16 website; requiring the association to publish and  
17 maintain certain reports on the statewide legal notice  
18 website; authorizing a governmental agency to choose  
19 between print publication or Internet-only publication  
20 of specified governmental agency notices with  
21 specified newspapers if certain conditions are met;  
22 specifying requirements for the placement, format, and  
23 accessibility of any such notices; requiring the  
24 newspaper to display a specified disclaimer regarding  
25 the posting of legal notices; authorizing a newspaper

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26 | to charge for Internet-only publication of  
 27 | governmental agency notices, subject to specified  
 28 | limitations; specifying applicable penalties for  
 29 | unauthorized rebates, commissions, or refunds in  
 30 | connection with publication charges; requiring a  
 31 | governmental agency that publishes governmental agency  
 32 | notices by Internet-only publication to publish a  
 33 | specified notice in the print edition of a local  
 34 | newspaper and on their website; providing for  
 35 | construction; amending s. 50.031, F.S.; conforming  
 36 | provisions to changes made by the act; amending ss.  
 37 | 50.041 and 50.051, F.S.; revising provisions governing  
 38 | the uniform affidavit establishing proof of  
 39 | publication to conform to changes made by the act;  
 40 | amending s. 50.061, F.S.; conforming a cross-  
 41 | reference; amending s. 90.902, F.S.; providing for the  
 42 | self-authentication of legal notices under the Florida  
 43 | Evidence Code; amending ss. 11.02, 120.81, 121.0511,  
 44 | 121.055, 125.66, 162.12, 166.041, 189.015, 190.005,  
 45 | 190.046, 194.037, 197.402, 200.065, 338.223, 348.0308,  
 46 | 348.635, 348.7605, 373.0397, 373.146, 403.722, 849.38,  
 47 | and 932.704, F.S.; conforming provisions to changes  
 48 | made by the act; providing an effective date.

49 |  
 50 | Be It Enacted by the Legislature of the State of Florida:

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51  
52 Section 1. Section 50.011, Florida Statutes, is amended to  
53 read:

54 50.011 Publication of ~~Where and in what language~~ legal  
55 notices ~~to be published.~~ Whenever by statute an official or  
56 legal advertisement or a publication, or notice in a newspaper  
57 has been or is directed or permitted in the nature of or in lieu  
58 of process, or for constructive service, or in initiating,  
59 assuming, reviewing, exercising or enforcing jurisdiction or  
60 power, or for any purpose, including all legal notices and  
61 advertisements of sheriffs and tax collectors, the  
62 contemporaneous and continuous intent and meaning of such  
63 legislation all and singular, existing or repealed, is and has  
64 been and is hereby declared to be and to have been, and the rule  
65 of interpretation is and has been the following:

66 (1) A publication in a newspaper that meets all of the  
67 following:

68 (a) Is printed and published periodically at least once a  
69 week.

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

72 (c) Satisfies one of the following criteria:

73 1. Has an audience consisting of at least 10 percent of  
74 the households in the county or municipality, as determined by  
75 the most recent decennial census, where the legal or public

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76 | notice is being published or posted, by calculating the  
77 | combination of the total of the number of print copies  
78 | reflecting the day of highest print circulation, of which at  
79 | least 25 percent of such print copies must be delivered to  
80 | individuals' home or business addresses, as certified biennially  
81 | by a certified independent third-party auditor, and the total  
82 | number of online unique monthly visitors to the newspaper's  
83 | website from within the state, as measured by industry-accepted  
84 | website analytics software. The newspaper must also be sold, or  
85 | otherwise available to the public, at no less than 10 publicly  
86 | accessible outlets. For legal and public notices published by  
87 | nongovernmental entities, the newspaper's audience in the county  
88 | or municipality where the project, property, or other primary  
89 | subject of the notice is located must meet the 10 percent  
90 | threshold.

91 | 2. Holds a periodicals permit as of March 1, 2021, and  
92 | accepts legal notices for publication as of that date. Any such  
93 | newspaper may continue to publish legal notices through December  
94 | 31, 2023, so long as the newspaper continues to meet the  
95 | requirements set forth in section 21 of chapter 99-2, Laws of  
96 | Florida, and continues to hold a periodicals permit. Beginning  
97 | January 1, 2024, and thereafter, any such newspaper must meet  
98 | the criteria under subparagraph 1.

99 | 3. For newspapers publishing legal notices in a fiscally  
100 | constrained county, holds a periodicals permit and meets all

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101 other requirements of this chapter. A newspaper qualified under  
 102 this subparagraph does not need to meet the criteria under  
 103 subparagraph 1. so long as the newspaper continues to hold a  
 104 periodicals permit. For purposes of this subparagraph, the term  
 105 "fiscally constrained county" means a county within a rural area  
 106 of opportunity designated by the Governor pursuant to s.  
 107 288.0656 or a county for which the value of a mill will raise no  
 108 more than \$5 million in revenue, based on the certified taxable  
 109 value certified pursuant to s. 1011.62(4)(a)1.a., from the  
 110 previous July 1.

111 (d) Is, ~~entered or qualified to be admitted and entered as~~  
 112 ~~periodicals matter at a post office in the county where~~  
 113 ~~published, for sale to the public generally,~~ available to the  
 114 public generally for the publication of official or other  
 115 notices with no more than 75 percent of its content dedicated  
 116 toward advertising, as measured in half of the newspaper's  
 117 issues that are published during any 12-month period, and  
 118 customarily containing information of a public character or of  
 119 interest or of value to the residents or owners of property in  
 120 the county where published, or of interest or of value to the  
 121 general public.

122 (e) Continually publishes in a prominent manner the name,  
 123 street address, phone number, website URL of the newspaper's  
 124 approved print auditor, the newspaper's most recent statement of  
 125 ownership, and a statement of the auditor certifying the

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126 veracity of the newspaper's print distribution and the number of  
127 the newspaper's website's monthly unique visitors, or the  
128 newspaper's periodicals permit, if applicable, within the first  
129 five pages of the print edition and the bottom portion of the  
130 homepage of the newspaper's website.

131 (2) Internet publication for governmental agency notices  
132 under s. 50.0211(1)(b) on the website of any newspaper in the  
133 county to which the legal notice pertains and on the statewide  
134 legal notice website as provided in s. 50.0211(5). A newspaper  
135 is deemed to be a newspaper in the county to which the legal  
136 notice pertains if it satisfies the criteria in subsection (1).

137 Section 2. Section 50.021, Florida Statutes, is amended to  
138 read:

139 50.021 Publication when no newspaper in county.—When any  
140 law, or order or decree of court, directs ~~shall direct~~  
141 advertisements to be made in a any county and there is ~~be~~ no  
142 newspaper published in the ~~said~~ county, the advertisement may be  
143 made by publication in any newspaper qualified under chapter 50  
144 in an adjoining county or on the website of any such newspaper  
145 for governmental agency notices under s. 50.0211(1)(b), and on  
146 the statewide legal notice website as provided in s. 50.0211(5)  
147 or by posting three copies thereof in three different places in  
148 the ~~said~~ county, one of which shall be at the front door of the  
149 courthouse, and by publication in the nearest county in which a  
150 newspaper is published.

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151 Section 3. Section 50.0211, Florida Statutes, is amended  
 152 to read:

153 50.0211 Internet website publication.—

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

155 (a) "Governmental agency" means a county, a municipality,  
 156 a district school board, or any other unit of local government  
 157 or political subdivision in this state.

158 (b) "Governmental agency notice" includes any of the  
 159 following notices required by law to be published in a  
 160 newspaper:

161 1. Notices related to special or legal legislation  
 162 pursuant to s. 11.02.

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

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

165 4. Notices related to inclusion of positions in the Senior  
 166 Management Service Class of the Florida Retirement System  
 167 pursuant to s. 121.055.

168 5. Notices proposing the enactment of county ordinances  
 169 pursuant to s. 125.66.

170 6. Code enforcement notices published pursuant to s.  
 171 162.12.

172 7. Notices proposing the enactment of municipal ordinances  
 173 pursuant to s. 166.041.

174 8. Special district meeting notices pursuant to s.  
 175 189.015.

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- 176        9. Establishment and termination notices for community  
 177 development districts pursuant to ss. 190.005 and 190.046,  
 178 respectively.
- 179        10. Disclosures of tax impact by value adjustment boards  
 180 pursuant to s. 194.037.
- 181        11. Advertisements of real or personal property with  
 182 delinquent taxes pursuant to s. 197.402.
- 183        12. Advertisements of hearing notices, millage rates, and  
 184 budgets pursuant to s. 200.065.
- 185        13. Turnpike project notices pursuant to s. 338.223.
- 186        14. Public-private partnership notices pursuant to ss.  
 187 348.0308 and 348.7605.
- 188        15. Notices of prime recharge area designations for the  
 189 Floridan and Biscayne aquifers pursuant to s. 373.0397.
- 190        16. Water management district notices pursuant to s.  
 191 373.146.
- 192        17. Hazardous waste disposal notices pursuant to s.  
 193 403.722.
- 194        18. Forfeiture notices pursuant to ss. 849.38 and 932.704.
- 195        (2) This section applies to legal notices that must be  
 196 published in accordance with this chapter unless otherwise  
 197 specified.
- 198        (3)~~(2)~~ If a governmental agency publishes a legal notice  
 199 in the print edition of a newspaper, each legal notice must be  
 200 posted on the newspaper's website on the same day that the



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201 printed notice appears in the newspaper, at no additional  
202 charge, in a separate web page titled "Legal Notices," "Legal  
203 Advertising," or comparable identifying language. A link to the  
204 legal notices web page shall be provided on the front page of  
205 the newspaper's website that provides access to the legal  
206 notices. If there is a specified size and placement required for  
207 a printed legal notice, the size and placement of the notice on  
208 the newspaper's website must optimize its online visibility in  
209 keeping with the print requirements. The newspaper's web pages  
210 that contain legal notices must present the legal notices as the  
211 dominant and leading subject matter of those pages. The  
212 newspaper's website must contain a search function to facilitate  
213 searching the legal notices. A fee may not be charged, and  
214 registration may not be required, for viewing or searching legal  
215 notices on a newspaper's website if the legal notice is  
216 published in a newspaper.

217 (4) (a) ~~(3) (a)~~ If a legal notice is published in the print  
218 edition of a newspaper or on a newspaper's website, the  
219 newspaper publishing the notice shall place the notice on the  
220 statewide website established and maintained as an initiative of  
221 the Florida Press Association as a repository for such notices  
222 located at the following address: [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

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

225 1. Accessible and searchable by party name and case

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226 | number.

227 |         2. Posted for a period of at least 90 consecutive days  
228 | after the first day of posting.

229 |         (c) The statewide website created under this subsection  
230 | shall maintain a searchable archive of all legal notices posted  
231 | on the publicly accessible website ~~on or after October 1, 2014,~~  
232 | for 18 months after the first day of posting. Such searchable  
233 | archive shall be provided and accessible to the general public  
234 | without charge.

235 |         (d) The Florida Press Association shall seek to ensure  
236 | that minority populations throughout the state have equitable  
237 | access to legal notices posted on the statewide legal notice  
238 | website located at: [www.floridapublicnotices.com](http://www.floridapublicnotices.com). The Florida  
239 | Press Association shall publish a report listing all newspapers  
240 | that have placed notices on [www.floridapublicnotices.com](http://www.floridapublicnotices.com) in the  
241 | preceding calendar quarter. The report must specifically  
242 | identify which criteria under s. 50.011(1)(c)1.-3. that each  
243 | newspaper satisfied. Each quarterly report must also include the  
244 | number of unique visitors to the statewide legal notice website  
245 | during that quarter and the number of legal notices that were  
246 | published during that quarter by Internet-only publication or by  
247 | publication in a print newspaper and on the statewide website.  
248 | At a minimum, the reports for the 4 preceding calendar quarters  
249 | shall be available on the website.

250 |         (5) (a) In lieu of publishing a legal notice in the print

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251 edition of a newspaper of general circulation, a governmental  
252 agency may opt for Internet-only publication of governmental  
253 agency notices with any newspaper of general circulation within  
254 the jurisdiction of the affected governmental agency so long as  
255 the governmental agency, after a public hearing noticed in a  
256 print edition of a newspaper in accordance with this chapter,  
257 makes a determination by a majority of the members of the  
258 governing body of the governmental agency that the Internet  
259 publication of such governmental agency notices is in the public  
260 interest and that the residents within the jurisdiction of the  
261 governmental agency have sufficient access to the Internet by  
262 broadband service as defined in s. 364.02 or through other means  
263 such that Internet-only publication of governmental agency  
264 notices would not unreasonably restrict public access. Any such  
265 Internet-only publication published in accordance with this  
266 subsection must be placed in the legal notices section of the  
267 newspaper's website and the statewide legal notice website  
268 established under subsection (4). All requirements regarding the  
269 format and accessibility of legal notices placed on the  
270 newspaper's website and the statewide legal notice website in  
271 subsections (3) and (4) also apply to Internet-only publication  
272 of legal notices published in accordance with this subsection. A  
273 newspaper is deemed to be a newspaper of general circulation  
274 within the jurisdiction of the affected governmental agency if  
275 it satisfies the criteria in s. 50.011(1).

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276        (b) The legal notices section of the print edition of a  
277 newspaper must include a disclaimer stating that additional  
278 legal notices may be accessed on the newspaper's website and the  
279 statewide legal notice website. The legal notices section of the  
280 newspaper's website must also include a disclaimer stating that  
281 legal notices are also published in the print edition of the  
282 newspaper and on the statewide legal notice website.

283        (c) A newspaper may charge for the publication of any  
284 governmental agency notice that is published only on the  
285 newspaper's website, without rebate, commission, or refund;  
286 however, the newspaper may not charge any higher rate for  
287 publication than the amount that would be authorized under s.  
288 50.061 if the governmental agency notice had been printed in the  
289 newspaper. The penalties prescribed in s. 50.061(7) for allowing  
290 or accepting any rebate, commission, or refund in connection to  
291 the amounts charged for publication also apply to any  
292 governmental agency notices that are published only on the  
293 Internet in accordance with this subsection.

294        (d) If a governmental agency exercises the option to  
295 publish Internet-only governmental agency notices in accordance  
296 with this subsection, such agency must provide notice at least  
297 once per week in the print edition of a newspaper of general  
298 circulation within the region in which the governmental agency  
299 is located which states that legal notices pertaining to the  
300 agency do not all appear in the print edition of the local

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301 newspaper and that additional legal notices may be accessed on  
302 the newspaper's website and that a full listing of any legal  
303 notices may be accessed on the statewide legal notice website  
304 located at [www.floridapublicnotices.com](http://www.floridapublicnotices.com). Additionally, any such  
305 governmental agency must post a link on its website homepage to  
306 a webpage that lists all of the newspapers in which the  
307 governmental agency publishes legal notices. A newspaper is  
308 deemed to be a newspaper of general circulation within the  
309 region in which the governmental agency is located if it  
310 satisfies the criteria in s. 50.011(1).

311 (6)~~(4)~~ Newspapers that publish legal notices shall, upon  
312 request, provide e-mail notification of new legal notices when  
313 they are published ~~printed~~ in the newspaper or on ~~and added to~~  
314 the newspaper's website. Such e-mail notification shall be  
315 provided without charge, and notification for such an e-mail  
316 registry shall be available on the front page of the legal  
317 notices section of the newspaper's website.

318 (7) Notwithstanding the authorization of Internet-only  
319 publication for certain governmental agency notices in  
320 accordance with subsection (5), any other statute requiring the  
321 publication of an official legal notice in the print edition of  
322 a newspaper may not be construed to be superseded.

323 Section 4. Section 50.031, Florida Statutes, is amended to  
324 read:

325 50.031 Newspapers in which legal notices and process may

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326 | be published.—No notice or publication required to be published  
327 | in the print edition of a newspaper or on a newspaper's website,  
328 | if authorized, in the nature of or in lieu of process of any  
329 | kind, nature, character or description provided for under any  
330 | law of the state, whether heretofore or hereafter enacted, and  
331 | whether pertaining to constructive service, or the initiating,  
332 | assuming, reviewing, exercising or enforcing jurisdiction or  
333 | power, by any court in this state, or any notice of sale of  
334 | property, real or personal, for taxes, state, county or  
335 | municipal, or sheriff's, guardian's or administrator's or any  
336 | sale made pursuant to any judicial order, decree or statute or  
337 | any other publication or notice pertaining to any affairs of the  
338 | state, or any county, municipality or other political  
339 | subdivision thereof, shall be deemed to have been published in  
340 | accordance with the statutes providing for such publication,  
341 | unless the same shall have been published for the prescribed  
342 | period of time required for such publication, in a newspaper or  
343 | on a newspaper's website which at the time of such publication  
344 | shall have been in existence for 2 years and meets the  
345 | requirements set forth in s. 50.011 ~~1 year and shall have been~~  
346 | ~~entered as periodicals matter at a post office in the county~~  
347 | ~~where published,~~ or in a newspaper which is a direct successor  
348 | of a newspaper which has ~~together have~~ been so published;  
349 | provided, however, that nothing herein contained shall apply  
350 | where in any county there shall be no newspaper in existence

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351 | which shall have been published for the length of time above  
 352 | prescribed. No legal publication of any kind, nature or  
 353 | description, as herein defined, shall be valid or binding or  
 354 | held to be in compliance with the statutes providing for such  
 355 | publication unless the same shall have been published in  
 356 | accordance with the provisions of this section or s. 50.0211(5).  
 357 | Proof of such publication shall be made by uniform affidavit.

358 |         Section 5. Section 50.041, Florida Statutes, is amended to  
 359 | read:

360 |         50.041 Proof of publication; uniform affidavits required.—

361 |         (1) All affidavits ~~of publishers of newspapers (or their~~  
 362 | ~~official representatives)~~ made for the purpose of establishing  
 363 | proof of publication of public notices or legal advertisements  
 364 | shall be uniform throughout the state.

365 |         (2) Each such affidavit shall be printed upon white paper  
 366 | and shall be 8 1/2 inches in width and of convenient length, not  
 367 | less than 5 1/2 inches. A white margin of not less than 2 1/2  
 368 | inches shall be left at the right side of each affidavit form  
 369 | and upon or in this space shall be substantially pasted a  
 370 | clipping which shall be a true copy of the public notice or  
 371 | legal advertisement for which proof is executed. Alternatively,  
 372 | the affidavit may be provided in electronic rather than paper  
 373 | form, provided the notarization of the affidavit complies with  
 374 | the requirements of s. 117.021.

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

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376 | ~~450,000 according to the latest official decennial census, in~~  
 377 | ~~addition to the charges which are now or may hereafter be~~  
 378 | ~~established by law for the publication of every official notice~~  
 379 | ~~or legal advertisement,~~ There may be a charge not to exceed \$2  
 380 | levied for the preparation and execution of each such proof of  
 381 | publication or ~~publisher's~~ affidavit.

382 | Section 6. Section 50.051, Florida Statutes, is amended to  
 383 | read:

384 | 50.051 Proof of publication; form of uniform affidavit.—  
 385 | The printed form upon which all such affidavits establishing  
 386 | proof of publication are to be executed shall be substantially  
 387 | as follows:

388 | NAME OF COUNTY NEWSPAPER  
 389 | ~~Published (Weekly or Daily)~~  
 390 | ~~(Town or City) (County) FLORIDA~~

391 | STATE OF FLORIDA

392 |  
 393 | COUNTY OF .....

394 | Before the undersigned authority personally appeared .....,  
 395 | who on oath says that he or she is .... of the ....., a ....  
 396 | newspaper published at .... in .... County, Florida; that the  
 397 | attached copy of advertisement, being a .... in the matter of  
 398 | .... in the .... Court, was published in said newspaper by print  
 399 | in the issues of .... or by publication on the newspaper's  
 400 | website, if authorized, on ... (date)....



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401           Affiant further says that the newspaper complies with all  
 402 legal requirements for publication in chapter 50, Florida  
 403 Statutes ~~said .... is a newspaper published at ...., in said~~  
 404 ~~.... County, Florida, and that the said newspaper has heretofore~~  
 405 ~~been continuously published in said .... County, Florida, each~~  
 406 ~~.... and has been entered as periodicals matter at the post~~  
 407 ~~office in ...., in said .... County, Florida, for a period of 1~~  
 408 ~~year next preceding the first publication of the attached copy~~  
 409 ~~of advertisement; and affiant further says that he or she has~~  
 410 ~~neither paid nor promised any person, firm or corporation any~~  
 411 ~~discount, rebate, commission or refund for the purpose of~~  
 412 ~~securing this advertisement for publication in the said~~  
 413 ~~newspaper.~~

414  
 415 Sworn to and subscribed before me this .... day of ....,  
 416 ...(year)..., by ...., who is personally known to me or who has  
 417 produced (type of identification) as identification.

418  
 419 ...(Signature of Notary Public)...

420  
 421 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

422  
 423 ...(Notary Public)...

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

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426 50.061 Amounts chargeable.—

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

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

433 90.902 Self-authentication.—Extrinsic evidence of  
 434 authenticity as a condition precedent to admissibility is not  
 435 required for:

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

439 Section 9. Section 11.02, Florida Statutes, is amended to  
 440 read:

441 11.02 Notice of special or local legislation or certain  
 442 relief acts.—The notice required to obtain special or local  
 443 legislation or any relief act specified in s. 11.065 shall be by  
 444 publishing the identical notice ~~in each county involved in some~~  
 445 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~  
 446 circulated throughout the county or counties where the matter or  
 447 thing to be affected by such legislation shall be situated one  
 448 time at least 30 days before introduction of the proposed law  
 449 into the Legislature or, if the notice is not made by Internet  
 450 publication as provided in s. 50.0211(5) and there being no

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451 newspaper circulated throughout or published in the county, by  
 452 posting for at least 30 days at not less than three public  
 453 places in the county or each of the counties, one of which  
 454 places shall be at the courthouse in the county or counties  
 455 where the matter or thing to be affected by such legislation  
 456 shall be situated. Notice of special or local legislation shall  
 457 state the substance of the contemplated law, as required by s.  
 458 10, Art. III of the State Constitution. Notice of any relief act  
 459 specified in s. 11.065 shall state the name of the claimant, the  
 460 nature of the injury or loss for which the claim is made, and  
 461 the amount of the claim against the affected municipality's  
 462 revenue-sharing trust fund.

463 Section 10. Paragraph (d) of subsection (1) of section  
 464 120.81, Florida Statutes, is amended to read:

465 120.81 Exceptions and special requirements; general  
 466 areas.—

467 (1) EDUCATIONAL UNITS.—

468 (d) Notwithstanding any other provision of this chapter,  
 469 educational units shall not be required to include the full text  
 470 of the rule or rule amendment in notices relating to rules and  
 471 need not publish these or other notices in the Florida  
 472 Administrative Register, but notice shall be made:

473 1. By publication in a newspaper qualified under chapter  
 474 50 ~~of general circulation~~ in the affected area;

475 2. By mail to all persons who have made requests of the

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476 educational unit for advance notice of its proceedings and to  
 477 organizations representing persons affected by the proposed  
 478 rule; and

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

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

484 121.0511 Revocation of election and alternative plan.—The  
 485 governing body of any municipality or independent special  
 486 district that has elected to participate in the Florida  
 487 Retirement System may revoke its election in accordance with the  
 488 following procedure:

489 (2) At least 7 days, but not more than 15 days, before the  
 490 hearing, notice of intent to revoke, specifying the time and  
 491 place of the hearing, must be published as provided in chapter  
 492 50 in a newspaper of general circulation in the area affected,  
 493 ~~as provided by ss. 50.011-50.031~~. Proof of publication of the  
 494 notice must be submitted to the Department of Management  
 495 Services.

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

498 121.055 Senior Management Service Class.—There is hereby  
 499 established a separate class of membership within the Florida  
 500 Retirement System to be known as the "Senior Management Service

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501 Class," which shall become effective February 1, 1987.

502 (1)

503 (b)1. Except as provided in subparagraph 2., effective  
 504 January 1, 1990, participation in the Senior Management Service  
 505 Class is compulsory for the president of each community college,  
 506 the manager of each participating municipality or county, and  
 507 all appointed district school superintendents. Effective January  
 508 1, 1994, additional positions may be designated for inclusion in  
 509 the Senior Management Service Class if:

510 a. Positions to be included in the class are designated by  
 511 the local agency employer. Notice of intent to designate  
 512 positions for inclusion in the class must be published for at  
 513 least 2 consecutive weeks if published by Internet publication  
 514 as provided in s. 50.0211(5) or, if published in print, once a  
 515 week for 2 consecutive weeks in a newspaper qualified under  
 516 chapter 50 that is ~~of general circulation~~ published in the  
 517 county or counties affected, ~~as provided in chapter 50.~~

518 b. Up to 10 nonelective full-time positions may be  
 519 designated for each local agency employer reporting to the  
 520 department; for local agencies with 100 or more regularly  
 521 established positions, additional nonelective full-time  
 522 positions may be designated, not to exceed 1 percent of the  
 523 regularly established positions within the agency.

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

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

528 |       (I) Heads an organizational unit; or

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

532 |       2. In lieu of participation in the Senior Management  
 533 | Service Class, members of the Senior Management Service Class,  
 534 | pursuant to subparagraph 1., may withdraw from the Florida  
 535 | Retirement System altogether. The decision to withdraw from the  
 536 | system is irrevocable as long as the employee holds the  
 537 | position. Any service creditable under the Senior Management  
 538 | Service Class shall be retained after the member withdraws from  
 539 | the system; however, additional service credit in the Senior  
 540 | Management Service Class may not be earned after such  
 541 | withdrawal. Such members are not eligible to participate in the  
 542 | Senior Management Service Optional Annuity Program.

543 |       3. Effective January 1, 2006, through June 30, 2006, an  
 544 | employee who has withdrawn from the Florida Retirement System  
 545 | under subparagraph 2. has one opportunity to elect to  
 546 | participate in the pension plan or the investment plan.

547 |       a. If the employee elects to participate in the investment  
 548 | plan, membership shall be prospective, and the applicable  
 549 | provisions of s. 121.4501(4) govern the election.

550 |       b. If the employee elects to participate in the pension

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

555 |         (I) The cost for such credit shall be an amount  
 556 | representing the actuarial accrued liability for the affected  
 557 | period of service. The cost shall be calculated using the  
 558 | discount rate and other relevant actuarial assumptions that were  
 559 | used to value the pension plan liabilities in the most recent  
 560 | actuarial valuation. The calculation must include any service  
 561 | already maintained under the pension plan in addition to the  
 562 | period of withdrawal. The actuarial accrued liability  
 563 | attributable to any service already maintained under the pension  
 564 | plan shall be applied as a credit to the total cost resulting  
 565 | from the calculation. The division must ensure that the transfer  
 566 | sum is prepared using a formula and methodology certified by an  
 567 | actuary.

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

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

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576 the Deputy State Courts Administrators, the Clerk of the Supreme  
577 Court, the Marshal of the Supreme Court, the Executive Director  
578 of the Justice Administrative Commission, the capital collateral  
579 regional counsel, the clerks of the district courts of appeals,  
580 the marshals of the district courts of appeals, and the trial  
581 court administrator and the Chief Deputy Court Administrator in  
582 each judicial circuit. Effective January 1, 1994, additional  
583 positions in the offices of the state attorney and public  
584 defender in each judicial circuit may be designated for  
585 inclusion in the Senior Management Service Class of the Florida  
586 Retirement System, provided that:

587 a. Positions to be included in the class shall be  
588 designated by the state attorney or public defender, as  
589 appropriate. Notice of intent to designate positions for  
590 inclusion in the class shall be published for at least 2  
591 consecutive weeks by Internet publication as provided in s.  
592 50.0211(5) or, if published in print, once a week for 2  
593 consecutive weeks in a newspaper qualified under chapter 50 of  
594 ~~general circulation published~~ in the county or counties  
595 affected, ~~as provided in chapter 50.~~

596 b. One nonelective full-time position may be designated  
597 for each state attorney and public defender reporting to the  
598 Department of Management Services; for agencies with 200 or more  
599 regularly established positions under the state attorney or  
600 public defender, additional nonelective full-time positions may



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601 | be designated, not to exceed 0.5 percent of the regularly  
602 | established positions within the agency.

603 |       c. Each position added to the class must be a managerial  
604 | or policymaking position filled by an employee who serves at the  
605 | pleasure of the state attorney or public defender without civil  
606 | service protection, and who:

607 |       (I) Heads an organizational unit; or

608 |       (II) Has responsibility to effect or recommend personnel,  
609 | budget, expenditure, or policy decisions in his or her areas of  
610 | responsibility.

611 |       2. Participation in this class shall be compulsory, except  
612 | as provided in subparagraph 3., for any judicial employee who  
613 | holds a position designated for coverage in the Senior  
614 | Management Service Class, and such participation shall continue  
615 | until the employee terminates employment in a covered position.  
616 | Effective January 1, 2001, participation in this class is  
617 | compulsory for assistant state attorneys, assistant statewide  
618 | prosecutors, assistant public defenders, and assistant capital  
619 | collateral regional counsel. Effective January 1, 2002,  
620 | participation in this class is compulsory for assistant  
621 | attorneys general.

622 |       3. In lieu of participation in the Senior Management  
623 | Service Class, such members, excluding assistant state  
624 | attorneys, assistant public defenders, assistant statewide  
625 | prosecutors, assistant attorneys general, and assistant capital

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626 collateral regional counsel, may participate in the Senior  
 627 Management Service Optional Annuity Program as established in  
 628 subsection (6).

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

632 125.66 Ordinances; enactment procedure; emergency  
 633 ordinances; rezoning or change of land use ordinances or  
 634 resolutions.—

635 (2) (a) The regular enactment procedure shall be as  
 636 follows: The board of county commissioners at any regular or  
 637 special meeting may enact or amend any ordinance, except as  
 638 provided in subsection (4), if notice of intent to consider such  
 639 ordinance is given at least 10 days before such ~~prior to said~~  
 640 meeting by publication as provided in chapter 50 ~~in a newspaper~~  
 641 ~~of general circulation in the county~~. A copy of such notice  
 642 shall be kept available for public inspection during the regular  
 643 business hours of the office of the clerk of the board of county  
 644 commissioners. The notice of proposed enactment shall state the  
 645 date, time, and place of the meeting; the title or titles of  
 646 proposed ordinances; and the place or places within the county  
 647 where such proposed ordinances may be inspected by the public.  
 648 The notice shall also advise that interested parties may appear  
 649 at the meeting and be heard with respect to the proposed  
 650 ordinance.

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651 (4) Ordinances or resolutions, initiated by other than the  
652 county, that change the actual zoning map designation of a  
653 parcel or parcels of land shall be enacted pursuant to  
654 subsection (2). Ordinances or resolutions that change the actual  
655 list of permitted, conditional, or prohibited uses within a  
656 zoning category, or ordinances or resolutions initiated by the  
657 county that change the actual zoning map designation of a parcel  
658 or parcels of land shall be enacted pursuant to the following  
659 procedure:

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

666 1. The board of county commissioners shall hold two  
667 advertised public hearings on the proposed ordinance or  
668 resolution. At least one hearing shall be held after 5 p.m. on a  
669 weekday, unless the board of county commissioners, by a majority  
670 plus one vote, elects to conduct that hearing at another time of  
671 day. The first public hearing shall be held at least 7 days  
672 after the day that the first advertisement is published. The  
673 second hearing shall be held at least 10 days after the first  
674 hearing and shall be advertised at least 5 days prior to the  
675 public hearing.

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676           2. If published in the print edition of a newspaper, the  
 677 required advertisements shall be no less than 2 columns wide by  
 678 10 inches long in a standard size or a tabloid size newspaper,  
 679 and the headline in the advertisement shall be in a type no  
 680 smaller than 18 point. The advertisement shall not be placed in  
 681 that portion of the newspaper where legal notices and classified  
 682 advertisements appear. The advertisement shall be placed in a  
 683 newspaper ~~of general paid circulation~~ in the county and of  
 684 general interest and readership in the community pursuant to  
 685 chapter 50, ~~not one of limited subject matter~~. It is the  
 686 legislative intent that, whenever possible, the advertisement  
 687 shall appear in a newspaper that is published at least weekly ~~5~~  
 688 ~~days a week~~ unless the only newspaper in the community is  
 689 published less than weekly ~~5 days a week~~. The advertisement  
 690 shall be in substantially the following form:

691                                   NOTICE OF (TYPE OF) CHANGE

692  
 693           The ...(name of local governmental unit)... proposes to  
 694 adopt the following by ordinance or resolution:...(title of  
 695 ordinance or resolution)....

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

698  
 699           Except for amendments which change the actual list of permitted,  
 700 conditional, or prohibited uses within a zoning category, the

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701 advertisement shall contain a geographic location map which  
 702 clearly indicates the area within the local government covered  
 703 by the proposed ordinance or resolution. The map shall include  
 704 major street names as a means of identification of the general  
 705 area. ~~If In addition to being~~ published in the print edition of  
 706 the newspaper, the map must be part of any ~~the~~ online notice  
 707 made ~~required~~ pursuant to s. 50.0211.

708 3. In lieu of publishing the advertisements set out in  
 709 this paragraph, the board of county commissioners may mail a  
 710 notice to each person owning real property within the area  
 711 covered by the ordinance or resolution. Such notice shall  
 712 clearly explain the proposed ordinance or resolution and shall  
 713 notify the person of the time, place, and location of both  
 714 public hearings on the proposed ordinance or resolution.

715 Section 14. Paragraph (a) of subsection (2) of section  
 716 162.12, Florida Statutes, is amended to read:

717 162.12 Notices.—

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

722 (a)1. Such notice shall be published in print or on a  
 723 newspaper's website and the statewide legal notice website as  
 724 provided in s. 50.0211(5) for 4 consecutive weeks. If published  
 725 in print, the notice shall be published once during each week

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726 | for 4 consecutive weeks (four publications being sufficient) in  
 727 | a newspaper ~~of general circulation~~ in the county where the code  
 728 | enforcement board is located. The newspaper shall meet such  
 729 | requirements as are prescribed under chapter 50 for legal and  
 730 | official advertisements.

731 |         2. Proof of publication shall be made as provided in ss.  
 732 | 50.041 and 50.051.

733 |         Section 15. Paragraph (c) of subsection (3) of section  
 734 | 166.041, Florida Statutes, is amended to read:

735 |         166.041 Procedures for adoption of ordinances and  
 736 | resolutions.—

737 |         (3)

738 |         (c) Ordinances initiated by other than the municipality  
 739 | that change the actual zoning map designation of a parcel or  
 740 | parcels of land shall be enacted pursuant to paragraph (a).  
 741 | Ordinances that change the actual list of permitted,  
 742 | conditional, or prohibited uses within a zoning category, or  
 743 | ordinances initiated by the municipality that change the actual  
 744 | zoning map designation of a parcel or parcels of land shall be  
 745 | enacted pursuant to the following procedure:

746 |         1. In cases in which the proposed ordinance changes the  
 747 | actual zoning map designation for a parcel or parcels of land  
 748 | involving less than 10 contiguous acres, the governing body  
 749 | shall direct the clerk of the governing body to notify by mail  
 750 | each real property owner whose land the municipality will

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751 redesignate by enactment of the ordinance and whose address is  
752 known by reference to the latest ad valorem tax records. The  
753 notice shall state the substance of the proposed ordinance as it  
754 affects that property owner and shall set a time and place for  
755 one or more public hearings on such ordinance. Such notice shall  
756 be given at least 30 days prior to the date set for the public  
757 hearing, and a copy of the notice shall be kept available for  
758 public inspection during the regular business hours of the  
759 office of the clerk of the governing body. The governing body  
760 shall hold a public hearing on the proposed ordinance and may,  
761 upon the conclusion of the hearing, immediately adopt the  
762 ordinance.

763 2. In cases in which the proposed ordinance changes the  
764 actual list of permitted, conditional, or prohibited uses within  
765 a zoning category, or changes the actual zoning map designation  
766 of a parcel or parcels of land involving 10 contiguous acres or  
767 more, the governing body shall provide for public notice and  
768 hearings as follows:

769 a. The local governing body shall hold two advertised  
770 public hearings on the proposed ordinance. At least one hearing  
771 shall be held after 5 p.m. on a weekday, unless the local  
772 governing body, by a majority plus one vote, elects to conduct  
773 that hearing at another time of day. The first public hearing  
774 shall be held at least 7 days after the day that the first  
775 advertisement is published. The second hearing shall be held at

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776 | least 10 days after the first hearing and shall be advertised at  
 777 | least 5 days prior to the public hearing.

778 |       b. If published in the print edition of a newspaper, the  
 779 | required advertisements shall be no less than 2 columns wide by  
 780 | 10 inches long in a standard size or a tabloid size newspaper,  
 781 | and the headline in the advertisement shall be in a type no  
 782 | smaller than 18 point. The advertisement shall not be placed in  
 783 | that portion of the newspaper where legal notices and classified  
 784 | advertisements appear. The advertisement shall be placed in a  
 785 | newspaper ~~of general paid circulation~~ in the municipality and of  
 786 | general interest and readership in the municipality, ~~not one of~~  
 787 | ~~limited subject matter,~~ pursuant to chapter 50. It is the  
 788 | legislative intent that, whenever possible, the advertisement  
 789 | appear in a newspaper that is published at least weekly ~~5 days a~~  
 790 | ~~week~~ unless the only newspaper in the municipality is published  
 791 | less than weekly ~~5 days a week~~. The advertisement shall be in  
 792 | substantially the following form:

793 |  
 794 |                                   NOTICE OF (TYPE OF) CHANGE  
 795 |

796 |       The ...(name of local governmental unit)... proposes to  
 797 | adopt the following ordinance:...(title of the ordinance)....

798 |       A public hearing on the ordinance will be held on ...(date  
 799 | and time)... at ...(meeting place)....  
 800 |



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801 Except for amendments which change the actual list of permitted,  
 802 conditional, or prohibited uses within a zoning category, the  
 803 advertisement shall contain a geographic location map which  
 804 clearly indicates the area covered by the proposed ordinance.  
 805 The map shall include major street names as a means of  
 806 identification of the general area. If ~~In addition to being~~  
 807 published in the print edition of the newspaper, the map must  
 808 also be part of any ~~the~~ online notice made ~~required~~ pursuant to  
 809 s. 50.0211.

810 c. In lieu of publishing the advertisement set out in this  
 811 paragraph, the municipality may mail a notice to each person  
 812 owning real property within the area covered by the ordinance.  
 813 Such notice shall clearly explain the proposed ordinance and  
 814 shall notify the person of the time, place, and location of any  
 815 public hearing on the proposed ordinance.

816 Section 16. Subsection (1) of section 189.015, Florida  
 817 Statutes, is amended to read:

818 189.015 Meetings; notice; required reports.—

819 (1) The governing body of each special district shall file  
 820 quarterly, semiannually, or annually a schedule of its regular  
 821 meetings with the local governing authority or authorities. The  
 822 schedule shall include the date, time, and location of each  
 823 scheduled meeting. The schedule shall be published quarterly,  
 824 semiannually, or annually ~~in a newspaper of general paid~~  
 825 ~~circulation~~ in the manner required in this subsection. The

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826 governing body of an independent special district shall  
 827 advertise the day, time, place, and purpose of any meeting other  
 828 than a regular meeting or any recessed and reconvened meeting of  
 829 the governing body, at least 7 days before such meeting as  
 830 provided in chapter 50, ~~in a newspaper of general paid~~  
 831 ~~circulation~~ in the county or counties in which the special  
 832 district is located, unless a bona fide emergency situation  
 833 exists, in which case a meeting to deal with the emergency may  
 834 be held as necessary, with reasonable notice, so long as it is  
 835 subsequently ratified by the governing body. No approval of the  
 836 annual budget shall be granted at an emergency meeting. The  
 837 notice shall be posted as provided in ~~advertisement shall be~~  
 838 ~~placed in that portion of the newspaper where legal notices and~~  
 839 ~~classified advertisements appear. The advertisement shall appear~~  
 840 ~~in a newspaper that is published at least 5 days a week, unless~~  
 841 ~~the only newspaper in the county is published fewer than 5 days~~  
 842 ~~a week. The newspaper selected must be one of general interest~~  
 843 ~~and readership in the community and not one of limited subject~~  
 844 ~~matter, pursuant to~~ chapter 50. Any other provision of law to  
 845 the contrary notwithstanding, and except in the case of  
 846 emergency meetings, water management districts may provide  
 847 reasonable notice of public meetings held to evaluate responses  
 848 to solicitations issued by the water management district, as  
 849 provided in chapter 50 by Internet publication or by publication  
 850 ~~by publication in a newspaper of general paid circulation in the~~

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851 county where the principal office of the water management  
 852 district is located, or in the county or counties where the  
 853 public work will be performed, no less than 7 days before such  
 854 meeting.

855 Section 17. Paragraph (d) of subsection (1) of section  
 856 190.005, Florida Statutes, is amended to read:

857 190.005 Establishment of district.—

858 (1) The exclusive and uniform method for the establishment  
 859 of a community development district with a size of 2,500 acres  
 860 or more shall be pursuant to a rule, adopted under chapter 120  
 861 by the Florida Land and Water Adjudicatory Commission, granting  
 862 a petition for the establishment of a community development  
 863 district.

864 (d) A local public hearing on the petition shall be  
 865 conducted by a hearing officer in conformance with the  
 866 applicable requirements and procedures of the Administrative  
 867 Procedure Act. The hearing shall include oral and written  
 868 comments on the petition pertinent to the factors specified in  
 869 paragraph (e). The hearing shall be held at an accessible  
 870 location in the county in which the community development  
 871 district is to be located. The petitioner shall cause a notice  
 872 of the hearing to be published for 4 successive weeks on a  
 873 newspaper's website and the statewide legal notice website  
 874 provided in s. 50.0211(5) or, if published in print, in a  
 875 newspaper at least once a week for the 4 successive weeks

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876 immediately prior to the hearing as provided in chapter 50. Such  
 877 notice shall give the time and place for the hearing, a  
 878 description of the area to be included in the district, which  
 879 description shall include a map showing clearly the area to be  
 880 covered by the district, and any other relevant information  
 881 which the establishing governing bodies may require. If  
 882 published in the print edition of a newspaper, the advertisement  
 883 may ~~shall~~ not be placed in the ~~that~~ portion of the newspaper  
 884 where legal notices and classified advertisements appear. The  
 885 advertisement must ~~shall~~ be published in a newspaper ~~of general~~  
 886 ~~paid circulation~~ in the county and of general interest and  
 887 readership in the community, ~~not one of limited subject matter,~~  
 888 pursuant to chapter 50. Whenever possible, the advertisement  
 889 shall appear in a newspaper that is published at least weekly ~~5~~  
 890 ~~days a week~~, unless the only newspaper in the community is  
 891 published less than weekly ~~fewer than 5 days a week~~. If the  
 892 notice is ~~In addition to being~~ published in the print edition of  
 893 the newspaper, the map ~~referenced above~~ must also be included in  
 894 any part of the online advertisement ~~required~~ pursuant to s.  
 895 50.0211. All affected units of general-purpose local government  
 896 and the general public shall be given an opportunity to appear  
 897 at the hearing and present oral or written comments on the  
 898 petition.

899 Section 18. Paragraph (h) of subsection (1) of section  
 900 190.046, Florida Statutes, is amended to read:

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901 190.046 Termination, contraction, or expansion of  
902 district.—

903 (1) A landowner or the board may petition to contract or  
904 expand the boundaries of a community development district in the  
905 following manner:

906 (h) For a petition to establish a new community  
907 development district of less than 2,500 acres on land located  
908 solely in one county or one municipality, sufficiently  
909 contiguous lands located within the county or municipality which  
910 the petitioner anticipates adding to the boundaries of the  
911 district within 10 years after the effective date of the  
912 ordinance establishing the district may also be identified. If  
913 such sufficiently contiguous land is identified, the petition  
914 must include a legal description of each additional parcel  
915 within the sufficiently contiguous land, the current owner of  
916 the parcel, the acreage of the parcel, and the current land use  
917 designation of the parcel. At least 14 days before the hearing  
918 required under s. 190.005(2)(b), the petitioner must give the  
919 current owner of each such parcel notice of filing the petition  
920 to establish the district, the date and time of the public  
921 hearing on the petition, and the name and address of the  
922 petitioner. A parcel may not be included in the district without  
923 the written consent of the owner of the parcel.

924 1. After establishment of the district, a person may  
925 petition the county or municipality to amend the boundaries of

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926 | the district to include a previously identified parcel that was  
 927 | a proposed addition to the district before its establishment. A  
 928 | filing fee may not be charged for this petition. Each such  
 929 | petition must include:

- 930 |       a. A legal description by metes and bounds of the parcel  
 931 |       to be added;
- 932 |       b. A new legal description by metes and bounds of the  
 933 |       district;
- 934 |       c. Written consent of all owners of the parcel to be  
 935 |       added;
- 936 |       d. A map of the district including the parcel to be added;
- 937 |       e. A description of the development proposed on the  
 938 |       additional parcel; and
- 939 |       f. A copy of the original petition identifying the parcel  
 940 |       to be added.

941 |       2. Before filing with the county or municipality, the  
 942 |       person must provide the petition to the district and to the  
 943 |       owner of the proposed additional parcel, if the owner is not the  
 944 |       petitioner.

945 |       3. Once the petition is determined sufficient and  
 946 |       complete, the county or municipality must process the addition  
 947 |       of the parcel to the district as an amendment to the ordinance  
 948 |       that establishes the district. The county or municipality may  
 949 |       process all petitions to amend the ordinance for parcels  
 950 |       identified in the original petition, even if, by adding such

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951 parcels, the district exceeds 2,500 acres.

952 4. The petitioner shall cause to be published in a  
953 newspaper qualified to publish legal notices ~~of general~~  
954 ~~circulation~~ in the proposed district a notice of the intent to  
955 amend the ordinance that establishes the district. The notice  
956 must be in addition to any notice required for adoption of the  
957 ordinance amendment. Such notice must be published as provided  
958 in chapter 50 at least 10 days before the scheduled hearing on  
959 the ordinance amendment ~~and may be published in the section of~~  
960 ~~the newspaper reserved for legal notices~~. The notice must  
961 include a general description of the land to be added to the  
962 district and the date and time of the scheduled hearing to amend  
963 the ordinance. The petitioner shall deliver, including by mail  
964 or hand delivery, the notice of the hearing on the ordinance  
965 amendment to the owner of the parcel and to the district at  
966 least 14 days before the scheduled hearing.

967 5. The amendment of a district by the addition of a parcel  
968 pursuant to this paragraph does not alter the transition from  
969 landowner voting to qualified elector voting pursuant to s.  
970 190.006, even if the total size of the district after the  
971 addition of the parcel exceeds 5,000 acres. Upon adoption of the  
972 ordinance expanding the district, the petitioner must cause to  
973 be recorded a notice of boundary amendment which reflects the  
974 new boundaries of the district.

975 6. This paragraph is intended to facilitate the orderly

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976 addition of lands to a district under certain circumstances and  
977 does not preclude the addition of lands to any district using  
978 the procedures in the other provisions of this section.

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

981 194.037 Disclosure of tax impact.—

982 (1) After hearing all petitions, complaints, appeals, and  
983 disputes, the clerk shall make public notice of the findings and  
984 results of the board as provided in chapter 50. If published in  
985 the print edition of a newspaper, the notice must be in at least  
986 a quarter-page size advertisement of a standard size or tabloid  
987 size newspaper, and the headline shall be in a type no smaller  
988 than 18 point. The advertisement shall not be placed in that  
989 portion of the newspaper where legal notices and classified  
990 advertisements appear. The advertisement shall be published in a  
991 newspaper ~~of general paid circulation~~ in the county. The  
992 newspaper selected shall be one of general interest and  
993 readership in the community, ~~and not one of limited subject~~  
994 ~~matter,~~ pursuant to chapter 50. For all advertisements published  
995 pursuant to this section, the headline shall read: TAX IMPACT OF  
996 VALUE ADJUSTMENT BOARD. The public notice shall list the members  
997 of the value adjustment board and the taxing authorities to  
998 which they are elected. The form shall show, in columnar form,  
999 for each of the property classes listed under subsection (2),  
1000 the following information, with appropriate column totals:



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1001 (a) In the first column, the number of parcels for which  
 1002 the board granted exemptions that had been denied or that had  
 1003 not been acted upon by the property appraiser.

1004 (b) In the second column, the number of parcels for which  
 1005 petitions were filed concerning a property tax exemption.

1006 (c) In the third column, the number of parcels for which  
 1007 the board considered the petition and reduced the assessment  
 1008 from that made by the property appraiser on the initial  
 1009 assessment roll.

1010 (d) In the fourth column, the number of parcels for which  
 1011 petitions were filed but not considered by the board because  
 1012 such petitions were withdrawn or settled prior to the board's  
 1013 consideration.

1014 (e) In the fifth column, the number of parcels for which  
 1015 petitions were filed requesting a change in assessed value,  
 1016 including requested changes in assessment classification.

1017 (f) In the sixth column, the net change in taxable value  
 1018 from the assessor's initial roll which results from board  
 1019 decisions.

1020 (g) In the seventh column, the net shift in taxes to  
 1021 parcels not granted relief by the board. The shift shall be  
 1022 computed as the amount shown in column 6 multiplied by the  
 1023 applicable millage rates adopted by the taxing authorities in  
 1024 hearings held pursuant to s. 200.065(2) (d) or adopted by vote of  
 1025 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State

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1026 Constitution, but without adjustment as authorized pursuant to  
 1027 s. 200.065(6). If for any taxing authority the hearing has not  
 1028 been completed at the time the notice required herein is  
 1029 prepared, the millage rate used shall be that adopted in the  
 1030 hearing held pursuant to s. 200.065(2)(c).

1031 Section 20. Subsection (1) of section 197.402, Florida  
 1032 Statutes, is amended to read:

1033 197.402 Advertisement of real or personal property with  
 1034 delinquent taxes.—

1035 (1) If advertisements are required, the board of county  
 1036 commissioners shall make such notice ~~select the newspaper~~ as  
 1037 provided in chapter 50. The tax collector shall pay all  
 1038 ~~newspaper~~ charges, and the proportionate cost of the  
 1039 advertisements shall be added to the delinquent taxes collected.

1040 Section 21. Subsection (3) of section 200.065, Florida  
 1041 Statutes, is amended to read:

1042 200.065 Method of fixing millage.—

1043 (3) The advertisement shall be published as provided in  
 1044 chapter 50. If the advertisement is published in the print  
 1045 edition of a newspaper, the advertisement must be no less than  
 1046 one-quarter page in size of a standard size or a tabloid size  
 1047 newspaper, and the headline in the advertisement shall be in a  
 1048 type no smaller than 18 point. The advertisement shall not be  
 1049 placed in that portion of the newspaper where legal notices and  
 1050 classified advertisements appear. The advertisement shall be

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1051 published in a newspaper ~~of general paid circulation~~ in the  
 1052 county or in a geographically limited insert of such newspaper.  
 1053 The geographic boundaries in which such insert is circulated  
 1054 shall include the geographic boundaries of the taxing authority.  
 1055 It is the legislative intent that, whenever possible, the  
 1056 advertisement appear in a newspaper that is published at least  
 1057 weekly ~~5 days a week~~ unless the only newspaper in the county is  
 1058 published less than weekly ~~5 days a week~~, or that the  
 1059 advertisement appear in a geographically limited insert of such  
 1060 newspaper which insert is published throughout the taxing  
 1061 authority's jurisdiction at least twice each week. It is further  
 1062 the legislative intent that the newspaper selected be one of  
 1063 general interest and readership in the community ~~and not one of~~  
 1064 ~~limited subject matter~~, pursuant to chapter 50.

1065 (a) For taxing authorities other than school districts  
 1066 which have tentatively adopted a millage rate in excess of 100  
 1067 percent of the rolled-back rate computed pursuant to subsection  
 1068 (1), the advertisement shall be in the following form:

1069 NOTICE OF PROPOSED TAX INCREASE

1070  
 1071 The ...(name of the taxing authority)... has tentatively  
 1072 adopted a measure to increase its property tax levy.

1073 Last year's property tax levy:

- 1074 A. Initially proposed tax levy.....\$XX,XXX,XXX
- 1075 B. Less tax reductions due to Value Adjustment Board and

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1076 other assessment changes..... (\$XX,XXX,XXX)

1077 C. Actual property tax levy.....\$XX,XXX,XXX

1078 This year's proposed tax levy.....\$XX,XXX,XXX

1079 All concerned citizens are invited to attend a public  
 1080 hearing on the tax increase to be held on ...(date and time)...  
 1081 at ...(meeting place)....

1082  
 1083 A FINAL DECISION on the proposed tax increase and the  
 1084 budget will be made at this hearing.

1085 (b) In all instances in which the provisions of paragraph  
 1086 (a) are inapplicable for taxing authorities other than school  
 1087 districts, the advertisement shall be in the following form:

1088  
 1089 NOTICE OF BUDGET HEARING

1090  
 1091 The ...(name of taxing authority)... has tentatively  
 1092 adopted a budget for ...(fiscal year).... A public hearing to  
 1093 make a FINAL DECISION on the budget AND TAXES will be held on  
 1094 ...(date and time)... at ...(meeting place)....

1095  
 1096 (c) For school districts which have proposed a millage  
 1097 rate in excess of 100 percent of the rolled-back rate computed  
 1098 pursuant to subsection (1) and which propose to levy nonvoted  
 1099 millage in excess of the minimum amount required pursuant to s.  
 1100 1011.60(6), the advertisement shall be in the following form:

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NOTICE OF PROPOSED TAX INCREASE

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

Last year's property tax levy:

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

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

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

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

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

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

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

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

1. AMOUNT A shall be an estimate, provided by the Department of Education, of the amount to be received in the current fiscal year by the district from state appropriations

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1126 | for the Florida Education Finance Program.

1127 |         2. AMOUNT B shall be the percent increase over the rolled-  
 1128 | back rate necessary to levy only the required local effort in  
 1129 | the current fiscal year, computed as though in the preceding  
 1130 | fiscal year only the required local effort was levied.

1131 |         3. AMOUNT C shall be the quotient of required local-effort  
 1132 | millage divided by the total proposed nonvoted millage, rounded  
 1133 | to the nearest tenth and stated in words; however, the stated  
 1134 | amount shall not exceed nine-tenths.

1135 |         (d) For school districts which have proposed a millage  
 1136 | rate in excess of 100 percent of the rolled-back rate computed  
 1137 | pursuant to subsection (1) and which propose to levy as nonvoted  
 1138 | millage only the minimum amount required pursuant to s.  
 1139 | 1011.60(6), the advertisement shall be the same as provided in  
 1140 | paragraph (c), except that the second and third paragraphs shall  
 1141 | be replaced with the following paragraph:

1142 |  
 1143 |         This increase is required under state law in order for the  
 1144 | school board to receive \$...(amount A)... in state education  
 1145 | grants.

1146 |  
 1147 |         (e) In all instances in which the provisions of paragraphs  
 1148 | (c) and (d) are inapplicable for school districts, the  
 1149 | advertisement shall be in the following form:

1150 |

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NOTICE OF BUDGET HEARING

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

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

(g) In the event that the mailing of the notice of proposed property taxes is delayed beyond September 3 in a county, any multicounty taxing authority which levies ad valorem taxes within that county shall advertise its intention to adopt a tentative budget and millage rate in a newspaper ~~of paid~~ general circulation within that county which meets the requirements of chapter 50, as provided in this subsection, and shall hold the hearing required pursuant to paragraph (2)(c) not less than 2 days or more than 5 days thereafter, and not later than September 18. The advertisement shall be in the following form, unless the proposed millage rate is less than or equal to the rolled-back rate, computed pursuant to subsection (1), in which case the advertisement shall be as provided in paragraph (e):

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NOTICE OF TAX INCREASE

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

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

(h) In no event shall any taxing authority add to or delete from the language of the advertisements as specified herein unless expressly authorized by law, except that, if an increase in ad valorem tax rates will affect only a portion of the jurisdiction of a taxing authority, advertisements may include a map or geographical description of the area to be affected and the proposed use of the tax revenues under consideration. In addition, if published in the print edition of the newspaper or only published on the Internet in accordance with s. 50.0211(5), the map must be included in ~~part of~~ the online advertisement required by s. 50.0211. The advertisements required herein shall not be accompanied, preceded, or followed by other advertising or notices which conflict with or modify the substantive content prescribed herein.

(i) The advertisements required pursuant to paragraphs (b) and (e) need not be one-quarter page in size or have a headline



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1201 in type no smaller than 18 point.

1202 (j) The amounts to be published as percentages of increase  
 1203 over the rolled-back rate pursuant to this subsection shall be  
 1204 based on aggregate millage rates and shall exclude voted millage  
 1205 levies unless expressly provided otherwise in this subsection.

1206 (k) Any taxing authority which will levy an ad valorem tax  
 1207 for an upcoming budget year but does not levy an ad valorem tax  
 1208 currently shall, in the advertisement specified in paragraph  
 1209 (a), paragraph (c), paragraph (d), or paragraph (g), replace the  
 1210 phrase "increase its property tax levy by ...(percentage of  
 1211 increase over rolled-back rate)... percent" with the phrase  
 1212 "impose a new property tax levy of \$...(amount)... per \$1,000  
 1213 value."

1214 (l) Any advertisement required pursuant to this section  
 1215 shall be accompanied by an adjacent notice meeting the budget  
 1216 summary requirements of s. 129.03(3)(b). Except for those taxing  
 1217 authorities proposing to levy ad valorem taxes for the first  
 1218 time, the following statement shall appear in the budget summary  
 1219 in boldfaced type immediately following the heading, if the  
 1220 applicable percentage is greater than zero:

1221  
 1222 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of  
 1223 taxing authority)... ARE ...(percent rounded to one decimal  
 1224 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.  
 1225

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1226 For purposes of this paragraph, "proposed operating budget  
 1227 expenditures" or "operating expenditures" means all moneys of  
 1228 the local government, including dependent special districts,  
 1229 that:

1230 1. Were or could be expended during the applicable fiscal  
 1231 year, or

1232 2. Were or could be retained as a balance for future  
 1233 spending in the fiscal year.

1234

1235 Provided, however, those moneys held in or used in trust,  
 1236 agency, or internal service funds, and expenditures of bond  
 1237 proceeds for capital outlay or for advanced refunded debt  
 1238 principal, shall be excluded.

1239 Section 22. Paragraph (c) of subsection (1) of section  
 1240 338.223, Florida Statutes, is amended to read:

1241 338.223 Proposed turnpike projects.—

1242 (1)

1243 (c) Prior to requesting legislative approval of a proposed  
 1244 turnpike project, the environmental feasibility of the proposed  
 1245 project shall be reviewed by the Department of Environmental  
 1246 Protection. The department shall submit its Project Development  
 1247 and Environmental Report to the Department of Environmental  
 1248 Protection, along with a draft copy of a public notice. Within  
 1249 14 days of receipt of the draft public notice, the Department of  
 1250 Environmental Protection shall return the draft public notice to

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1251 the Department of Transportation with an approval of the  
 1252 language or modifications to the language. Upon receipt of the  
 1253 approved or modified draft, or if no comments are provided  
 1254 within 14 days, the Department of Transportation shall publish  
 1255 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a  
 1256 30-day public comment period. If published in the print edition  
 1257 of a newspaper, the headline of the required notice shall be in  
 1258 a type no smaller than 18 point, ~~the notice~~ shall be placed in  
 1259 that portion of the newspaper where legal notices appear, and ~~-~~  
 1260 ~~The notice~~ shall be published in a newspaper qualified to  
 1261 publish legal notices ~~of general circulation~~ in the county or  
 1262 counties of general interest and readership in the community as  
 1263 provided in s. 50.031, ~~not one of limited subject matter.~~  
 1264 Whenever possible, the notice shall appear in a newspaper that  
 1265 is published at least weekly ~~5 days a week.~~ All notices  
 1266 published pursuant to this section ~~The notice~~ shall include, at  
 1267 a minimum ~~but is not limited to,~~ the following information:  
 1268         1. The purpose of the notice is to provide for a 30-day  
 1269 period for written public comments on the environmental impacts  
 1270 of a proposed turnpike project.  
 1271         2. The name and description of the project, along with a  
 1272 geographic location map clearly indicating the area where the  
 1273 proposed project will be located.  
 1274         3. The address where such comments must be sent and the  
 1275 date such comments are due.

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1276  
 1277 After a review of the department's report and any public  
 1278 comments, the Department of Environmental Protection shall  
 1279 submit a statement of environmental feasibility to the  
 1280 department within 30 days after the date on which public  
 1281 comments are due. The notice and the statement of environmental  
 1282 feasibility shall not give rise to any rights to a hearing or  
 1283 other rights or remedies provided pursuant to chapter 120 or  
 1284 chapter 403, and shall not bind the Department of Environmental  
 1285 Protection in any subsequent environmental permit review.

1286 Section 23. Subsection (3) of section 348.0308, Florida  
 1287 Statutes, is amended to read:

1288 348.0308 Public-private partnership.—The Legislature  
 1289 declares that there is a public need for the rapid construction  
 1290 of safe and efficient transportation facilities for traveling  
 1291 within the state and that it is in the public's interest to  
 1292 provide for public-private partnership agreements to effectuate  
 1293 the construction of additional safe, convenient, and economical  
 1294 transportation facilities.

1295 (3) The agency may request proposals for public-private  
 1296 transportation projects or, if it receives an unsolicited  
 1297 proposal, it must publish a notice in the Florida Administrative  
 1298 Register and, as provided in chapter 50, by Internet publication  
 1299 or by print in a newspaper qualified to publish legal notices ~~of~~  
 1300 ~~general circulation~~ in the county in which the project ~~it~~ is

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1301 | located at least once a week for 2 weeks stating that it has  
1302 | received the proposal and will accept, for 60 days after the  
1303 | initial date of publication, other proposals for the same  
1304 | project purpose. A copy of the notice must be mailed to each  
1305 | local government in the affected areas. After the public  
1306 | notification period has expired, the agency shall rank the  
1307 | proposals in order of preference. In ranking the proposals, the  
1308 | agency shall consider professional qualifications, general  
1309 | business terms, innovative engineering or cost-reduction terms,  
1310 | finance plans, and the need for state funds to deliver the  
1311 | proposal. If the agency is not satisfied with the results of the  
1312 | negotiations, it may, at its sole discretion, terminate  
1313 | negotiations with the proposer. If these negotiations are  
1314 | unsuccessful, the agency may go to the second and lower-ranked  
1315 | firms, in order, using the same procedure. If only one proposal  
1316 | is received, the agency may negotiate in good faith, and if it  
1317 | is not satisfied with the results, it may, at its sole  
1318 | discretion, terminate negotiations with the proposer. The agency  
1319 | may, at its discretion, reject all proposals at any point in the  
1320 | process up to completion of a contract with the proposer.

1321 |       Section 24. Subsection (3) of section 348.635, Florida  
1322 | Statutes, is amended to read:

1323 |       348.635 Public-private partnership.—The Legislature  
1324 | declares that there is a public need for the rapid construction  
1325 | of safe and efficient transportation facilities for traveling

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1326 | within the state and that it is in the public's interest to  
1327 | provide for public-private partnership agreements to effectuate  
1328 | the construction of additional safe, convenient, and economical  
1329 | transportation facilities.

1330 |         (3) The authority may request proposals for public-private  
1331 | transportation projects or, if it receives an unsolicited  
1332 | proposal, it must publish a notice in the Florida Administrative  
1333 | Register and, as provided in chapter 50, by either Internet  
1334 | publication or by print in ~~and~~ a newspaper ~~of general~~  
1335 | ~~circulation~~ in the county in which the project ~~it~~ is located at  
1336 | least once a week for 2 weeks stating that it has received the  
1337 | proposal and will accept, for 60 days after the initial date of  
1338 | publication, other proposals for the same project purpose. A  
1339 | copy of the notice must be mailed to each local government in  
1340 | the affected areas. After the public notification period has  
1341 | expired, the authority shall rank the proposals in order of  
1342 | preference. In ranking the proposals, the authority shall  
1343 | consider professional qualifications, general business terms,  
1344 | innovative engineering or cost-reduction terms, finance plans,  
1345 | and the need for state funds to deliver the proposal. If the  
1346 | authority is not satisfied with the results of the negotiations,  
1347 | it may, at its sole discretion, terminate negotiations with the  
1348 | proposer. If these negotiations are unsuccessful, the authority  
1349 | may go to the second and lower-ranked firms, in order, using the  
1350 | same procedure. If only one proposal is received, the authority

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1351 may negotiate in good faith, and if it is not satisfied with the  
 1352 results, it may, at its sole discretion, terminate negotiations  
 1353 with the proposer. The authority may, at its discretion, reject  
 1354 all proposals at any point in the process up to completion of a  
 1355 contract with the proposer.

1356 Section 25. Subsection (3) of section 348.7605, Florida  
 1357 Statutes, is amended to read:

1358 348.7605 Public-private partnership.—The Legislature  
 1359 declares that there is a public need for the rapid construction  
 1360 of safe and efficient transportation facilities for traveling  
 1361 within the state and that it is in the public's interest to  
 1362 provide for public-private partnership agreements to effectuate  
 1363 the construction of additional safe, convenient, and economical  
 1364 transportation facilities.

1365 (3) The authority may request proposals for public-private  
 1366 transportation projects or, if it receives an unsolicited  
 1367 proposal, it must publish a notice in the Florida Administrative  
 1368 Register and, as provided in chapter 50, by either Internet  
 1369 publication or by print in a newspaper of general circulation in  
 1370 the county in which the project ~~it~~ is located at least once a  
 1371 week for 2 weeks stating that it has received the proposal and  
 1372 will accept, for 60 days after the initial date of publication,  
 1373 other proposals for the same project purpose. A copy of the  
 1374 notice must be mailed to each local government in the affected  
 1375 areas. After the public notification period has expired, the

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1376 authority shall rank the proposals in order of preference. In  
 1377 ranking the proposals, the authority shall consider professional  
 1378 qualifications, general business terms, innovative engineering  
 1379 or cost-reduction terms, finance plans, and the need for state  
 1380 funds to deliver the proposal. If the authority is not satisfied  
 1381 with the results of the negotiations, it may, at its sole  
 1382 discretion, terminate negotiations with the proposer. If these  
 1383 negotiations are unsuccessful, the authority may go to the  
 1384 second and lower-ranked firms, in order, using the same  
 1385 procedure. If only one proposal is received, the authority may  
 1386 negotiate in good faith, and if it is not satisfied with the  
 1387 results, it may, at its sole discretion, terminate negotiations  
 1388 with the proposer. The authority may, at its discretion, reject  
 1389 all proposals at any point in the process up to completion of a  
 1390 contract with the proposer.

1391 Section 26. Section 373.0397, Florida Statutes, is amended  
 1392 to read:

1393 373.0397 Floridan and Biscayne aquifers; designation of  
 1394 prime groundwater recharge areas.—Upon preparation of an  
 1395 inventory of prime groundwater recharge areas for the Floridan  
 1396 or Biscayne aquifers, but prior to adoption by the governing  
 1397 board, the water management district shall publish a legal  
 1398 notice of public hearing on the designated areas for the  
 1399 Floridan and Biscayne aquifers, with a map delineating the  
 1400 boundaries of the areas, as provided ~~in newspapers defined in~~



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1401 chapter 50 ~~as having general circulation within the area to be~~  
 1402 ~~affected~~. The notice shall be at least one-fourth page and shall  
 1403 read as follows:

1404  
 1405 NOTICE OF PRIME RECHARGE  
 1406 AREA DESIGNATION

1407  
 1408 The ...(name of taxing authority)... proposes to designate  
 1409 specific land areas as areas of prime recharge to the ...(name  
 1410 of aquifer)... Aquifer.

1411 All concerned citizens are invited to attend a public  
 1412 hearing on the proposed designation to be held on ...(date and  
 1413 time)... at ...(meeting place)....

1414 A map of the affected areas follows.

1415  
 1416 The governing board of the water management district shall adopt  
 1417 a designation of prime groundwater recharge areas to the  
 1418 Floridan and Biscayne aquifers by rule within 120 days after the  
 1419 public hearing, subject to the provisions of chapter 120.

1420 Section 27. Section 373.146, Florida Statutes, is amended  
 1421 to read:

1422 373.146 Publication of notices, process, and papers.—

1423 (1) Whenever in this chapter the publication of any  
 1424 notice, process, or paper is required or provided for, unless  
 1425 otherwise provided by law, the publication thereof ~~in some~~

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1426 ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 is  
 1427 ~~having general circulation within the area to be affected shall~~  
 1428 ~~be taken and considered as being sufficient.~~

1429 (2) Notwithstanding any other provision of law to the  
 1430 contrary, and except in the case of emergency meetings, water  
 1431 management districts may provide reasonable notice of public  
 1432 meetings held to evaluate responses to solicitations issued by  
 1433 the water management district, by publication as provided in  
 1434 chapter 50 ~~in a newspaper of general paid circulation in the~~  
 1435 ~~county where the principal office of the water management~~  
 1436 ~~district is located, or in the county or counties where the~~  
 1437 ~~public work will be performed, no less than 7 days before such~~  
 1438 meeting.

1439 Section 28. Subsection (12) of section 403.722, Florida  
 1440 Statutes, is amended to read:

1441 403.722 Permits; hazardous waste disposal, storage, and  
 1442 treatment facilities.—

1443 (12) On the same day of filing with the department of an  
 1444 application for a permit for the construction modification, or  
 1445 operation of a hazardous waste facility, the applicant shall  
 1446 notify each city and county within 1 mile of the facility of the  
 1447 filing of the application and shall publish notice of the filing  
 1448 of the application. The applicant shall publish a second notice  
 1449 of the filing within 14 days after the date of filing. Each  
 1450 notice shall be published as provided in chapter 50 ~~in a~~

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1451 ~~newspaper of general circulation~~ in the county in which the  
 1452 facility is located or is proposed to be located.  
 1453 ~~Notwithstanding the provisions of chapter 50, for purposes of~~  
 1454 ~~this section, a "newspaper of general circulation" shall be the~~  
 1455 ~~newspaper within the county in which the installation or~~  
 1456 ~~facility is proposed which has the largest daily circulation in~~  
 1457 ~~that county and has its principal office in that county. If the~~  
 1458 ~~newspaper with the largest daily circulation has its principal~~  
 1459 ~~office outside the county, the notice shall appear in both the~~  
 1460 ~~newspaper with the largest daily circulation in that county, and~~  
 1461 ~~a newspaper authorized to publish legal notices in that county.~~

1462 The notice shall contain:

1463 (a) The name of the applicant and a brief description of  
 1464 the project and its location.

1465 (b) The location of the application file and when it is  
 1466 available for public inspection.

1467  
 1468 The notice shall be prepared by the applicant and shall comply  
 1469 with the following format:

1470  
 1471 Notice of Application

1472 The Department of Environmental Protection announces receipt of  
 1473 an application for a permit from ...(name of applicant)... to  
 1474 ...(brief description of project).... This proposed project will  
 1475 be located at ...(location)... in ...(county)... ...(city)....

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1476  
 1477 This application is being processed and is available for public  
 1478 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,  
 1479 Monday through Friday, except legal holidays, at ... (name and  
 1480 address of office)....

1481 Section 29. Subsection (5) of section 849.38, Florida  
 1482 Statutes, is amended to read:

1483 849.38 Proceedings for forfeiture; notice of seizure and  
 1484 order to show cause.—

1485 (5) If the value of the property seized is shown by the  
 1486 sheriff's return to have an appraised value of \$1,000 or less,  
 1487 the above citation shall be served by posting at three public  
 1488 places in the county, one of which shall be the front door of  
 1489 the courthouse; if the value of the property is shown by the  
 1490 sheriff's return to have an approximate value of more than  
 1491 \$1,000, the citation shall be published by print or posted for  
 1492 at least 2 consecutive weeks on a newspaper's website and the  
 1493 statewide legal notice website in accordance with s. 50.0211(5).  
 1494 If published in print, the citation shall appear at least once  
 1495 each week for 2 consecutive weeks in a ~~some~~ newspaper qualified  
 1496 to publish legal notices under chapter 50 that is ~~of general~~  
 1497 publication published in the county, if there is ~~be~~ such a  
 1498 newspaper published in the county. ~~and~~ If there is no such  
 1499 newspaper ~~not, the then said~~ notice of such publication shall be  
 1500 made by certificate of the clerk if publication is made by

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1501 posting, and by affidavit as provided in chapter 50, if made by  
 1502 publication as provided in chapter 50 ~~in a newspaper~~, which  
 1503 affidavit or certificate shall be filed and become a part of the  
 1504 record in the cause. Failure of the record to show proof of such  
 1505 publication shall not affect any judgment made in the cause  
 1506 unless it shall affirmatively appear that no such publication  
 1507 was made.

1508 Section 30. Paragraph (a) of subsection (6) of section  
 1509 932.704, Florida Statutes, is amended to read:

1510 932.704 Forfeiture proceedings.—

1511 (6) (a) If the property is required by law to be titled or  
 1512 registered, or if the owner of the property is known in fact to  
 1513 the seizing agency, or if the seized property is subject to a  
 1514 perfected security interest in accordance with the Uniform  
 1515 Commercial Code, chapter 679, the attorney for the seizing  
 1516 agency shall serve the forfeiture complaint as an original  
 1517 service of process under the Florida Rules of Civil Procedure  
 1518 and other applicable law to each person having an ownership or  
 1519 security interest in the property. The seizing agency shall also  
 1520 publish, in accordance with chapter 50, notice of the forfeiture  
 1521 complaint for 2 consecutive weeks on a newspaper's website and  
 1522 the statewide legal notice website in accordance with s.  
 1523 50.0211(5) or, if published in print, once each week for 2  
 1524 consecutive weeks in a newspaper qualified to publish legal  
 1525 notices under chapter 50 ~~of general circulation, as defined in~~

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1526 | ~~s. 165.031~~, in the county where the seizure occurred.

1527 |       Section 31. This act shall take effect January 1, 2022.