

By the Committee on Judiciary; and Senator Rodrigues

590-03199-21

2021402c1

1 A bill to be entitled
2 An act relating to legal notices; amending s. 50.011,
3 F.S.; revising requirements for newspapers that are
4 qualified to publish legal notices; authorizing the
5 Internet publication of legal notices on certain
6 websites in lieu of print publication in a newspaper;
7 amending s. 50.021, F.S.; conforming provisions to
8 changes made by the act; amending s. 50.0211, F.S.;
9 defining the term "governmental agency"; requiring the
10 Florida Press Association to consult with the Black
11 Press Association of Florida for a specified purpose;
12 authorizing a governmental agency to opt for Internet-
13 only publication of legal notices with any newspaper
14 of general circulation within the state if certain
15 conditions are met; specifying requirements for the
16 placement, format, and accessibility of any such legal
17 notices; requiring the newspaper to display a
18 specified disclaimer regarding the posting of legal
19 notices; authorizing a newspaper to charge for
20 Internet-only publication, subject to specified
21 limitations; specifying applicable penalties for
22 unauthorized rebates, commissions, or refunds in
23 connection with publication charges; requiring a
24 governmental agency that publishes certain legal
25 notices by Internet-only publication to publish a
26 specified notice in the print edition of a local
27 newspaper; amending s. 50.031, F.S.; conforming
28 provisions to changes made by the act; amending ss.
29 50.041 and 50.051, F.S.; revising provisions governing

590-03199-21

2021402c1

30 the uniform affidavit establishing proof of
31 publication to conform to changes made by the act;
32 amending s. 83.806, F.S.; providing that an
33 advertisement of a sale or disposition of property may
34 be published on certain websites for a specified time
35 period; amending ss. 11.02, 45.031, 120.81, 121.0511,
36 121.055, 125.66, 162.12, 166.041, 189.015, 190.005,
37 190.046, 194.037, 197.402, 200.065, 338.223, 348.0308,
38 348.635, 348.7605, 373.0397, 373.146, 403.722, 712.06,
39 849.38, 865.09, and 932.704, F.S.; conforming
40 provisions to changes made by the act; providing an
41 effective date.

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. Section 50.011, Florida Statutes, is amended to
46 read:

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

590-03199-21

2021402c1

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

70 (2) By Internet publication on the website of any newspaper
71 of general circulation in this state that otherwise meets the
72 criteria specified in subsection (1) and on the statewide legal
73 notice website as provided under s. 50.0211(5).

74 Section 2. Section 50.021, Florida Statutes, is amended to
75 read:

76 50.021 Publication when no newspaper in county.—When any
77 law, or order or decree of court, directs ~~shall direct~~
78 advertisements to be made in a any county and there is ~~be~~ no
79 newspaper published in the ~~said~~ county, the advertisement may be
80 made by posting on the website of any newspaper of general
81 circulation in this state and on the statewide legal notice
82 website as provided in s. 50.0211(5) or posting three copies
83 thereof in three different places in the ~~said~~ county, one of
84 which shall be at the front door of the courthouse, and by
85 publication in the nearest county in which a newspaper is
86 published.

87 Section 3. Section 50.0211, Florida Statutes, is amended to

590-03199-21

2021402c1

88 read:

89 50.0211 Internet website publication.—

90 (1) As used in this section, the term "governmental agency"
91 means a county, municipality, district school board, or other
92 unit of local government or political subdivision in this state.

93 (2) This section applies to legal notices that must be
94 published in accordance with this chapter unless otherwise
95 specified.

96 (3)~~(2)~~ If a governmental agency publishes a legal notice in
97 the print edition of a newspaper, each legal notice must be
98 posted on the newspaper's website on the same day that the
99 printed notice appears in the newspaper, at no additional
100 charge, in a separate web page titled "Legal Notices," "Legal
101 Advertising," or comparable identifying language. A link to the
102 legal notices web page shall be provided on the front page of
103 the newspaper's website that provides access to the legal
104 notices. If there is a specified size and placement required for
105 a printed legal notice, the size and placement of the notice on
106 the newspaper's website must optimize its online visibility in
107 keeping with the print requirements. The newspaper's web pages
108 that contain legal notices must present the legal notices as the
109 dominant and leading subject matter of those pages. The
110 newspaper's website must contain a search function to facilitate
111 searching the legal notices. A fee may not be charged, and
112 registration may not be required, for viewing or searching legal
113 notices on a newspaper's website if the legal notice is
114 published in a newspaper.

115 (4) (a) ~~(3) (a)~~ If a legal notice is published in the print
116 edition of a newspaper or on a newspaper's website, the

590-03199-21

2021402c1

117 newspaper publishing the notice shall place the notice on the
118 statewide website established and maintained as an initiative of
119 the Florida Press Association as a repository for such notices
120 located at the following address: www.floridapublicnotices.com.

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

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

126 (c) The statewide website created under this subsection
127 shall maintain a searchable archive of all legal notices posted
128 on the publicly accessible website ~~on or after October 1, 2014,~~
129 for 18 months after the first day of posting. Such searchable
130 archive shall be provided and accessible to the general public
131 without charge.

132 (d) In its operation of the statewide website, the Florida
133 Press Association shall consult with the Black Press Association
134 of Florida to ensure that minority populations throughout the
135 state have equitable access to legal notices that are posted on
136 the Internet.

137 (5) (a) In lieu of publishing a legal notice in the print
138 edition of a newspaper of general circulation within the
139 jurisdiction of the affected governmental agency, a governmental
140 agency may opt for Internet-only publication with any newspaper
141 of general circulation within this state so long as the
142 governmental agency determines that the Internet publication of
143 such notice would not unreasonably restrict public access. Any
144 such notice that is published only on the Internet in accordance
145 with this subsection must be placed in the legal notices section

590-03199-21

2021402c1

146 of the newspaper's website and the statewide website established
147 under subsection (4). All requirements regarding the format and
148 accessibility of legal notices placed on the newspaper's website
149 and the statewide website in subsections (3) and (4) also apply
150 to legal notices that are published only on the Internet in
151 accordance with this subsection.

152 (b) The legal notices section of the print edition of a
153 newspaper and a newspaper's website must include a disclaimer
154 stating that the listing of legal notices may not include all
155 legal notices affecting the area of distribution of the
156 newspaper and that additional legal notices may be accessed on
157 the statewide legal notice website.

158 (c) A newspaper may charge for the publication of any legal
159 notice that is published only on the newspaper's website,
160 without rebate, commission, or refund; however, the newspaper
161 may not charge any higher rate for publication than the amount
162 that would be authorized under s. 50.061 if the legal notice had
163 been printed in the newspaper. The penalties prescribed in s.
164 50.061(7) for allowing or accepting any rebate, commission, or
165 refund in connection to the amounts charged for publication also
166 apply to any legal notices that are published only on the
167 Internet in accordance with this subsection.

168 (d) If a governmental agency exercises the option to
169 publish legal notices on the Internet in accordance with this
170 subsection, such agency must provide notice at least once per
171 week in the print edition of a newspaper of general circulation
172 within the region in which the governmental agency is located
173 which states that legal notices pertaining to the agency do not
174 all appear in the print edition of the local newspaper and that

590-03199-21

2021402c1

175 a full listing of any legal notices may be accessed on the
176 statewide legal notice website located at
177 www.floridapublicnotices.com.

178 (6)-(4) Newspapers that publish legal notices shall, upon
179 request, provide e-mail notification of new legal notices when
180 they are published ~~printed~~ in the newspaper or on ~~and added to~~
181 the newspaper's website. Such e-mail notification shall be
182 provided without charge, and notification for such an e-mail
183 registry shall be available on the front page of the legal
184 notices section of the newspaper's website.

185 Section 4. Section 50.031, Florida Statutes, is amended to
186 read:

187 50.031 Newspapers in which legal notices and process may be
188 published.—No notice or publication required to be published in
189 the print edition of a newspaper or on a newspaper's website in
190 the nature of or in lieu of process of any kind, nature,
191 character or description provided for under any law of the
192 state, whether heretofore or hereafter enacted, and whether
193 pertaining to constructive service, or the initiating, assuming,
194 reviewing, exercising or enforcing jurisdiction or power, by any
195 court in this state, or any notice of sale of property, real or
196 personal, for taxes, state, county or municipal, or sheriff's,
197 guardian's or administrator's or any sale made pursuant to any
198 judicial order, decree or statute or any other publication or
199 notice pertaining to any affairs of the state, or any county,
200 municipality or other political subdivision thereof, shall be
201 deemed to have been published in accordance with the statutes
202 providing for such publication, unless the same shall have been
203 published for the prescribed period of time required for such

590-03199-21

2021402c1

204 publication, in a newspaper which at the time of such
205 publication shall have been in existence for 1 year ~~and shall~~
206 ~~have been entered as periodicals matter at a post office in the~~
207 ~~county where published,~~ or in a newspaper which is a direct
208 successor of a newspaper which has ~~together have~~ been so
209 published; provided, however, that nothing herein contained
210 shall apply where in any county there shall be no newspaper in
211 existence which shall have been published for the length of time
212 above prescribed. No legal publication of any kind, nature or
213 description, as herein defined, shall be valid or binding or
214 held to be in compliance with the statutes providing for such
215 publication unless the same shall have been published in
216 accordance with the provisions of this section or s. 50.0211(5).
217 Proof of such publication shall be made by uniform affidavit.

218 Section 5. Section 50.041, Florida Statutes, is amended to
219 read:

220 50.041 Proof of publication; uniform affidavits required.-

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

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

590-03199-21

2021402c1

233 form, provided the notarization of the affidavit complies with
 234 the requirements of s. 117.021.

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

242 Section 6. Section 50.051, Florida Statutes, is amended to
 243 read:

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

248 NAME OF COUNTY ~~NEWSPAPER~~
 249 ~~Published (Weekly or Daily)~~
 250 ~~(Town or City) (County) FLORIDA~~

251 STATE OF FLORIDA

252

253 COUNTY OF:

254 Before the undersigned authority personally appeared,
 255 who on oath says that he or she is of the, a
 256 newspaper published at in County, Florida; that the
 257 attached copy of advertisement, being a in the matter of
 258 in the Court, was published in said newspaper by print
 259 in the issues of or by publication on the newspaper's
 260 website on ... (date)....

261 Affiant further says that the newspaper complies with all

590-03199-21

2021402c1

262 legal requirements for publication in chapter 50, Florida
 263 Statutes said ~~.... is a newspaper published at, in said~~
 264 ~~.... County, Florida, and that the said newspaper has heretofore~~
 265 ~~been continuously published in said County, Florida, each~~
 266 ~~.... and has been entered as periodicals matter at the post~~
 267 ~~office in, in said County, Florida, for a period of 1~~
 268 ~~year next preceding the first publication of the attached copy~~
 269 ~~of advertisement; and affiant further says that he or she has~~
 270 ~~neither paid nor promised any person, firm or corporation any~~
 271 ~~discount, rebate, commission or refund for the purpose of~~
 272 ~~securing this advertisement for publication in the said~~
 273 ~~newspaper.~~

274
 275 Sworn to and subscribed before me this day of,
 276 ... (year) ..., by, who is personally known to me or who has
 277 produced (type of identification) as identification.

278
 279 ... (Signature of Notary Public) ...

280
 281 ... (Print, Type, or Stamp Commissioned Name of Notary Public) ...

282
 283 ... (Notary Public) ...

284 Section 7. Subsection (4) of section 83.806, Florida
 285 Statutes, is amended to read:

286 83.806 Enforcement of lien.—An owner’s lien as provided in
 287 s. 83.805 may be satisfied as follows:

288 (4) After the expiration of the time given in the notice,
 289 an advertisement of the sale or other disposition shall be
 290 published once a week for 2 consecutive weeks in a newspaper of

590-03199-21

2021402c1

291 general circulation in the area where the self-service storage
292 facility or self-contained storage unit is located or published
293 continuously for 14 consecutive days on a public website that
294 customarily conducts personal property auctions.

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

301 (b) The advertisement shall include:

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

305 2. The address of the self-service storage facility or the
306 address where the self-contained storage unit is located and the
307 name of the tenant.

308 3. The time, place, and manner of the sale or other
309 disposition. The sale or other disposition shall take place at
310 least 15 days after the first publication.

311 (c) If there is no newspaper of general circulation in the
312 area where the self-service storage facility or self-contained
313 storage unit is located, the advertisement shall be posted at
314 least 10 days before the date of the sale or other disposition
315 in at least three conspicuous places in the neighborhood where
316 the self-service storage facility or self-contained storage unit
317 is located or published continuously for 14 consecutive days on
318 a public website that customarily conducts personal property
319 auctions.

590-03199-21

2021402c1

320 Section 8. Section 11.02, Florida Statutes, is amended to
321 read:

322 11.02 Notice of special or local legislation or certain
323 relief acts.—The notice required to obtain special or local
324 legislation or any relief act specified in s. 11.065 shall be by
325 publishing the identical notice ~~in each county involved in some~~
326 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~
327 circulated throughout the county or counties where the matter or
328 thing to be affected by such legislation shall be situated one
329 time at least 30 days before introduction of the proposed law
330 into the Legislature or, if the notice is not made by Internet
331 publication as provided in s. 50.0211(5) and there being no
332 newspaper circulated throughout or published in the county, by
333 posting for at least 30 days at not less than three public
334 places in the county or each of the counties, one of which
335 places shall be at the courthouse in the county or counties
336 where the matter or thing to be affected by such legislation
337 shall be situated. Notice of special or local legislation shall
338 state the substance of the contemplated law, as required by s.
339 10, Art. III of the State Constitution. Notice of any relief act
340 specified in s. 11.065 shall state the name of the claimant, the
341 nature of the injury or loss for which the claim is made, and
342 the amount of the claim against the affected municipality's
343 revenue-sharing trust fund.

344 Section 9. Subsection (2) of section 45.031, Florida
345 Statutes, is amended to read:

346 45.031 Judicial sales procedure.—In any sale of real or
347 personal property under an order or judgment, the procedures
348 provided in this section and ss. 45.0315-45.035 may be followed

590-03199-21

2021402c1

349 as an alternative to any other sale procedure if so ordered by
350 the court.

351 (2) PUBLICATION OF SALE.—Notice of sale shall be published
352 by Internet publication in accordance with s. 50.0211(5) for at
353 least 2 consecutive weeks before the sale or, if published in
354 print, once a week for 2 consecutive weeks in a newspaper of
355 general circulation, ~~as provided defined~~ in chapter 50,
356 published in the county where the sale is to be held. The second
357 publication by print shall be at least 5 days before the sale.
358 The notice shall contain:

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

360 (b) The time and place of sale.

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

363 (d) The caption of the action.

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

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

369
370 The court, in its discretion, may enlarge the time of the sale.
371 Notice of the changed time of sale shall be published as
372 provided herein.

373 Section 10. Paragraph (d) of subsection (1) of section
374 120.81, Florida Statutes, is amended to read:

375 120.81 Exceptions and special requirements; general areas.—

376 (1) EDUCATIONAL UNITS.—

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

590-03199-21

2021402c1

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

382 1. By publication in the print edition of a newspaper of
383 general circulation in the affected area or by Internet
384 publication in accordance with s. 50.0211(5);

385 2. By mail to all persons who have made requests of the
386 educational unit for advance notice of its proceedings and to
387 organizations representing persons affected by the proposed
388 rule; and

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

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

394 121.0511 Revocation of election and alternative plan.—The
395 governing body of any municipality or independent special
396 district that has elected to participate in the Florida
397 Retirement System may revoke its election in accordance with the
398 following procedure:

399 (2) At least 7 days, but not more than 15 days, before the
400 hearing, notice of intent to revoke, specifying the time and
401 place of the hearing, must be published as provided in chapter
402 50 ~~in a newspaper of general circulation in the area affected,~~
403 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the
404 notice must be submitted to the Department of Management
405 Services.

406 Section 12. Paragraphs (b) and (h) of subsection (1) of

590-03199-21

2021402c1

407 section 121.055, Florida Statutes, are amended to read:

408 121.055 Senior Management Service Class.—There is hereby
409 established a separate class of membership within the Florida
410 Retirement System to be known as the “Senior Management Service
411 Class,” which shall become effective February 1, 1987.

412 (1)

413 (b)1. Except as provided in subparagraph 2., effective
414 January 1, 1990, participation in the Senior Management Service
415 Class is compulsory for the president of each community college,
416 the manager of each participating municipality or county, and
417 all appointed district school superintendents. Effective January
418 1, 1994, additional positions may be designated for inclusion in
419 the Senior Management Service Class if:

420 a. Positions to be included in the class are designated by
421 the local agency employer. Notice of intent to designate
422 positions for inclusion in the class must be published for at
423 least 2 consecutive weeks if published by Internet publication
424 as provided in s. 50.0211(5) or, if published in print, once a
425 week for 2 consecutive weeks in a newspaper of general
426 circulation published in the county or counties affected, ~~as~~
427 provided in chapter 50.

428 b. Up to 10 nonelective full-time positions may be
429 designated for each local agency employer reporting to the
430 department; for local agencies with 100 or more regularly
431 established positions, additional nonelective full-time
432 positions may be designated, not to exceed 1 percent of the
433 regularly established positions within the agency.

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

590-03199-21

2021402c1

436 to continuing contract and serves at the pleasure of the local
437 agency employer without civil service protection, and who:

438 (I) Heads an organizational unit; or

439 (II) Has responsibility to effect or recommend personnel,
440 budget, expenditure, or policy decisions in his or her areas of
441 responsibility.

442 2. In lieu of participation in the Senior Management
443 Service Class, members of the Senior Management Service Class,
444 pursuant to subparagraph 1., may withdraw from the Florida
445 Retirement System altogether. The decision to withdraw from the
446 system is irrevocable as long as the employee holds the
447 position. Any service creditable under the Senior Management
448 Service Class shall be retained after the member withdraws from
449 the system; however, additional service credit in the Senior
450 Management Service Class may not be earned after such
451 withdrawal. Such members are not eligible to participate in the
452 Senior Management Service Optional Annuity Program.

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

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

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

590-03199-21

2021402c1

465 (I) The cost for such credit shall be an amount
466 representing the actuarial accrued liability for the affected
467 period of service. The cost shall be calculated using the
468 discount rate and other relevant actuarial assumptions that were
469 used to value the pension plan liabilities in the most recent
470 actuarial valuation. The calculation must include any service
471 already maintained under the pension plan in addition to the
472 period of withdrawal. The actuarial accrued liability
473 attributable to any service already maintained under the pension
474 plan shall be applied as a credit to the total cost resulting
475 from the calculation. The division must ensure that the transfer
476 sum is prepared using a formula and methodology certified by an
477 actuary.

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

483 (h)1. Except as provided in subparagraph 3., effective
484 January 1, 1994, participation in the Senior Management Service
485 Class shall be compulsory for the State Courts Administrator and
486 the Deputy State Courts Administrators, the Clerk of the Supreme
487 Court, the Marshal of the Supreme Court, the Executive Director
488 of the Justice Administrative Commission, the capital collateral
489 regional counsel, the clerks of the district courts of appeals,
490 the marshals of the district courts of appeals, and the trial
491 court administrator and the Chief Deputy Court Administrator in
492 each judicial circuit. Effective January 1, 1994, additional
493 positions in the offices of the state attorney and public

590-03199-21

2021402c1

494 defender in each judicial circuit may be designated for
495 inclusion in the Senior Management Service Class of the Florida
496 Retirement System, provided that:

497 a. Positions to be included in the class shall be
498 designated by the state attorney or public defender, as
499 appropriate. Notice of intent to designate positions for
500 inclusion in the class shall be published for at least 2
501 consecutive weeks by Internet publication as provided in s.
502 50.0211(5) or, if published in print, once a week for 2
503 consecutive weeks in a newspaper of general circulation
504 published in the county or counties affected, ~~as provided in~~
505 chapter 50.

506 b. One nonelective full-time position may be designated for
507 each state attorney and public defender reporting to the
508 Department of Management Services; for agencies with 200 or more
509 regularly established positions under the state attorney or
510 public defender, additional nonelective full-time positions may
511 be designated, not to exceed 0.5 percent of the regularly
512 established positions within the agency.

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

517 (I) Heads an organizational unit; or

518 (II) Has responsibility to effect or recommend personnel,
519 budget, expenditure, or policy decisions in his or her areas of
520 responsibility.

521 2. Participation in this class shall be compulsory, except
522 as provided in subparagraph 3., for any judicial employee who

590-03199-21

2021402c1

523 holds a position designated for coverage in the Senior
524 Management Service Class, and such participation shall continue
525 until the employee terminates employment in a covered position.
526 Effective January 1, 2001, participation in this class is
527 compulsory for assistant state attorneys, assistant statewide
528 prosecutors, assistant public defenders, and assistant capital
529 collateral regional counsel. Effective January 1, 2002,
530 participation in this class is compulsory for assistant
531 attorneys general.

532 3. In lieu of participation in the Senior Management
533 Service Class, such members, excluding assistant state
534 attorneys, assistant public defenders, assistant statewide
535 prosecutors, assistant attorneys general, and assistant capital
536 collateral regional counsel, may participate in the Senior
537 Management Service Optional Annuity Program as established in
538 subsection (6).

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

542 125.66 Ordinances; enactment procedure; emergency
543 ordinances; rezoning or change of land use ordinances or
544 resolutions.-

545 (2) (a) The regular enactment procedure shall be as follows:
546 The board of county commissioners at any regular or special
547 meeting may enact or amend any ordinance, except as provided in
548 subsection (4), if notice of intent to consider such ordinance
549 is given at least 10 days before such ~~prior to said~~ meeting by
550 publication as provided in chapter 50 ~~in a newspaper of general~~
551 ~~circulation in the county~~. A copy of such notice shall be kept

590-03199-21

2021402c1

552 available for public inspection during the regular business
553 hours of the office of the clerk of the board of county
554 commissioners. The notice of proposed enactment shall state the
555 date, time, and place of the meeting; the title or titles of
556 proposed ordinances; and the place or places within the county
557 where such proposed ordinances may be inspected by the public.
558 The notice shall also advise that interested parties may appear
559 at the meeting and be heard with respect to the proposed
560 ordinance.

561 (4) Ordinances or resolutions, initiated by other than the
562 county, that change the actual zoning map designation of a
563 parcel or parcels of land shall be enacted pursuant to
564 subsection (2). Ordinances or resolutions that change the actual
565 list of permitted, conditional, or prohibited uses within a
566 zoning category, or ordinances or resolutions initiated by the
567 county that change the actual zoning map designation of a parcel
568 or parcels of land shall be enacted pursuant to the following
569 procedure:

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

576 1. The board of county commissioners shall hold two
577 advertised public hearings on the proposed ordinance or
578 resolution. At least one hearing shall be held after 5 p.m. on a
579 weekday, unless the board of county commissioners, by a majority
580 plus one vote, elects to conduct that hearing at another time of

590-03199-21

2021402c1

581 day. The first public hearing shall be held at least 7 days
582 after the day that the first advertisement is published. The
583 second hearing shall be held at least 10 days after the first
584 hearing and shall be advertised at least 5 days prior to the
585 public hearing.

586 2. If published in the print edition of a newspaper, the
587 required advertisements shall be no less than 2 columns wide by
588 10 inches long in a standard size or a tabloid size newspaper,
589 and the headline in the advertisement shall be in a type no
590 smaller than 18 point. The advertisement shall not be placed in
591 that portion of the newspaper where legal notices and classified
592 advertisements appear. The advertisement shall be placed in a
593 newspaper ~~of general paid circulation~~ in the county and of
594 general interest and readership in the community pursuant to
595 chapter 50, not one of limited subject matter. It is the
596 legislative intent that, whenever possible, the advertisement
597 shall appear in a newspaper that is published at least weekly ~~5~~
598 ~~days a week~~ unless the only newspaper in the community is
599 published less than weekly ~~5 days a week~~. The advertisement
600 shall be in substantially the following form:

601 NOTICE OF (TYPE OF) CHANGE

602
603 The ...(name of local governmental unit)... proposes to
604 adopt the following by ordinance or resolution:...(title of
605 ordinance or resolution)....

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

608
609 Except for amendments which change the actual list of permitted,

590-03199-21

2021402c1

610 conditional, or prohibited uses within a zoning category, the
611 advertisement shall contain a geographic location map which
612 clearly indicates the area within the local government covered
613 by the proposed ordinance or resolution. The map shall include
614 major street names as a means of identification of the general
615 area. If In addition to being published in the print edition of
616 the newspaper, the map must be part of any the online notice
617 made required pursuant to s. 50.0211.

618 3. In lieu of publishing the advertisements set out in this
619 paragraph, the board of county commissioners may mail a notice
620 to each person owning real property within the area covered by
621 the ordinance or resolution. Such notice shall clearly explain
622 the proposed ordinance or resolution and shall notify the person
623 of the time, place, and location of both public hearings on the
624 proposed ordinance or resolution.

625 Section 14. Paragraph (a) of subsection (2) of section
626 162.12, Florida Statutes, is amended to read:

627 162.12 Notices.—

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

632 (a)1. Such notice shall be published for 4 consecutive
633 weeks on a newspaper's website and the statewide legal notice
634 website as provided in s. 50.0211(5) or, if published in print,
635 once during each week for 4 consecutive weeks (four publications
636 being sufficient) in a newspaper of general circulation in the
637 county where the code enforcement board is located. The
638 newspaper shall meet such requirements as are prescribed under

590-03199-21

2021402c1

639 chapter 50 for legal and official advertisements.

640 2. Proof of publication shall be made as provided in ss.
641 50.041 and 50.051.

642 Section 15. Paragraph (c) of subsection (3) of section
643 166.041, Florida Statutes, is amended to read:

644 166.041 Procedures for adoption of ordinances and
645 resolutions.—

646 (3)

647 (c) Ordinances initiated by other than the municipality
648 that change the actual zoning map designation of a parcel or
649 parcels of land shall be enacted pursuant to paragraph (a).
650 Ordinances that change the actual list of permitted,
651 conditional, or prohibited uses within a zoning category, or
652 ordinances initiated by the municipality that change the actual
653 zoning map designation of a parcel or parcels of land shall be
654 enacted pursuant to the following procedure:

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

590-03199-21

2021402c1

668 office of the clerk of the governing body. The governing body
669 shall hold a public hearing on the proposed ordinance and may,
670 upon the conclusion of the hearing, immediately adopt the
671 ordinance.

672 2. In cases in which the proposed ordinance changes the
673 actual list of permitted, conditional, or prohibited uses within
674 a zoning category, or changes the actual zoning map designation
675 of a parcel or parcels of land involving 10 contiguous acres or
676 more, the governing body shall provide for public notice and
677 hearings as follows:

678 a. The local governing body shall hold two advertised
679 public hearings on the proposed ordinance. At least one hearing
680 shall be held after 5 p.m. on a weekday, unless the local
681 governing body, by a majority plus one vote, elects to conduct
682 that hearing at another time of day. The first public hearing
683 shall be held at least 7 days after the day that the first
684 advertisement is published. The second hearing shall be held at
685 least 10 days after the first hearing and shall be advertised at
686 least 5 days prior to the public hearing.

687 b. If published in the print edition of a newspaper, the
688 required advertisements shall be no less than 2 columns wide by
689 10 inches long in a standard size or a tabloid size newspaper,
690 and the headline in the advertisement shall be in a type no
691 smaller than 18 point. The advertisement shall not be placed in
692 that portion of the newspaper where legal notices and classified
693 advertisements appear. The advertisement shall be placed in a
694 newspaper ~~of general paid circulation~~ in the municipality and of
695 general interest and readership in the municipality, not one of
696 limited subject matter, pursuant to chapter 50. It is the

590-03199-21

2021402c1

697 legislative intent that, whenever possible, the advertisement
698 appear in a newspaper that is published at least weekly ~~5 days a~~
699 ~~week~~ unless the only newspaper in the municipality is published
700 less than weekly ~~5 days a week~~. The advertisement shall be in
701 substantially the following form:

702
703 NOTICE OF (TYPE OF) CHANGE
704

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

707 A public hearing on the ordinance will be held on ...(date
708 and time)... at ...(meeting place)....
709

710 Except for amendments which change the actual list of permitted,
711 conditional, or prohibited uses within a zoning category, the
712 advertisement shall contain a geographic location map which
713 clearly indicates the area covered by the proposed ordinance.
714 The map shall include major street names as a means of
715 identification of the general area. If ~~In addition to being~~
716 ~~published in the print edition of the~~ newspaper, the map must
717 also be part of any ~~the~~ online notice made ~~required~~ pursuant to
718 s. 50.0211.

719 c. In lieu of publishing the advertisement set out in this
720 paragraph, the municipality may mail a notice to each person
721 owning real property within the area covered by the ordinance.
722 Such notice shall clearly explain the proposed ordinance and
723 shall notify the person of the time, place, and location of any
724 public hearing on the proposed ordinance.

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

590-03199-21

2021402c1

726 Statutes, is amended to read:

727 189.015 Meetings; notice; required reports.-

728 (1) The governing body of each special district shall file
729 quarterly, semiannually, or annually a schedule of its regular
730 meetings with the local governing authority or authorities. The
731 schedule shall include the date, time, and location of each
732 scheduled meeting. The schedule shall be published quarterly,
733 semiannually, or annually ~~in a newspaper of general paid~~
734 ~~circulation~~ in the manner required in this subsection. The
735 governing body of an independent special district shall
736 advertise the day, time, place, and purpose of any meeting other
737 than a regular meeting or any recessed and reconvened meeting of
738 the governing body, at least 7 days before such meeting as
739 provided in chapter 50, ~~in a newspaper of general paid~~
740 ~~circulation in the county or counties in which the special~~
741 ~~district is located~~, unless a bona fide emergency situation
742 exists, in which case a meeting to deal with the emergency may
743 be held as necessary, with reasonable notice, so long as it is
744 subsequently ratified by the governing body. No approval of the
745 annual budget shall be granted at an emergency meeting. The
746 notice shall be posted as provided in advertisement shall be
747 ~~placed in that portion of the newspaper where legal notices and~~
748 ~~classified advertisements appear. The advertisement shall appear~~
749 ~~in a newspaper that is published at least 5 days a week, unless~~
750 ~~the only newspaper in the county is published fewer than 5 days~~
751 ~~a week. The newspaper selected must be one of general interest~~
752 ~~and readership in the community and not one of limited subject~~
753 ~~matter, pursuant to chapter 50. Any other provision of law to~~
754 the contrary notwithstanding, and except in the case of

590-03199-21

2021402c1

755 emergency meetings, water management districts may provide
756 reasonable notice of public meetings held to evaluate responses
757 to solicitations issued by the water management district, by
758 publication as provided in chapter 50 by Internet publication or
759 by publication in a newspaper ~~of general paid circulation~~ in the
760 county where the principal office of the water management
761 district is located, or in the county or counties where the
762 public work will be performed, no less than 7 days before such
763 meeting.

764 Section 17. Paragraph (d) of subsection (1) of section
765 190.005, Florida Statutes, is amended to read:

766 190.005 Establishment of district.—

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

773 (d) A local public hearing on the petition shall be
774 conducted by a hearing officer in conformance with the
775 applicable requirements and procedures of the Administrative
776 Procedure Act. The hearing shall include oral and written
777 comments on the petition pertinent to the factors specified in
778 paragraph (e). The hearing shall be held at an accessible
779 location in the county in which the community development
780 district is to be located. The petitioner shall cause a notice
781 of the hearing to be published for 4 successive weeks on a
782 newspaper's website and the statewide legal notice website
783 provided in s. 50.0211(5) or, if published in print, in a

590-03199-21

2021402c1

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

808 Section 18. Paragraph (h) of subsection (1) of section
809 190.046, Florida Statutes, is amended to read:

810 190.046 Termination, contraction, or expansion of
811 district.—

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

590-03199-21

2021402c1

813 expand the boundaries of a community development district in the
814 following manner:

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

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

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

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

590-03199-21

2021402c1

842 district;

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

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

845 e. A description of the development proposed on the
846 additional parcel; and

847 f. A copy of the original petition identifying the parcel
848 to be added.

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

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

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

590-03199-21

2021402c1

871 deliver, including by mail or hand delivery, the notice of the
872 hearing on the ordinance amendment to the owner of the parcel
873 and to the district at least 14 days before the scheduled
874 hearing.

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

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

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

889 194.037 Disclosure of tax impact.—

890 (1) After hearing all petitions, complaints, appeals, and
891 disputes, the clerk shall make public notice of the findings and
892 results of the board as provided in chapter 50. If published in
893 the print edition of a newspaper, the notice must be in at least
894 a quarter-page size advertisement of a standard size or tabloid
895 size newspaper, and the headline shall be in a type no smaller
896 than 18 point. The advertisement shall not be placed in that
897 portion of the newspaper where legal notices and classified
898 advertisements appear. The advertisement shall be published in a
899 newspaper ~~of general paid circulation~~ in the county. The

590-03199-21

2021402c1

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

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

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

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

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

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

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

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

590-03199-21

2021402c1

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

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

941 197.402 Advertisement of real or personal property with
942 delinquent taxes.—

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

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

950 200.065 Method of fixing millage.—

951 (3) The advertisement shall be published as provided in
952 chapter 50. If the advertisement is published in the print
953 edition of a newspaper, the advertisement must be no less than
954 one-quarter page in size of a standard size or a tabloid size
955 newspaper, and the headline in the advertisement shall be in a
956 type no smaller than 18 point. The advertisement shall not be
957 placed in that portion of the newspaper where legal notices and

590-03199-21

2021402c1

958 classified advertisements appear. The advertisement shall be
 959 published in a newspaper ~~of general paid circulation~~ in the
 960 county or in a geographically limited insert of such newspaper.
 961 The geographic boundaries in which such insert is circulated
 962 shall include the geographic boundaries of the taxing authority.
 963 It is the legislative intent that, whenever possible, the
 964 advertisement appear in a newspaper that is published at least
 965 weekly ~~5 days a week~~ unless the only newspaper in the county is
 966 published less than weekly ~~5 days a week~~, or that the
 967 advertisement appear in a geographically limited insert of such
 968 newspaper which insert is published throughout the taxing
 969 authority's jurisdiction at least twice each week. It is further
 970 the legislative intent that the newspaper selected be one of
 971 general interest and readership in the community and not one of
 972 limited subject matter, pursuant to chapter 50.

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

977 NOTICE OF PROPOSED TAX INCREASE

978
 979 The ...(name of the taxing authority)... has tentatively
 980 adopted a measure to increase its property tax levy.

981 Last year's property tax levy:

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

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

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

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

590-03199-21

2021402c1

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

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

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

997 NOTICE OF BUDGET HEARING

999 The ...(name of taxing authority)... has tentatively
1000 adopted a budget for ...(fiscal year).... A public hearing to
1001 make a FINAL DECISION on the budget AND TAXES will be held on
1002 ...(date and time)... at ...(meeting place)....

1004 (c) For school districts which have proposed a millage rate
1005 in excess of 100 percent of the rolled-back rate computed
1006 pursuant to subsection (1) and which propose to levy nonvoted
1007 millage in excess of the minimum amount required pursuant to s.
1008 1011.60(6), the advertisement shall be in the following form:

1009 NOTICE OF PROPOSED TAX INCREASE

1011 The ...(name of school district)... will soon consider a
1012 measure to increase its property tax levy.

1013 Last year's property tax levy:

- 1014 A. Initially proposed tax levy.....\$XX,XXX,XXX
- 1015 B. Less tax reductions due to Value Adjustment Board and

590-03199-21

2021402c1

1016 other assessment changes.....(\$XX,XXX,XXX)

1017 C. Actual property tax levy.....\$XX,XXX,XXX

1018 This year's proposed tax levy.....\$XX,XXX,XXX

1019 A portion of the tax levy is required under state law in
1020 order for the school board to receive \$...(amount A)... in state
1021 education grants. The required portion has ...(increased or
1022 decreased)... by ...(amount B)... percent and represents
1023 approximately ...(amount C)... of the total proposed taxes.

1024 The remainder of the taxes is proposed solely at the
1025 discretion of the school board.

1026 All concerned citizens are invited to a public hearing on
1027 the tax increase to be held on ...(date and time)... at
1028 ...(meeting place)....

1029 A DECISION on the proposed tax increase and the budget will
1030 be made at this hearing.

1031 1. AMOUNT A shall be an estimate, provided by the
1032 Department of Education, of the amount to be received in the
1033 current fiscal year by the district from state appropriations
1034 for the Florida Education Finance Program.

1035 2. AMOUNT B shall be the percent increase over the rolled-
1036 back rate necessary to levy only the required local effort in
1037 the current fiscal year, computed as though in the preceding
1038 fiscal year only the required local effort was levied.

1039 3. AMOUNT C shall be the quotient of required local-effort
1040 millage divided by the total proposed nonvoted millage, rounded
1041 to the nearest tenth and stated in words; however, the stated
1042 amount shall not exceed nine-tenths.

1043 (d) For school districts which have proposed a millage rate
1044 in excess of 100 percent of the rolled-back rate computed

590-03199-21

2021402c1

1045 pursuant to subsection (1) and which propose to levy as nonvoted
1046 millage only the minimum amount required pursuant to s.
1047 1011.60(6), the advertisement shall be the same as provided in
1048 paragraph (c), except that the second and third paragraphs shall
1049 be replaced with the following paragraph:

1050
1051 This increase is required under state law in order for the
1052 school board to receive \$...(amount A)... in state education
1053 grants.

1054
1055 (e) In all instances in which the provisions of paragraphs
1056 (c) and (d) are inapplicable for school districts, the
1057 advertisement shall be in the following form:

1058
1059 NOTICE OF BUDGET HEARING

1060
1061 The ...(name of school district)... will soon consider a
1062 budget for ...(fiscal year).... A public hearing to make a
1063 DECISION on the budget AND TAXES will be held on ...(date and
1064 time)... at ...(meeting place)....

1065
1066 (f) In lieu of publishing the notice set out in this
1067 subsection, the taxing authority may mail a copy of the notice
1068 to each elector residing within the jurisdiction of the taxing
1069 authority.

1070 (g) In the event that the mailing of the notice of proposed
1071 property taxes is delayed beyond September 3 in a county, any
1072 multicounty taxing authority which levies ad valorem taxes
1073 within that county shall advertise its intention to adopt a

590-03199-21

2021402c1

1074 tentative budget and millage rate in a newspaper of paid general
1075 circulation within that county, as provided in this subsection,
1076 and shall hold the hearing required pursuant to paragraph (2)(c)
1077 not less than 2 days or more than 5 days thereafter, and not
1078 later than September 18. The advertisement shall be in the
1079 following form, unless the proposed millage rate is less than or
1080 equal to the rolled-back rate, computed pursuant to subsection
1081 (1), in which case the advertisement shall be as provided in
1082 paragraph (e):

1083 NOTICE OF TAX INCREASE
1084

1085 The ...(name of the taxing authority)... proposes to
1086 increase its property tax levy by ...(percentage of increase
1087 over rolled-back rate)... percent.

1088 All concerned citizens are invited to attend a public
1089 hearing on the proposed tax increase to be held on ...(date and
1090 time)... at ...(meeting place)....
1091

1092 (h) In no event shall any taxing authority add to or delete
1093 from the language of the advertisements as specified herein
1094 unless expressly authorized by law, except that, if an increase
1095 in ad valorem tax rates will affect only a portion of the
1096 jurisdiction of a taxing authority, advertisements may include a
1097 map or geographical description of the area to be affected and
1098 the proposed use of the tax revenues under consideration. In
1099 addition, if published in the print edition of the newspaper or
1100 only published on the Internet in accordance with s. 50.0211(5),
1101 the map must be included in ~~part of~~ the online advertisement
1102 required by s. 50.0211. The advertisements required herein shall

590-03199-21

2021402c1

1103 not be accompanied, preceded, or followed by other advertising
1104 or notices which conflict with or modify the substantive content
1105 prescribed herein.

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

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

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

1121 (l) Any advertisement required pursuant to this section
1122 shall be accompanied by an adjacent notice meeting the budget
1123 summary requirements of s. 129.03(3)(b). Except for those taxing
1124 authorities proposing to levy ad valorem taxes for the first
1125 time, the following statement shall appear in the budget summary
1126 in boldfaced type immediately following the heading, if the
1127 applicable percentage is greater than zero:

1128
1129 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
1130 taxing authority)... ARE ...(percent rounded to one decimal
1131 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

590-03199-21

2021402c1

1132

1133 For purposes of this paragraph, "proposed operating budget
1134 expenditures" or "operating expenditures" means all moneys of
1135 the local government, including dependent special districts,
1136 that:

1137 1. Were or could be expended during the applicable fiscal
1138 year, or

1139 2. Were or could be retained as a balance for future
1140 spending in the fiscal year.

1141

1142 Provided, however, those moneys held in or used in trust,
1143 agency, or internal service funds, and expenditures of bond
1144 proceeds for capital outlay or for advanced refunded debt
1145 principal, shall be excluded.

1146 Section 22. Paragraph (c) of subsection (1) of section
1147 338.223, Florida Statutes, is amended to read:

1148 338.223 Proposed turnpike projects.—

1149 (1)

1150 (c) Prior to requesting legislative approval of a proposed
1151 turnpike project, the environmental feasibility of the proposed
1152 project shall be reviewed by the Department of Environmental
1153 Protection. The department shall submit its Project Development
1154 and Environmental Report to the Department of Environmental
1155 Protection, along with a draft copy of a public notice. Within
1156 14 days of receipt of the draft public notice, the Department of
1157 Environmental Protection shall return the draft public notice to
1158 the Department of Transportation with an approval of the
1159 language or modifications to the language. Upon receipt of the
1160 approved or modified draft, or if no comments are provided

590-03199-21

2021402c1

1161 within 14 days, the Department of Transportation shall publish
1162 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a
1163 30-day public comment period. If published in the print edition
1164 of a newspaper, the headline of the required notice shall be in
1165 a type no smaller than 18 point, ~~and the notice shall be placed in~~
1166 that portion of the newspaper where legal notices appear, and ~~-~~
1167 ~~The notice shall be published in a newspaper of general~~
1168 circulation in the county or counties of general interest and
1169 readership in the community as provided in s. 50.031, not one of
1170 limited subject matter. Whenever possible, the notice shall
1171 appear in a newspaper that is published at least weekly ~~5 days a~~
1172 ~~week~~. All notices published pursuant to this section ~~The notice~~
1173 shall include, at a minimum ~~but is not limited to~~, the following
1174 information:

1175 1. The purpose of the notice is to provide for a 30-day
1176 period for written public comments on the environmental impacts
1177 of a proposed turnpike project.

1178 2. The name and description of the project, along with a
1179 geographic location map clearly indicating the area where the
1180 proposed project will be located.

1181 3. The address where such comments must be sent and the
1182 date such comments are due.

1183
1184 After a review of the department's report and any public
1185 comments, the Department of Environmental Protection shall
1186 submit a statement of environmental feasibility to the
1187 department within 30 days after the date on which public
1188 comments are due. The notice and the statement of environmental
1189 feasibility shall not give rise to any rights to a hearing or

590-03199-21

2021402c1

1190 other rights or remedies provided pursuant to chapter 120 or
1191 chapter 403, and shall not bind the Department of Environmental
1192 Protection in any subsequent environmental permit review.

1193 Section 23. Subsection (3) of section 348.0308, Florida
1194 Statutes, is amended to read:

1195 348.0308 Public-private partnership.—The Legislature
1196 declares that there is a public need for the rapid construction
1197 of safe and efficient transportation facilities for traveling
1198 within the state and that it is in the public's interest to
1199 provide for public-private partnership agreements to effectuate
1200 the construction of additional safe, convenient, and economical
1201 transportation facilities.

1202 (3) The agency may request proposals for public-private
1203 transportation projects or, if it receives an unsolicited
1204 proposal, it must publish a notice in the Florida Administrative
1205 Register and, as provided in chapter 50, by Internet publication
1206 or by print in a newspaper of general circulation in the county
1207 in which the project ~~it~~ is located at least once a week for 2
1208 weeks stating that it has received the proposal and will accept,
1209 for 60 days after the initial date of publication, other
1210 proposals for the same project purpose. A copy of the notice
1211 must be mailed to each local government in the affected areas.
1212 After the public notification period has expired, the agency
1213 shall rank the proposals in order of preference. In ranking the
1214 proposals, the agency shall consider professional
1215 qualifications, general business terms, innovative engineering
1216 or cost-reduction terms, finance plans, and the need for state
1217 funds to deliver the proposal. If the agency is not satisfied
1218 with the results of the negotiations, it may, at its sole

590-03199-21

2021402c1

1219 discretion, terminate negotiations with the proposer. If these
1220 negotiations are unsuccessful, the agency may go to the second
1221 and lower-ranked firms, in order, using the same procedure. If
1222 only one proposal is received, the agency may negotiate in good
1223 faith, and if it is not satisfied with the results, it may, at
1224 its sole discretion, terminate negotiations with the proposer.
1225 The agency may, at its discretion, reject all proposals at any
1226 point in the process up to completion of a contract with the
1227 proposer.

1228 Section 24. Subsection (3) of section 348.635, Florida
1229 Statutes, is amended to read:

1230 348.635 Public-private partnership.—The Legislature
1231 declares that there is a public need for the rapid construction
1232 of safe and efficient transportation facilities for traveling
1233 within the state and that it is in the public's interest to
1234 provide for public-private partnership agreements to effectuate
1235 the construction of additional safe, convenient, and economical
1236 transportation facilities.

1237 (3) The authority may request proposals for public-private
1238 transportation projects or, if it receives an unsolicited
1239 proposal, it must publish a notice in the Florida Administrative
1240 Register and, as provided in chapter 50, by either Internet
1241 publication or by print in ~~and~~ a newspaper of general
1242 circulation in the county in which the project ~~it~~ is located at
1243 least once a week for 2 weeks stating that it has received the
1244 proposal and will accept, for 60 days after the initial date of
1245 publication, other proposals for the same project purpose. A
1246 copy of the notice must be mailed to each local government in
1247 the affected areas. After the public notification period has

590-03199-21

2021402c1

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

1263 Section 25. Subsection (3) of section 348.7605, Florida
1264 Statutes, is amended to read:

1265 348.7605 Public-private partnership.—The Legislature
1266 declares that there is a public need for the rapid construction
1267 of safe and efficient transportation facilities for traveling
1268 within the state and that it is in the public's interest to
1269 provide for public-private partnership agreements to effectuate
1270 the construction of additional safe, convenient, and economical
1271 transportation facilities.

1272 (3) The authority may request proposals for public-private
1273 transportation projects or, if it receives an unsolicited
1274 proposal, it must publish a notice in the Florida Administrative
1275 Register and, as provided in chapter 50, by either Internet
1276 publication or by print in a newspaper of general circulation in

590-03199-21

2021402c1

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

1298 Section 26. Section 373.0397, Florida Statutes, is amended
1299 to read:

1300 373.0397 Floridan and Biscayne aquifers; designation of
1301 prime groundwater recharge areas.—Upon preparation of an
1302 inventory of prime groundwater recharge areas for the Floridan
1303 or Biscayne aquifers, but prior to adoption by the governing
1304 board, the water management district shall publish a legal
1305 notice of public hearing on the designated areas for the

590-03199-21

2021402c1

1306 Floridan and Biscayne aquifers, with a map delineating the
 1307 boundaries of the areas, as provided ~~in newspapers defined in~~
 1308 chapter 50 ~~as having general circulation within the area to be~~
 1309 ~~affected~~. The notice shall be at least one-fourth page and shall
 1310 read as follows:

1311
 1312 NOTICE OF PRIME RECHARGE
 1313 AREA DESIGNATION
 1314

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

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

1321 A map of the affected areas follows.

1322
 1323 The governing board of the water management district shall adopt
 1324 a designation of prime groundwater recharge areas to the
 1325 Floridan and Biscayne aquifers by rule within 120 days after the
 1326 public hearing, subject to the provisions of chapter 120.

1327 Section 27. Section 373.146, Florida Statutes, is amended
 1328 to read:

1329 373.146 Publication of notices, process, and papers.—

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

590-03199-21

2021402c1

1335 considered as being sufficient.

1336 (2) Notwithstanding any other provision of law to the
1337 contrary, and except in the case of emergency meetings, water
1338 management districts may provide reasonable notice of public
1339 meetings held to evaluate responses to solicitations issued by
1340 the water management district, by publication as provided in
1341 chapter 50 ~~in a newspaper of general paid circulation in the~~
1342 ~~county where the principal office of the water management~~
1343 ~~district is located, or in the county or counties where the~~
1344 ~~public work will be performed,~~ no less than 7 days before such
1345 meeting.

1346 Section 28. Subsection (12) of section 403.722, Florida
1347 Statutes, is amended to read:

1348 403.722 Permits; hazardous waste disposal, storage, and
1349 treatment facilities.—

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

590-03199-21

2021402c1

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

1369 The notice shall contain:

1370 (a) The name of the applicant and a brief description of
1371 the project and its location.

1372 (b) The location of the application file and when it is
1373 available for public inspection.

1374

1375 The notice shall be prepared by the applicant and shall comply
1376 with the following format:

1377

1378 Notice of Application

1379 The Department of Environmental Protection announces receipt of
1380 an application for a permit from ...(name of applicant)... to
1381 ...(brief description of project).... This proposed project will
1382 be located at ...(location)... in ...(county)... ...(city)....

1383

1384 This application is being processed and is available for public
1385 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
1386 Monday through Friday, except legal holidays, at ...(name and
1387 address of office)....

1388 Section 29. Paragraph (b) of subsection (3) of section
1389 712.06, Florida Statutes, is amended to read:

1390 712.06 Contents of notice; recording and indexing.—

1391 (3) The person providing the notice referred to in s.
1392 712.05, other than a notice for preservation of a community

590-03199-21

2021402c1

1393 covenant or restriction, shall:

1394 (b) Publish the notice referred to in s. 712.05 by Internet
1395 publication as provided in s. 50.0211(5) or printed once a week,
1396 for 2 consecutive weeks, in a newspaper as defined in chapter
1397 50, the notice referred to in s. 712.05, with the official
1398 record book and page number in which such notice was recorded,
1399 ~~in a newspaper as defined in chapter 50~~ in the county in which
1400 the property is located.

1401 Section 30. Subsection (5) of section 849.38, Florida
1402 Statutes, is amended to read:

1403 849.38 Proceedings for forfeiture; notice of seizure and
1404 order to show cause.—

1405 (5) If the value of the property seized is shown by the
1406 sheriff's return to have an appraised value of \$1,000 or less,
1407 the above citation shall be served by posting at three public
1408 places in the county, one of which shall be the front door of
1409 the courthouse; if the value of the property is shown by the
1410 sheriff's return to have an approximate value of more than
1411 \$1,000, the citation shall be posted for at least 2 consecutive
1412 weeks on a newspaper's website and the statewide legal notice
1413 website in accordance with s. 50.0211(5) or published in print
1414 at least once each week for 2 consecutive weeks in a ~~some~~
1415 newspaper of general publication published in the county, if
1416 there is ~~be~~ such a newspaper published in the county. and ~~and~~ If
1417 there is no newspaper of general circulation not, the then said
1418 notice of such publication shall be made by certificate of the
1419 clerk if publication is made by posting, and by affidavit as
1420 provided in chapter 50, if made by publication as provided in
1421 chapter 50 ~~in a newspaper~~, which affidavit or certificate shall

590-03199-21

2021402c1

1422 be filed and become a part of the record in the cause. Failure
1423 of the record to show proof of such publication shall not affect
1424 any judgment made in the cause unless it shall affirmatively
1425 appear that no such publication was made.

1426 Section 31. Paragraph (a) of subsection (3) of section
1427 865.09, Florida Statutes, is amended to read:

1428 865.09 Fictitious name registration.—

1429 (3) REGISTRATION.—

1430 (a) A person may not engage in business under a fictitious
1431 name unless the person first registers the name with the
1432 division by filing a registration listing:

1433 1. The name to be registered.

1434 2. The mailing address of the business.

1435 3. The name and address of each registrant.

1436 4. If the registrant is a business entity that was required
1437 to file incorporation or similar documents with its state of
1438 organization when it was organized, such entity must be
1439 registered with the division and in active status with the
1440 division; provide its Florida document registration number; and
1441 provide its federal employer identification number if the entity
1442 has such a number.

1443 5. Certification by at least one registrant that the
1444 intention to register such fictitious name has been advertised
1445 as provided ~~at least once in a newspaper as defined~~ in chapter
1446 50 in the county in which the principal place of business of the
1447 registrant is or will be located.

1448 6. Any other information the division may reasonably deem
1449 necessary to adequately inform other governmental agencies and
1450 the public as to the registrant so conducting business.

590-03199-21

2021402c1

1451 Section 32. Paragraph (a) of subsection (6) of section
1452 932.704, Florida Statutes, is amended to read:

1453 932.704 Forfeiture proceedings.—

1454 (6) (a) If the property is required by law to be titled or
1455 registered, or if the owner of the property is known in fact to
1456 the seizing agency, or if the seized property is subject to a
1457 perfected security interest in accordance with the Uniform
1458 Commercial Code, chapter 679, the attorney for the seizing
1459 agency shall serve the forfeiture complaint as an original
1460 service of process under the Florida Rules of Civil Procedure
1461 and other applicable law to each person having an ownership or
1462 security interest in the property. The seizing agency shall also
1463 publish, in accordance with chapter 50, notice of the forfeiture
1464 complaint for 2 consecutive weeks on a newspaper's website and
1465 the statewide legal notice website in accordance with s.
1466 50.0211(5) or, if published in print, once each week for 2
1467 consecutive weeks in a newspaper of general circulation,~~as~~
1468 ~~defined in s. 165.031,~~ in the county where the seizure occurred.

1469 Section 33. This act shall take effect July 1, 2022.