

By the Committees on Appropriations; and Judiciary; and Senator Rodrigues

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1 A bill to be entitled
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
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

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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:

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,

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

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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
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 and customarily containing information of a

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117 public character or of interest or of value to the residents or
118 owners of property in the county where published, or of interest
119 or of value to the general public.

120 (e) Continually publishes in a prominent manner the name,
121 street address, phone number, website URL of the newspaper's
122 approved print auditor, the newspaper's most recent statement of
123 ownership, and a statement of the auditor certifying the
124 veracity of the newspaper's print distribution and the number of
125 the newspaper's website's monthly unique visitors, or the
126 newspaper's periodicals permit, if applicable, within the first
127 five pages of the print edition and the bottom portion of the
128 homepage of the newspaper's website.

129 (2) Internet publication for governmental agency notices
130 under s. 50.0211(1)(b) on the website of any newspaper in the
131 county to which the legal notice pertains which otherwise meets
132 the criteria specified in subsection (1) and on the statewide
133 legal notice website as provided in s. 50.0211(5).

134 Section 2. Section 50.021, Florida Statutes, is amended to
135 read:

136 50.021 Publication when no newspaper in county.—When any
137 law, or order or decree of court, directs ~~shall direct~~
138 advertisements to be made in a ~~any~~ county and there is ~~be~~ no
139 newspaper published in the ~~said~~ county, the advertisement may be
140 made by publication in any newspaper qualified under chapter 50
141 in an adjoining county or on the website of any such newspaper
142 for governmental agency notices under s. 50.0211(1)(b), and on
143 the statewide legal notice website as provided in s. 50.0211(5)
144 or by posting three copies thereof in three different places in
145 the ~~said~~ county, one of which shall be at the front door of the

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146 courthouse, and by publication in the nearest county in which a
147 newspaper is published.

148 Section 3. Section 50.0211, Florida Statutes, is amended to
149 read:

150 50.0211 Internet website publication.—

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

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

155 (b) "Governmental agency notice" includes any of the
156 following notices required by law to be published in a
157 newspaper:

158 1. Notices related to special or legal legislation pursuant
159 to s. 11.02.

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

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

162 4. Notices related to inclusion of positions in the Senior
163 Management Service Class of the Florida Retirement System
164 pursuant to s. 121.055.

165 5. Notices proposing the enactment of county ordinances
166 pursuant to s. 125.66.

167 6. Code enforcement notices published pursuant to s.
168 162.12.

169 7. Notices proposing the enactment of municipal ordinances
170 pursuant to s. 166.041.

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

172 9. Establishment and termination notices for community
173 development districts pursuant to ss. 190.005 and 190.046,
174 respectively.

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175 10. Disclosures of tax impact by value adjustment boards
176 pursuant to s. 194.037.

177 11. Advertisements of real or personal property with
178 delinquent taxes pursuant to s. 197.402.

179 12. Advertisements of hearing notices, millage rates, and
180 budgets pursuant to s. 200.065.

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

182 14. Public-private partnership notices pursuant to ss.
183 348.0308 and 348.7605.

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

186 16. Water management district notices pursuant to s.
187 373.146.

188 17. Hazardous waste disposal notices pursuant to s.
189 403.722.

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

191 (2) This section applies to legal notices that must be
192 published in accordance with this chapter unless otherwise
193 specified.

194 (3)(2) If a governmental agency publishes a legal notice in
195 the print edition of a newspaper, each legal notice must be
196 posted on the newspaper's website on the same day that the
197 printed notice appears in the newspaper, at no additional
198 charge, in a separate web page titled "Legal Notices," "Legal
199 Advertising," or comparable identifying language. A link to the
200 legal notices web page shall be provided on the front page of
201 the newspaper's website that provides access to the legal
202 notices. If there is a specified size and placement required for
203 a printed legal notice, the size and placement of the notice on

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204 the newspaper's website must optimize its online visibility in
205 keeping with the print requirements. The newspaper's web pages
206 that contain legal notices must present the legal notices as the
207 dominant and leading subject matter of those pages. The
208 newspaper's website must contain a search function to facilitate
209 searching the legal notices. A fee may not be charged, and
210 registration may not be required, for viewing or searching legal
211 notices on a newspaper's website if the legal notice is
212 published in a newspaper.

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

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

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

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

230 (d) The Florida Press Association shall seek to ensure that
231 minority populations throughout the state have equitable access
232 to legal notices posted on the statewide legal notice website

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233 located at: www.floridapublicnotices.com. The Florida Press
234 Association shall publish a report listing all newspapers that
235 have placed notices on www.floridapublicnotices.com in the
236 preceding calendar quarter. At a minimum, the reports for the 4
237 preceding calendar quarters shall be available on the website.

238 (5) (a) In lieu of publishing a legal notice in the print
239 edition of a newspaper of general circulation, a governmental
240 agency may opt for Internet-only publication of governmental
241 agency notices with any newspaper of general circulation within
242 the jurisdiction of the affected governmental agency so long as
243 the governmental agency, after a public hearing noticed in a
244 print edition of a newspaper in accordance with this chapter,
245 makes a determination by a majority of the members of the
246 governing body of the governmental agency that the Internet
247 publication of such governmental agency notices is in the public
248 interest and that the residents within the jurisdiction of the
249 governmental agency have sufficient access to the Internet by
250 broadband service as defined in s. 364.02 or through other means
251 such that Internet-only publication of governmental agency
252 notices would not unreasonably restrict public access. Any such
253 Internet-only publication published in accordance with this
254 subsection must be placed in the legal notices section of the
255 newspaper's website and the statewide legal notice website
256 established under subsection (4). All requirements regarding the
257 format and accessibility of legal notices placed on the
258 newspaper's website and the statewide legal notice website in
259 subsections (3) and (4) also apply to Internet-only publication
260 of legal notices published in accordance with this subsection.

261 (b) The legal notices section of the print edition of a

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262 newspaper must include a disclaimer stating that additional
263 legal notices may be accessed on the newspaper's website and the
264 statewide legal notice website. The legal notices section of the
265 newspaper's website must also include a disclaimer stating that
266 legal notices are also published in the print edition of the
267 newspaper and on the statewide legal notice website.

268 (c) A newspaper may charge for the publication of any
269 governmental agency notice that is published only on the
270 newspaper's website, without rebate, commission, or refund;
271 however, the newspaper may not charge any higher rate for
272 publication than the amount that would be authorized under s.
273 50.061 if the governmental agency notice had been printed in the
274 newspaper. The penalties prescribed in s. 50.061(7) for allowing
275 or accepting any rebate, commission, or refund in connection to
276 the amounts charged for publication also apply to any
277 governmental agency notices that are published only on the
278 Internet in accordance with this subsection.

279 (d) If a governmental agency exercises the option to
280 publish Internet-only governmental agency notices in accordance
281 with this subsection, such agency must provide notice at least
282 once per week in the print edition of a newspaper of general
283 circulation within the region in which the governmental agency
284 is located which states that legal notices pertaining to the
285 agency do not all appear in the print edition of the local
286 newspaper and that additional legal notices may be accessed on
287 the newspaper's website and that a full listing of any legal
288 notices may be accessed on the statewide legal notice website
289 located at www.floridapublicnotices.com. Additionally, any such
290 governmental agency must post a link on its website homepage to

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291 a webpage that lists all of the newspapers in which the
292 governmental agency publishes legal notices.

293 (6)~~(4)~~ Newspapers that publish legal notices shall, upon
294 request, provide e-mail notification of new legal notices when
295 they are published ~~printed~~ in the newspaper or on ~~and added to~~
296 the newspaper's website. Such e-mail notification shall be
297 provided without charge, and notification for such an e-mail
298 registry shall be available on the front page of the legal
299 notices section of the newspaper's website.

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

305 Section 4. Section 50.031, Florida Statutes, is amended to
306 read:

307 50.031 Newspapers in which legal notices and process may be
308 published.—No notice or publication required to be published in
309 the print edition of a newspaper or on a newspaper's website, if
310 authorized, in the nature of or in lieu of process of any kind,
311 nature, character or description provided for under any law of
312 the state, whether heretofore or hereafter enacted, and whether
313 pertaining to constructive service, or the initiating, assuming,
314 reviewing, exercising or enforcing jurisdiction or power, by any
315 court in this state, or any notice of sale of property, real or
316 personal, for taxes, state, county or municipal, or sheriff's,
317 guardian's or administrator's or any sale made pursuant to any
318 judicial order, decree or statute or any other publication or
319 notice pertaining to any affairs of the state, or any county,

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320 municipality or other political subdivision thereof, shall be
321 deemed to have been published in accordance with the statutes
322 providing for such publication, unless the same shall have been
323 published for the prescribed period of time required for such
324 publication, in a newspaper or on a newspaper's website which at
325 the time of such publication shall have been in existence for 2
326 years and meets the requirements set forth in s. 50.011 ~~1-year~~
327 ~~and shall have been entered as periodicals matter at a post~~
328 ~~office in the county where published,~~ or in a newspaper which is
329 a direct successor of a newspaper which has ~~together have~~ been
330 so published; provided, however, that nothing herein contained
331 shall apply where in any county there shall be no newspaper in
332 existence which shall have been published for the length of time
333 above prescribed. No legal publication of any kind, nature or
334 description, as herein defined, shall be valid or binding or
335 held to be in compliance with the statutes providing for such
336 publication unless the same shall have been published in
337 accordance with the provisions of this section or s. 50.0211(5).
338 Proof of such publication shall be made by uniform affidavit.

339 Section 5. Section 50.041, Florida Statutes, is amended to
340 read:

341 50.041 Proof of publication; uniform affidavits required.-

342 (1) All affidavits ~~of publishers of newspapers (or their~~
343 ~~official representatives)~~ made for the purpose of establishing
344 proof of publication of public notices or legal advertisements
345 shall be uniform throughout the state.

346 (2) Each such affidavit shall be printed upon white paper
347 and shall be 8 1/2 inches in width and of convenient length, not
348 less than 5 1/2 inches. A white margin of not less than 2 1/2

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349 inches shall be left at the right side of each affidavit form
 350 and upon or in this space shall be substantially pasted a
 351 clipping which shall be a true copy of the public notice or
 352 legal advertisement for which proof is executed. Alternatively,
 353 the affidavit may be provided in electronic rather than paper
 354 form, provided the notarization of the affidavit complies with
 355 the requirements of s. 117.021.

356 ~~(3) In all counties having a population in excess of~~
 357 ~~450,000 according to the latest official decennial census, in~~
 358 ~~addition to the charges which are now or may hereafter be~~
 359 ~~established by law for the publication of every official notice~~
 360 ~~or legal advertisement,~~ There may be a charge not to exceed \$2
 361 levied for the preparation and execution of each such proof of
 362 publication or ~~publisher's~~ affidavit.

363 Section 6. Section 50.051, Florida Statutes, is amended to
 364 read:

365 50.051 Proof of publication; form of uniform affidavit.—The
 366 printed form upon which all such affidavits establishing proof
 367 of publication are to be executed shall be substantially as
 368 follows:

369 NAME OF COUNTY NEWSPAPER
 370 Published ~~(Weekly or Daily)~~
 371 ~~(Town or City) (County) FLORIDA~~

372 STATE OF FLORIDA

373
 374 COUNTY OF:

375 Before the undersigned authority personally appeared,
 376 who on oath says that he or she is of the, a
 377 newspaper published at in County, Florida; that the

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378 attached copy of advertisement, being a in the matter of
379 in the Court, was published in said newspaper by print
380 in the issues of or by publication on the newspaper's
381 website, if authorized, on ... (date)....

382 Affiant further says that the newspaper complies with all
383 legal requirements for publication in chapter 50, Florida
384 Statutes said is a newspaper published at, in said
385 ~~.... County, Florida, and that the said newspaper has heretofore~~
386 ~~been continuously published in said County, Florida, each~~
387 ~~.... and has been entered as periodicals matter at the post~~
388 ~~office in, in said County, Florida, for a period of 1~~
389 ~~year next preceding the first publication of the attached copy~~
390 ~~of advertisement; and affiant further says that he or she has~~
391 ~~neither paid nor promised any person, firm or corporation any~~
392 ~~discount, rebate, commission or refund for the purpose of~~
393 ~~securing this advertisement for publication in the said~~
394 ~~newspaper.~~

395
396 Sworn to and subscribed before me this day of,
397 ...(year)..., by, who is personally known to me or who has
398 produced (type of identification) as identification.

399
400 ...(Signature of Notary Public)...

401
402 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

403
404 ...(Notary Public)...

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

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407 50.061 Amounts chargeable.—

408 (5) If the public notice is published in a newspaper, the
409 posting of the notice on the newspaper's website pursuant to s.
410 50.0211(3) ~~s. 50.0211(2)~~ must be done at no additional charge.

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

413 90.902 Self-authentication.—Extrinsic evidence of
414 authenticity as a condition precedent to admissibility is not
415 required for:

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

419 Section 9. Section 11.02, Florida Statutes, is amended to
420 read:

421 11.02 Notice of special or local legislation or certain
422 relief acts.—The notice required to obtain special or local
423 legislation or any relief act specified in s. 11.065 shall be by
424 publishing the identical notice ~~in each county involved in some~~
425 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~
426 circulated throughout the county or counties where the matter or
427 thing to be affected by such legislation shall be situated one
428 time at least 30 days before introduction of the proposed law
429 into the Legislature or, if the notice is not made by Internet
430 publication as provided in s. 50.0211(5) and there being no
431 newspaper circulated throughout or published in the county, by
432 posting for at least 30 days at not less than three public
433 places in the county or each of the counties, one of which
434 places shall be at the courthouse in the county or counties
435 where the matter or thing to be affected by such legislation

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436 shall be situated. Notice of special or local legislation shall
437 state the substance of the contemplated law, as required by s.
438 10, Art. III of the State Constitution. Notice of any relief act
439 specified in s. 11.065 shall state the name of the claimant, the
440 nature of the injury or loss for which the claim is made, and
441 the amount of the claim against the affected municipality's
442 revenue-sharing trust fund.

443 Section 10. Paragraph (d) of subsection (1) of section
444 120.81, Florida Statutes, is amended to read:

445 120.81 Exceptions and special requirements; general areas.—

446 (1) EDUCATIONAL UNITS.—

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

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

454 2. By mail to all persons who have made requests of the
455 educational unit for advance notice of its proceedings and to
456 organizations representing persons affected by the proposed
457 rule; and

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

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

463 121.0511 Revocation of election and alternative plan.—The
464 governing body of any municipality or independent special

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465 district that has elected to participate in the Florida
466 Retirement System may revoke its election in accordance with the
467 following procedure:

468 (2) At least 7 days, but not more than 15 days, before the
469 hearing, notice of intent to revoke, specifying the time and
470 place of the hearing, must be published as provided in chapter
471 50 in a newspaper of general circulation in the area affected,
472 as provided by ss. 50.011-50.031. Proof of publication of the
473 notice must be submitted to the Department of Management
474 Services.

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

477 121.055 Senior Management Service Class.—There is hereby
478 established a separate class of membership within the Florida
479 Retirement System to be known as the "Senior Management Service
480 Class," which shall become effective February 1, 1987.

481 (1)

482 (b)1. Except as provided in subparagraph 2., effective
483 January 1, 1990, participation in the Senior Management Service
484 Class is compulsory for the president of each community college,
485 the manager of each participating municipality or county, and
486 all appointed district school superintendents. Effective January
487 1, 1994, additional positions may be designated for inclusion in
488 the Senior Management Service Class if:

489 a. Positions to be included in the class are designated by
490 the local agency employer. Notice of intent to designate
491 positions for inclusion in the class must be published for at
492 least 2 consecutive weeks if published by Internet publication
493 as provided in s. 50.0211(5) or, if published in print, once a

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494 week for 2 consecutive weeks in a newspaper qualified under
495 chapter 50 that is ~~of general circulation~~ published in the
496 county or counties affected, ~~as provided in chapter 50.~~

497 b. Up to 10 nonelective full-time positions may be
498 designated for each local agency employer reporting to the
499 department; for local agencies with 100 or more regularly
500 established positions, additional nonelective full-time
501 positions may be designated, not to exceed 1 percent of the
502 regularly established positions within the agency.

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

507 (I) Heads an organizational unit; or

508 (II) Has responsibility to effect or recommend personnel,
509 budget, expenditure, or policy decisions in his or her areas of
510 responsibility.

511 2. In lieu of participation in the Senior Management
512 Service Class, members of the Senior Management Service Class,
513 pursuant to subparagraph 1., may withdraw from the Florida
514 Retirement System altogether. The decision to withdraw from the
515 system is irrevocable as long as the employee holds the
516 position. Any service creditable under the Senior Management
517 Service Class shall be retained after the member withdraws from
518 the system; however, additional service credit in the Senior
519 Management Service Class may not be earned after such
520 withdrawal. Such members are not eligible to participate in the
521 Senior Management Service Optional Annuity Program.

522 3. Effective January 1, 2006, through June 30, 2006, an

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523 employee who has withdrawn from the Florida Retirement System
524 under subparagraph 2. has one opportunity to elect to
525 participate in the pension plan or the investment plan.

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

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

534 (I) The cost for such credit shall be an amount
535 representing the actuarial accrued liability for the affected
536 period of service. The cost shall be calculated using the
537 discount rate and other relevant actuarial assumptions that were
538 used to value the pension plan liabilities in the most recent
539 actuarial valuation. The calculation must include any service
540 already maintained under the pension plan in addition to the
541 period of withdrawal. The actuarial accrued liability
542 attributable to any service already maintained under the pension
543 plan shall be applied as a credit to the total cost resulting
544 from the calculation. The division must ensure that the transfer
545 sum is prepared using a formula and methodology certified by an
546 actuary.

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

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552 (h)1. Except as provided in subparagraph 3., effective
553 January 1, 1994, participation in the Senior Management Service
554 Class shall be compulsory for the State Courts Administrator and
555 the Deputy State Courts Administrators, the Clerk of the Supreme
556 Court, the Marshal of the Supreme Court, the Executive Director
557 of the Justice Administrative Commission, the capital collateral
558 regional counsel, the clerks of the district courts of appeals,
559 the marshals of the district courts of appeals, and the trial
560 court administrator and the Chief Deputy Court Administrator in
561 each judicial circuit. Effective January 1, 1994, additional
562 positions in the offices of the state attorney and public
563 defender in each judicial circuit may be designated for
564 inclusion in the Senior Management Service Class of the Florida
565 Retirement System, provided that:

566 a. Positions to be included in the class shall be
567 designated by the state attorney or public defender, as
568 appropriate. Notice of intent to designate positions for
569 inclusion in the class shall be published for at least 2
570 consecutive weeks by Internet publication as provided in s.
571 50.0211(5) or, if published in print, once a week for 2
572 consecutive weeks in a newspaper qualified under chapter 50 of
573 general circulation published in the county or counties
574 affected, as provided in chapter 50.

575 b. One nonelective full-time position may be designated for
576 each state attorney and public defender reporting to the
577 Department of Management Services; for agencies with 200 or more
578 regularly established positions under the state attorney or
579 public defender, additional nonelective full-time positions may
580 be designated, not to exceed 0.5 percent of the regularly

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581 established positions within the agency.

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

586 (I) Heads an organizational unit; or

587 (II) Has responsibility to effect or recommend personnel,
588 budget, expenditure, or policy decisions in his or her areas of
589 responsibility.

590 2. Participation in this class shall be compulsory, except
591 as provided in subparagraph 3., for any judicial employee who
592 holds a position designated for coverage in the Senior
593 Management Service Class, and such participation shall continue
594 until the employee terminates employment in a covered position.
595 Effective January 1, 2001, participation in this class is
596 compulsory for assistant state attorneys, assistant statewide
597 prosecutors, assistant public defenders, and assistant capital
598 collateral regional counsel. Effective January 1, 2002,
599 participation in this class is compulsory for assistant
600 attorneys general.

601 3. In lieu of participation in the Senior Management
602 Service Class, such members, excluding assistant state
603 attorneys, assistant public defenders, assistant statewide
604 prosecutors, assistant attorneys general, and assistant capital
605 collateral regional counsel, may participate in the Senior
606 Management Service Optional Annuity Program as established in
607 subsection (6).

608 Section 13. Paragraph (a) of subsection (2) and paragraph
609 (b) of subsection (4) of section 125.66, Florida Statutes, are

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610 amended to read:

611 125.66 Ordinances; enactment procedure; emergency
612 ordinances; rezoning or change of land use ordinances or
613 resolutions.-

614 (2) (a) The regular enactment procedure shall be as follows:
615 The board of county commissioners at any regular or special
616 meeting may enact or amend any ordinance, except as provided in
617 subsection (4), if notice of intent to consider such ordinance
618 is given at least 10 days before such ~~prior to said~~ meeting by
619 publication as provided in chapter 50 ~~in a newspaper of general~~
620 ~~circulation in the county~~. A copy of such notice shall be kept
621 available for public inspection during the regular business
622 hours of the office of the clerk of the board of county
623 commissioners. The notice of proposed enactment shall state the
624 date, time, and place of the meeting; the title or titles of
625 proposed ordinances; and the place or places within the county
626 where such proposed ordinances may be inspected by the public.
627 The notice shall also advise that interested parties may appear
628 at the meeting and be heard with respect to the proposed
629 ordinance.

630 (4) Ordinances or resolutions, initiated by other than the
631 county, that change the actual zoning map designation of a
632 parcel or parcels of land shall be enacted pursuant to
633 subsection (2). Ordinances or resolutions that change the actual
634 list of permitted, conditional, or prohibited uses within a
635 zoning category, or ordinances or resolutions initiated by the
636 county that change the actual zoning map designation of a parcel
637 or parcels of land shall be enacted pursuant to the following
638 procedure:

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

645 1. The board of county commissioners shall hold two
646 advertised public hearings on the proposed ordinance or
647 resolution. At least one hearing shall be held after 5 p.m. on a
648 weekday, unless the board of county commissioners, by a majority
649 plus one vote, elects to conduct that hearing at another time of
650 day. The first public hearing shall be held at least 7 days
651 after the day that the first advertisement is published. The
652 second hearing shall be held at least 10 days after the first
653 hearing and shall be advertised at least 5 days prior to the
654 public hearing.

655 2. If published in the print edition of a newspaper, the
656 required advertisements shall be no less than 2 columns wide by
657 10 inches long in a standard size or a tabloid size newspaper,
658 and the headline in the advertisement shall be in a type no
659 smaller than 18 point. The advertisement shall not be placed in
660 that portion of the newspaper where legal notices and classified
661 advertisements appear. The advertisement shall be placed in a
662 newspaper ~~of general paid circulation~~ in the county and of
663 general interest and readership in the community pursuant to
664 chapter 50, ~~not one of limited subject matter~~. It is the
665 legislative intent that, whenever possible, the advertisement
666 shall appear in a newspaper that is published at least weekly ~~5~~
667 ~~days a week~~ unless the only newspaper in the community is

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668 published less than weekly ~~5 days a week~~. The advertisement
669 shall be in substantially the following form:

670 NOTICE OF (TYPE OF) CHANGE

671
672 The ...(name of local governmental unit)... proposes to
673 adopt the following by ordinance or resolution:...(title of
674 ordinance or resolution)....

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

677
678 Except for amendments which change the actual list of permitted,
679 conditional, or prohibited uses within a zoning category, the
680 advertisement shall contain a geographic location map which
681 clearly indicates the area within the local government covered
682 by the proposed ordinance or resolution. The map shall include
683 major street names as a means of identification of the general
684 area. If ~~In addition to being~~ published in the print edition of
685 the newspaper, the map must be part of any ~~the~~ online notice
686 made ~~required~~ pursuant to s. 50.0211.

687 3. In lieu of publishing the advertisements set out in this
688 paragraph, the board of county commissioners may mail a notice
689 to each person owning real property within the area covered by
690 the ordinance or resolution. Such notice shall clearly explain
691 the proposed ordinance or resolution and shall notify the person
692 of the time, place, and location of both public hearings on the
693 proposed ordinance or resolution.

694 Section 14. Paragraph (a) of subsection (2) of section
695 162.12, Florida Statutes, is amended to read:

696 162.12 Notices.—

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

701 (a)1. Such notice shall be published in print or on a
702 newspaper's website and the statewide legal notice website as
703 provided in s. 50.0211(5) for 4 consecutive weeks. If published
704 in print, the notice shall be published once during each week
705 for 4 consecutive weeks (four publications being sufficient) in
706 a newspaper ~~of general circulation~~ in the county where the code
707 enforcement board is located. The newspaper shall meet such
708 requirements as are prescribed under chapter 50 for legal and
709 official advertisements.

710 2. Proof of publication shall be made as provided in ss.
711 50.041 and 50.051.

712 Section 15. Paragraph (c) of subsection (3) of section
713 166.041, Florida Statutes, is amended to read:

714 166.041 Procedures for adoption of ordinances and
715 resolutions.—

716 (3)

717 (c) Ordinances initiated by other than the municipality
718 that change the actual zoning map designation of a parcel or
719 parcels of land shall be enacted pursuant to paragraph (a).
720 Ordinances that change the actual list of permitted,
721 conditional, or prohibited uses within a zoning category, or
722 ordinances initiated by the municipality that change the actual
723 zoning map designation of a parcel or parcels of land shall be
724 enacted pursuant to the following procedure:

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

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726 actual zoning map designation for a parcel or parcels of land
727 involving less than 10 contiguous acres, the governing body
728 shall direct the clerk of the governing body to notify by mail
729 each real property owner whose land the municipality will
730 redesignate by enactment of the ordinance and whose address is
731 known by reference to the latest ad valorem tax records. The
732 notice shall state the substance of the proposed ordinance as it
733 affects that property owner and shall set a time and place for
734 one or more public hearings on such ordinance. Such notice shall
735 be given at least 30 days prior to the date set for the public
736 hearing, and a copy of the notice shall be kept available for
737 public inspection during the regular business hours of the
738 office of the clerk of the governing body. The governing body
739 shall hold a public hearing on the proposed ordinance and may,
740 upon the conclusion of the hearing, immediately adopt the
741 ordinance.

742 2. In cases in which the proposed ordinance changes the
743 actual list of permitted, conditional, or prohibited uses within
744 a zoning category, or changes the actual zoning map designation
745 of a parcel or parcels of land involving 10 contiguous acres or
746 more, the governing body shall provide for public notice and
747 hearings as follows:

748 a. The local governing body shall hold two advertised
749 public hearings on the proposed ordinance. At least one hearing
750 shall be held after 5 p.m. on a weekday, unless the local
751 governing body, by a majority plus one vote, elects to conduct
752 that hearing at another time of day. The first public hearing
753 shall be held at least 7 days after the day that the first
754 advertisement is published. The second hearing shall be held at

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755 least 10 days after the first hearing and shall be advertised at
756 least 5 days prior to the public hearing.

757 b. If published in the print edition of a newspaper, the
758 required advertisements shall be no less than 2 columns wide by
759 10 inches long in a standard size or a tabloid size newspaper,
760 and the headline in the advertisement shall be in a type no
761 smaller than 18 point. The advertisement shall not be placed in
762 that portion of the newspaper where legal notices and classified
763 advertisements appear. The advertisement shall be placed in a
764 newspaper ~~of general paid circulation~~ in the municipality and of
765 general interest and readership in the municipality, ~~not one of~~
766 ~~limited subject matter,~~ pursuant to chapter 50. It is the
767 legislative intent that, whenever possible, the advertisement
768 appear in a newspaper that is published at least weekly ~~5 days a~~
769 ~~week~~ unless the only newspaper in the municipality is published
770 less than weekly ~~5 days a week~~. The advertisement shall be in
771 substantially the following form:

772
773 NOTICE OF (TYPE OF) CHANGE
774

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

777 A public hearing on the ordinance will be held on ...(date
778 and time)... at ...(meeting place)....
779

780 Except for amendments which change the actual list of permitted,
781 conditional, or prohibited uses within a zoning category, the
782 advertisement shall contain a geographic location map which
783 clearly indicates the area covered by the proposed ordinance.

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784 The map shall include major street names as a means of
785 identification of the general area. If ~~In addition to being~~
786 published in the print edition of the newspaper, the map must
787 also be part of any ~~the~~ online notice made ~~required~~ pursuant to
788 s. 50.0211.

789 c. In lieu of publishing the advertisement set out in this
790 paragraph, the municipality may mail a notice to each person
791 owning real property within the area covered by the ordinance.
792 Such notice shall clearly explain the proposed ordinance and
793 shall notify the person of the time, place, and location of any
794 public hearing on the proposed ordinance.

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

797 189.015 Meetings; notice; required reports.-

798 (1) The governing body of each special district shall file
799 quarterly, semiannually, or annually a schedule of its regular
800 meetings with the local governing authority or authorities. The
801 schedule shall include the date, time, and location of each
802 scheduled meeting. The schedule shall be published quarterly,
803 semiannually, or annually ~~in a newspaper of general paid~~
804 ~~circulation~~ in the manner required in this subsection. The
805 governing body of an independent special district shall
806 advertise the day, time, place, and purpose of any meeting other
807 than a regular meeting or any recessed and reconvened meeting of
808 the governing body, at least 7 days before such meeting as
809 provided in chapter 50, ~~in a newspaper of general paid~~
810 ~~circulation~~ in the county or counties in which the special
811 district is located, unless a bona fide emergency situation
812 exists, in which case a meeting to deal with the emergency may

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813 be held as necessary, with reasonable notice, so long as it is
814 subsequently ratified by the governing body. No approval of the
815 annual budget shall be granted at an emergency meeting. The
816 notice shall be posted as provided in advertisement shall be
817 ~~placed in that portion of the newspaper where legal notices and~~
818 ~~classified advertisements appear. The advertisement shall appear~~
819 ~~in a newspaper that is published at least 5 days a week, unless~~
820 ~~the only newspaper in the county is published fewer than 5 days~~
821 ~~a week. The newspaper selected must be one of general interest~~
822 ~~and readership in the community and not one of limited subject~~
823 ~~matter, pursuant to chapter 50. Any other provision of law to~~
824 the contrary notwithstanding, and except in the case of
825 emergency meetings, water management districts may provide
826 reasonable notice of public meetings held to evaluate responses
827 to solicitations issued by the water management district, as
828 provided in chapter 50 by Internet publication or by publication
829 ~~by publication in a newspaper of general paid circulation in the~~
830 county where the principal office of the water management
831 district is located, or in the county or counties where the
832 public work will be performed, no less than 7 days before such
833 meeting.

834 Section 17. Paragraph (d) of subsection (1) of section
835 190.005, Florida Statutes, is amended to read:

836 190.005 Establishment of district.—

837 (1) The exclusive and uniform method for the establishment
838 of a community development district with a size of 2,500 acres
839 or more shall be pursuant to a rule, adopted under chapter 120
840 by the Florida Land and Water Adjudicatory Commission, granting
841 a petition for the establishment of a community development

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842 district.

843 (d) A local public hearing on the petition shall be
844 conducted by a hearing officer in conformance with the
845 applicable requirements and procedures of the Administrative
846 Procedure Act. The hearing shall include oral and written
847 comments on the petition pertinent to the factors specified in
848 paragraph (e). The hearing shall be held at an accessible
849 location in the county in which the community development
850 district is to be located. The petitioner shall cause a notice
851 of the hearing to be published for 4 successive weeks on a
852 newspaper's website and the statewide legal notice website
853 provided in s. 50.0211(5) or, if published in print, in a
854 newspaper at least once a week for the 4 successive weeks
855 immediately prior to the hearing as provided in chapter 50. Such
856 notice shall give the time and place for the hearing, a
857 description of the area to be included in the district, which
858 description shall include a map showing clearly the area to be
859 covered by the district, and any other relevant information
860 which the establishing governing bodies may require. If
861 published in the print edition of a newspaper, the advertisement
862 may ~~shall~~ not be placed in the ~~that~~ portion of the newspaper
863 where legal notices and classified advertisements appear. The
864 advertisement must ~~shall~~ be published in a newspaper ~~of general~~
865 ~~paid circulation~~ in the county and of general interest and
866 readership in the community, ~~not one of limited subject matter,~~
867 pursuant to chapter 50. Whenever possible, the advertisement
868 shall appear in a newspaper that is published at least weekly ~~5~~
869 ~~days a week,~~ unless the only newspaper in the community is
870 published less than weekly ~~fewer than 5 days a week.~~ If the

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871 notice is ~~In addition to being~~ published in the print edition of
872 the newspaper, the map ~~referenced above~~ must also be included in
873 any part of the online advertisement ~~required~~ pursuant to s.
874 50.0211. All affected units of general-purpose local government
875 and the general public shall be given an opportunity to appear
876 at the hearing and present oral or written comments on the
877 petition.

878 Section 18. Paragraph (h) of subsection (1) of section
879 190.046, Florida Statutes, is amended to read:

880 190.046 Termination, contraction, or expansion of
881 district.—

882 (1) A landowner or the board may petition to contract or
883 expand the boundaries of a community development district in the
884 following manner:

885 (h) For a petition to establish a new community development
886 district of less than 2,500 acres on land located solely in one
887 county or one municipality, sufficiently contiguous lands
888 located within the county or municipality which the petitioner
889 anticipates adding to the boundaries of the district within 10
890 years after the effective date of the ordinance establishing the
891 district may also be identified. If such sufficiently contiguous
892 land is identified, the petition must include a legal
893 description of each additional parcel within the sufficiently
894 contiguous land, the current owner of the parcel, the acreage of
895 the parcel, and the current land use designation of the parcel.
896 At least 14 days before the hearing required under s.
897 190.005(2)(b), the petitioner must give the current owner of
898 each such parcel notice of filing the petition to establish the
899 district, the date and time of the public hearing on the

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900 petition, and the name and address of the petitioner. A parcel
901 may not be included in the district without the written consent
902 of the owner of the parcel.

903 1. After establishment of the district, a person may
904 petition the county or municipality to amend the boundaries of
905 the district to include a previously identified parcel that was
906 a proposed addition to the district before its establishment. A
907 filing fee may not be charged for this petition. Each such
908 petition must include:

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

911 b. A new legal description by metes and bounds of the
912 district;

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

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

915 e. A description of the development proposed on the
916 additional parcel; and

917 f. A copy of the original petition identifying the parcel
918 to be added.

919 2. Before filing with the county or municipality, the
920 person must provide the petition to the district and to the
921 owner of the proposed additional parcel, if the owner is not the
922 petitioner.

923 3. Once the petition is determined sufficient and complete,
924 the county or municipality must process the addition of the
925 parcel to the district as an amendment to the ordinance that
926 establishes the district. The county or municipality may process
927 all petitions to amend the ordinance for parcels identified in
928 the original petition, even if, by adding such parcels, the

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929 district exceeds 2,500 acres.

930 4. The petitioner shall cause to be published in a
931 newspaper qualified to publish legal notices ~~of general~~
932 ~~circulation~~ in the proposed district a notice of the intent to
933 amend the ordinance that establishes the district. The notice
934 must be in addition to any notice required for adoption of the
935 ordinance amendment. Such notice must be published as provided
936 in chapter 50 at least 10 days before the scheduled hearing on
937 the ordinance amendment ~~and may be published in the section of~~
938 ~~the newspaper reserved for legal notices~~. The notice must
939 include a general description of the land to be added to the
940 district and the date and time of the scheduled hearing to amend
941 the ordinance. The petitioner shall deliver, including by mail
942 or hand delivery, the notice of the hearing on the ordinance
943 amendment to the owner of the parcel and to the district at
944 least 14 days before the scheduled hearing.

945 5. The amendment of a district by the addition of a parcel
946 pursuant to this paragraph does not alter the transition from
947 landowner voting to qualified elector voting pursuant to s.
948 190.006, even if the total size of the district after the
949 addition of the parcel exceeds 5,000 acres. Upon adoption of the
950 ordinance expanding the district, the petitioner must cause to
951 be recorded a notice of boundary amendment which reflects the
952 new boundaries of the district.

953 6. This paragraph is intended to facilitate the orderly
954 addition of lands to a district under certain circumstances and
955 does not preclude the addition of lands to any district using
956 the procedures in the other provisions of this section.

957 Section 19. Subsection (1) of section 194.037, Florida

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958 Statutes, is amended to read:

959 194.037 Disclosure of tax impact.-

960 (1) After hearing all petitions, complaints, appeals, and
961 disputes, the clerk shall make public notice of the findings and
962 results of the board as provided in chapter 50. If published in
963 the print edition of a newspaper, the notice must be in at least
964 a quarter-page size advertisement of a standard size or tabloid
965 size newspaper, and the headline shall be in a type no smaller
966 than 18 point. The advertisement shall not be placed in that
967 portion of the newspaper where legal notices and classified
968 advertisements appear. The advertisement shall be published in a
969 newspaper ~~of general paid circulation~~ in the county. The
970 newspaper selected shall be one of general interest and
971 readership in the community, ~~and not one of limited subject~~
972 ~~matter,~~ pursuant to chapter 50. For all advertisements published
973 pursuant to this section, the headline shall read: TAX IMPACT OF
974 VALUE ADJUSTMENT BOARD. The public notice shall list the members
975 of the value adjustment board and the taxing authorities to
976 which they are elected. The form shall show, in columnar form,
977 for each of the property classes listed under subsection (2),
978 the following information, with appropriate column totals:

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

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

984 (c) In the third column, the number of parcels for which
985 the board considered the petition and reduced the assessment
986 from that made by the property appraiser on the initial

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987 assessment roll.

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

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

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

998 (g) In the seventh column, the net shift in taxes to
999 parcels not granted relief by the board. The shift shall be
1000 computed as the amount shown in column 6 multiplied by the
1001 applicable millage rates adopted by the taxing authorities in
1002 hearings held pursuant to s. 200.065(2)(d) or adopted by vote of
1003 the electors pursuant to s. 9(b) or s. 12, Art. VII of the State
1004 Constitution, but without adjustment as authorized pursuant to
1005 s. 200.065(6). If for any taxing authority the hearing has not
1006 been completed at the time the notice required herein is
1007 prepared, the millage rate used shall be that adopted in the
1008 hearing held pursuant to s. 200.065(2)(c).

1009 Section 20. Subsection (1) of section 197.402, Florida
1010 Statutes, is amended to read:

1011 197.402 Advertisement of real or personal property with
1012 delinquent taxes.—

1013 (1) If advertisements are required, the board of county
1014 commissioners shall make such notice ~~select the newspaper~~ as
1015 provided in chapter 50. The tax collector shall pay all

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1016 ~~newspaper~~ charges, and the proportionate cost of the
1017 advertisements shall be added to the delinquent taxes collected.

1018 Section 21. Subsection (3) of section 200.065, Florida
1019 Statutes, is amended to read:

1020 200.065 Method of fixing millage.—

1021 (3) The advertisement shall be published as provided in
1022 chapter 50. If the advertisement is published in the print
1023 edition of a newspaper, the advertisement must be no less than
1024 one-quarter page in size of a standard size or a tabloid size
1025 newspaper, and the headline in the advertisement shall be in a
1026 type no smaller than 18 point. The advertisement shall not be
1027 placed in that portion of the newspaper where legal notices and
1028 classified advertisements appear. The advertisement shall be
1029 published in a newspaper ~~of general paid circulation~~ in the
1030 county or in a geographically limited insert of such newspaper.
1031 The geographic boundaries in which such insert is circulated
1032 shall include the geographic boundaries of the taxing authority.
1033 It is the legislative intent that, whenever possible, the
1034 advertisement appear in a newspaper that is published at least
1035 weekly ~~5 days a week~~ unless the only newspaper in the county is
1036 published less than weekly ~~5 days a week~~, or that the
1037 advertisement appear in a geographically limited insert of such
1038 newspaper which insert is published throughout the taxing
1039 authority's jurisdiction at least twice each week. It is further
1040 the legislative intent that the newspaper selected be one of
1041 general interest and readership in the community ~~and not one of~~
1042 ~~limited subject matter~~, pursuant to chapter 50.

1043 (a) For taxing authorities other than school districts
1044 which have tentatively adopted a millage rate in excess of 100

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1045 percent of the rolled-back rate computed pursuant to subsection
1046 (1), the advertisement shall be in the following form:

1047 NOTICE OF PROPOSED TAX INCREASE
1048

1049 The ...(name of the taxing authority)... has tentatively
1050 adopted a measure to increase its property tax levy.

1051 Last year's property tax levy:

1052 A. Initially proposed tax levy.....\$XX,XXX,XXX

1053 B. Less tax reductions due to Value Adjustment Board and
1054 other assessment changes..... (\$XX,XXX,XXX)

1055 C. Actual property tax levy.....\$XX,XXX,XXX

1056 This year's proposed tax levy.....\$XX,XXX,XXX

1057 All concerned citizens are invited to attend a public
1058 hearing on the tax increase to be held on ...(date and time)...
1059 at ...(meeting place)....

1060
1061 A FINAL DECISION on the proposed tax increase and the
1062 budget will be made at this hearing.

1063 (b) In all instances in which the provisions of paragraph
1064 (a) are inapplicable for taxing authorities other than school
1065 districts, the advertisement shall be in the following form:

1066
1067 NOTICE OF BUDGET HEARING
1068

1069 The ...(name of taxing authority)... has tentatively
1070 adopted a budget for ...(fiscal year).... A public hearing to
1071 make a FINAL DECISION on the budget AND TAXES will be held on
1072 ...(date and time)... at ...(meeting place)....
1073

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1074 (c) For school districts which have proposed a millage rate
 1075 in excess of 100 percent of the rolled-back rate computed
 1076 pursuant to subsection (1) and which propose to levy nonvoted
 1077 millage in excess of the minimum amount required pursuant to s.
 1078 1011.60(6), the advertisement shall be in the following form:

NOTICE OF PROPOSED TAX INCREASE

1081 The ...(name of school district)... will soon consider a
 1082 measure to increase its property tax levy.

1083 Last year's property tax levy:

1084 A. Initially proposed tax levy.....\$XX,XXX,XXX

1085 B. Less tax reductions due to Value Adjustment Board and
 1086 other assessment changes..... (\$XX,XXX,XXX)

1087 C. Actual property tax levy.....\$XX,XXX,XXX

1088 This year's proposed tax levy.....\$XX,XXX,XXX

1089 A portion of the tax levy is required under state law in
 1090 order for the school board to receive \$...(amount A)... in state
 1091 education grants. The required portion has ...(increased or
 1092 decreased)... by ...(amount B)... percent and represents
 1093 approximately ...(amount C)... of the total proposed taxes.

1094 The remainder of the taxes is proposed solely at the
 1095 discretion of the school board.

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

1099 A DECISION on the proposed tax increase and the budget will
 1100 be made at this hearing.

1101 1. AMOUNT A shall be an estimate, provided by the
 1102 Department of Education, of the amount to be received in the

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1103 current fiscal year by the district from state appropriations
1104 for the Florida Education Finance Program.

1105 2. AMOUNT B shall be the percent increase over the rolled-
1106 back rate necessary to levy only the required local effort in
1107 the current fiscal year, computed as though in the preceding
1108 fiscal year only the required local effort was levied.

1109 3. AMOUNT C shall be the quotient of required local-effort
1110 millage divided by the total proposed nonvoted millage, rounded
1111 to the nearest tenth and stated in words; however, the stated
1112 amount shall not exceed nine-tenths.

1113 (d) For school districts which have proposed a millage rate
1114 in excess of 100 percent of the rolled-back rate computed
1115 pursuant to subsection (1) and which propose to levy as nonvoted
1116 millage only the minimum amount required pursuant to s.
1117 1011.60(6), the advertisement shall be the same as provided in
1118 paragraph (c), except that the second and third paragraphs shall
1119 be replaced with the following paragraph:

1120

1121 This increase is required under state law in order for the
1122 school board to receive \$...(amount A)... in state education
1123 grants.

1124

1125 (e) In all instances in which the provisions of paragraphs
1126 (c) and (d) are inapplicable for school districts, the
1127 advertisement shall be in the following form:

1128

1129 NOTICE OF BUDGET HEARING

1130

1131 The ...(name of school district)... will soon consider a

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1132 budget for ...(fiscal year).... A public hearing to make a
1133 DECISION on the budget AND TAXES will be held on ...(date and
1134 time)... at ...(meeting place)....

1135

1136 (f) In lieu of publishing the notice set out in this
1137 subsection, the taxing authority may mail a copy of the notice
1138 to each elector residing within the jurisdiction of the taxing
1139 authority.

1140 (g) In the event that the mailing of the notice of proposed
1141 property taxes is delayed beyond September 3 in a county, any
1142 multicounty taxing authority which levies ad valorem taxes
1143 within that county shall advertise its intention to adopt a
1144 tentative budget and millage rate in a newspaper ~~of paid general~~
1145 ~~circulation~~ within that county which meets the requirements of
1146 chapter 50, as provided in this subsection, and shall hold the
1147 hearing required pursuant to paragraph (2)(c) not less than 2
1148 days or more than 5 days thereafter, and not later than
1149 September 18. The advertisement shall be in the following form,
1150 unless the proposed millage rate is less than or equal to the
1151 rolled-back rate, computed pursuant to subsection (1), in which
1152 case the advertisement shall be as provided in paragraph (e):

1153 NOTICE OF TAX INCREASE

1154

1155 The ...(name of the taxing authority)... proposes to
1156 increase its property tax levy by ...(percentage of increase
1157 over rolled-back rate)... percent.

1158 All concerned citizens are invited to attend a public
1159 hearing on the proposed tax increase to be held on ...(date and
1160 time)... at ...(meeting place)....

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1161
1162 (h) In no event shall any taxing authority add to or delete
1163 from the language of the advertisements as specified herein
1164 unless expressly authorized by law, except that, if an increase
1165 in ad valorem tax rates will affect only a portion of the
1166 jurisdiction of a taxing authority, advertisements may include a
1167 map or geographical description of the area to be affected and
1168 the proposed use of the tax revenues under consideration. In
1169 addition, if published in the print edition of the newspaper or
1170 only published on the Internet in accordance with s. 50.0211(5),
1171 the map must be included in ~~part of~~ the online advertisement
1172 required by s. 50.0211. The advertisements required herein shall
1173 not be accompanied, preceded, or followed by other advertising
1174 or notices which conflict with or modify the substantive content
1175 prescribed herein.

1176 (i) The advertisements required pursuant to paragraphs (b)
1177 and (e) need not be one-quarter page in size or have a headline
1178 in type no smaller than 18 point.

1179 (j) The amounts to be published as percentages of increase
1180 over the rolled-back rate pursuant to this subsection shall be
1181 based on aggregate millage rates and shall exclude voted millage
1182 levies unless expressly provided otherwise in this subsection.

1183 (k) Any taxing authority which will levy an ad valorem tax
1184 for an upcoming budget year but does not levy an ad valorem tax
1185 currently shall, in the advertisement specified in paragraph
1186 (a), paragraph (c), paragraph (d), or paragraph (g), replace the
1187 phrase "increase its property tax levy by ... (percentage of
1188 increase over rolled-back rate)... percent" with the phrase
1189 "impose a new property tax levy of \$...(amount)... per \$1,000

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1190 value.”

1191 (1) Any advertisement required pursuant to this section
1192 shall be accompanied by an adjacent notice meeting the budget
1193 summary requirements of s. 129.03(3)(b). Except for those taxing
1194 authorities proposing to levy ad valorem taxes for the first
1195 time, the following statement shall appear in the budget summary
1196 in boldfaced type immediately following the heading, if the
1197 applicable percentage is greater than zero:

1198
1199 THE PROPOSED OPERATING BUDGET EXPENDITURES OF ...(name of
1200 taxing authority)... ARE ...(percent rounded to one decimal
1201 place)... MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

1202
1203 For purposes of this paragraph, “proposed operating budget
1204 expenditures” or “operating expenditures” means all moneys of
1205 the local government, including dependent special districts,
1206 that:

1207 1. Were or could be expended during the applicable fiscal
1208 year, or

1209 2. Were or could be retained as a balance for future
1210 spending in the fiscal year.

1211
1212 Provided, however, those moneys held in or used in trust,
1213 agency, or internal service funds, and expenditures of bond
1214 proceeds for capital outlay or for advanced refunded debt
1215 principal, shall be excluded.

1216 Section 22. Paragraph (c) of subsection (1) of section
1217 338.223, Florida Statutes, is amended to read:

1218 338.223 Proposed turnpike projects.—

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(1)

(c) Prior to requesting legislative approval of a proposed turnpike project, the environmental feasibility of the proposed project shall be reviewed by the Department of Environmental Protection. The department shall submit its Project Development and Environmental Report to the Department of Environmental Protection, along with a draft copy of a public notice. Within 14 days of receipt of the draft public notice, the Department of Environmental Protection shall return the draft public notice to the Department of Transportation with an approval of the language or modifications to the language. Upon receipt of the approved or modified draft, or if no comments are provided within 14 days, the Department of Transportation shall publish the notice as provided in chapter 50 ~~in a newspaper~~ to provide a 30-day public comment period. If published in the print edition of a newspaper, the headline of the required notice shall be in a type no smaller than 18 point, ~~the notice~~ shall be placed in that portion of the newspaper where legal notices appear, and ~~The notice~~ shall be published in a newspaper qualified to publish legal notices ~~of general circulation~~ in the county or counties of general interest and readership in the community as provided in s. 50.031, ~~not one of limited subject matter.~~ Whenever possible, the notice shall appear in a newspaper that is published at least weekly ~~5 days a week~~. All notices published pursuant to this section ~~The notice~~ shall include, at a minimum ~~but is not limited to,~~ the following information:

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

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1248 2. The name and description of the project, along with a
1249 geographic location map clearly indicating the area where the
1250 proposed project will be located.

1251 3. The address where such comments must be sent and the
1252 date such comments are due.

1253
1254 After a review of the department's report and any public
1255 comments, the Department of Environmental Protection shall
1256 submit a statement of environmental feasibility to the
1257 department within 30 days after the date on which public
1258 comments are due. The notice and the statement of environmental
1259 feasibility shall not give rise to any rights to a hearing or
1260 other rights or remedies provided pursuant to chapter 120 or
1261 chapter 403, and shall not bind the Department of Environmental
1262 Protection in any subsequent environmental permit review.

1263 Section 23. Subsection (3) of section 348.0308, Florida
1264 Statutes, is amended to read:

1265 348.0308 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 agency 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 Internet publication
1276 or by print in a newspaper qualified to publish legal notices ~~of~~

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

1298 Section 24. Subsection (3) of section 348.635, Florida
1299 Statutes, is amended to read:

1300 348.635 Public-private partnership.—The Legislature
1301 declares that there is a public need for the rapid construction
1302 of safe and efficient transportation facilities for traveling
1303 within the state and that it is in the public's interest to
1304 provide for public-private partnership agreements to effectuate
1305 the construction of additional safe, convenient, and economical

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1306 transportation facilities.

1307 (3) The authority may request proposals for public-private
1308 transportation projects or, if it receives an unsolicited
1309 proposal, it must publish a notice in the Florida Administrative
1310 Register and, as provided in chapter 50, by either Internet
1311 publication or by print in ~~and~~ a newspaper ~~of general~~
1312 ~~circulation~~ in the county in which the project ~~it~~ is located at
1313 least once a week for 2 weeks stating that it has received the
1314 proposal and will accept, for 60 days after the initial date of
1315 publication, other proposals for the same project purpose. A
1316 copy of the notice must be mailed to each local government in
1317 the affected areas. After the public notification period has
1318 expired, the authority shall rank the proposals in order of
1319 preference. In ranking the proposals, the authority shall
1320 consider professional qualifications, general business terms,
1321 innovative engineering or cost-reduction terms, finance plans,
1322 and the need for state funds to deliver the proposal. If the
1323 authority is not satisfied with the results of the negotiations,
1324 it may, at its sole discretion, terminate negotiations with the
1325 proposer. If these negotiations are unsuccessful, the authority
1326 may go to the second and lower-ranked firms, in order, using the
1327 same procedure. If only one proposal is received, the authority
1328 may negotiate in good faith, and if it is not satisfied with the
1329 results, it may, at its sole discretion, terminate negotiations
1330 with the proposer. The authority may, at its discretion, reject
1331 all proposals at any point in the process up to completion of a
1332 contract with the proposer.

1333 Section 25. Subsection (3) of section 348.7605, Florida
1334 Statutes, is amended to read:

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1335 348.7605 Public-private partnership.—The Legislature
1336 declares that there is a public need for the rapid construction
1337 of safe and efficient transportation facilities for traveling
1338 within the state and that it is in the public's interest to
1339 provide for public-private partnership agreements to effectuate
1340 the construction of additional safe, convenient, and economical
1341 transportation facilities.

1342 (3) The authority may request proposals for public-private
1343 transportation projects or, if it receives an unsolicited
1344 proposal, it must publish a notice in the Florida Administrative
1345 Register and, as provided in chapter 50, by either Internet
1346 publication or by print in a newspaper of general circulation in
1347 the county in which the project ~~it~~ is located at least once a
1348 week for 2 weeks stating that it has received the proposal and
1349 will accept, for 60 days after the initial date of publication,
1350 other proposals for the same project purpose. A copy of the
1351 notice must be mailed to each local government in the affected
1352 areas. After the public notification period has expired, the
1353 authority shall rank the proposals in order of preference. In
1354 ranking the proposals, the authority shall consider professional
1355 qualifications, general business terms, innovative engineering
1356 or cost-reduction terms, finance plans, and the need for state
1357 funds to deliver the proposal. If the authority is not satisfied
1358 with the results of the negotiations, it may, at its sole
1359 discretion, terminate negotiations with the proposer. If these
1360 negotiations are unsuccessful, the authority may go to the
1361 second and lower-ranked firms, in order, using the same
1362 procedure. If only one proposal is received, the authority may
1363 negotiate in good faith, and if it is not satisfied with the

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1364 results, it may, at its sole discretion, terminate negotiations
1365 with the proposer. The authority may, at its discretion, reject
1366 all proposals at any point in the process up to completion of a
1367 contract with the proposer.

1368 Section 26. Section 373.0397, Florida Statutes, is amended
1369 to read:

1370 373.0397 Floridan and Biscayne aquifers; designation of
1371 prime groundwater recharge areas.—Upon preparation of an
1372 inventory of prime groundwater recharge areas for the Floridan
1373 or Biscayne aquifers, but prior to adoption by the governing
1374 board, the water management district shall publish a legal
1375 notice of public hearing on the designated areas for the
1376 Floridan and Biscayne aquifers, with a map delineating the
1377 boundaries of the areas, as provided ~~in newspapers defined in~~
1378 ~~chapter 50 as having general circulation within the area to be~~
1379 ~~affected~~. The notice shall be at least one-fourth page and shall
1380 read as follows:

1381
1382 NOTICE OF PRIME RECHARGE
1383 AREA DESIGNATION
1384

1385 The ...(name of taxing authority)... proposes to designate
1386 specific land areas as areas of prime recharge to the ...(name
1387 of aquifer)... Aquifer.

1388 All concerned citizens are invited to attend a public
1389 hearing on the proposed designation to be held on ...(date and
1390 time)... at ...(meeting place)....

1391 A map of the affected areas follows.
1392

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1393 The governing board of the water management district shall adopt
1394 a designation of prime groundwater recharge areas to the
1395 Floridan and Biscayne aquifers by rule within 120 days after the
1396 public hearing, subject to the provisions of chapter 120.

1397 Section 27. Section 373.146, Florida Statutes, is amended
1398 to read:

1399 373.146 Publication of notices, process, and papers.—

1400 (1) Whenever in this chapter the publication of any notice,
1401 process, or paper is required or provided for, unless otherwise
1402 provided by law, the publication thereof ~~in some newspaper or~~
1403 ~~newspapers~~ as provided ~~defined~~ in chapter 50 ~~is having general~~
1404 ~~circulation within the area to be affected shall be taken and~~
1405 considered as being sufficient.

1406 (2) Notwithstanding any other provision of law to the
1407 contrary, and except in the case of emergency meetings, water
1408 management districts may provide reasonable notice of public
1409 meetings held to evaluate responses to solicitations issued by
1410 the water management district, by publication as provided in
1411 chapter 50 ~~in a newspaper of general paid circulation in the~~
1412 ~~county where the principal office of the water management~~
1413 ~~district is located, or in the county or counties where the~~
1414 ~~public work will be performed~~, no less than 7 days before such
1415 meeting.

1416 Section 28. Subsection (12) of section 403.722, Florida
1417 Statutes, is amended to read:

1418 403.722 Permits; hazardous waste disposal, storage, and
1419 treatment facilities.—

1420 (12) On the same day of filing with the department of an
1421 application for a permit for the construction modification, or

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1422 operation of a hazardous waste facility, the applicant shall
1423 notify each city and county within 1 mile of the facility of the
1424 filing of the application and shall publish notice of the filing
1425 of the application. The applicant shall publish a second notice
1426 of the filing within 14 days after the date of filing. Each
1427 notice shall be published as provided in chapter 50 ~~in a~~
1428 ~~newspaper of general circulation~~ in the county in which the
1429 facility is located or is proposed to be located.

1430 ~~Notwithstanding the provisions of chapter 50, for purposes of~~
1431 ~~this section, a "newspaper of general circulation" shall be the~~
1432 ~~newspaper within the county in which the installation or~~
1433 ~~facility is proposed which has the largest daily circulation in~~
1434 ~~that county and has its principal office in that county. If the~~
1435 ~~newspaper with the largest daily circulation has its principal~~
1436 ~~office outside the county, the notice shall appear in both the~~
1437 ~~newspaper with the largest daily circulation in that county, and~~
1438 ~~a newspaper authorized to publish legal notices in that county.~~

1439 The notice shall contain:

1440 (a) The name of the applicant and a brief description of
1441 the project and its location.

1442 (b) The location of the application file and when it is
1443 available for public inspection.

1444
1445 The notice shall be prepared by the applicant and shall comply
1446 with the following format:

1447
1448 Notice of Application
1449 The Department of Environmental Protection announces receipt of
1450 an application for a permit from ... (name of applicant) ... to

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1451 ...(brief description of project).... This proposed project will
1452 be located at ...(location)... in ...(county)... ...(city)....

1453

1454 This application is being processed and is available for public
1455 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,
1456 Monday through Friday, except legal holidays, at ...(name and
1457 address of office)....

1458 Section 29. Subsection (5) of section 849.38, Florida
1459 Statutes, is amended to read:

1460 849.38 Proceedings for forfeiture; notice of seizure and
1461 order to show cause.—

1462 (5) If the value of the property seized is shown by the
1463 sheriff's return to have an appraised value of \$1,000 or less,
1464 the above citation shall be served by posting at three public
1465 places in the county, one of which shall be the front door of
1466 the courthouse; if the value of the property is shown by the
1467 sheriff's return to have an approximate value of more than
1468 \$1,000, the citation shall be published by print or posted for
1469 at least 2 consecutive weeks on a newspaper's website and the
1470 statewide legal notice website in accordance with s. 50.0211(5).
1471 If published in print, the citation shall appear at least once
1472 each week for 2 consecutive weeks in a ~~some~~ newspaper qualified
1473 to publish legal notices under chapter 50 that is ~~of general~~
1474 publication published in the county, if there is ~~be~~ such a
1475 newspaper published in the county. and If there is no such
1476 newspaper not, the then said notice of such publication shall be
1477 made by certificate of the clerk if publication is made by
1478 posting, and by affidavit as provided in chapter 50, if made by
1479 publication as provided in chapter 50 ~~in a newspaper~~, which

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1480 affidavit or certificate shall be filed and become a part of the
1481 record in the cause. Failure of the record to show proof of such
1482 publication shall not affect any judgment made in the cause
1483 unless it shall affirmatively appear that no such publication
1484 was made.

1485 Section 30. Paragraph (a) of subsection (6) of section
1486 932.704, Florida Statutes, is amended to read:

1487 932.704 Forfeiture proceedings.—

1488 (6) (a) If the property is required by law to be titled or
1489 registered, or if the owner of the property is known in fact to
1490 the seizing agency, or if the seized property is subject to a
1491 perfected security interest in accordance with the Uniform
1492 Commercial Code, chapter 679, the attorney for the seizing
1493 agency shall serve the forfeiture complaint as an original
1494 service of process under the Florida Rules of Civil Procedure
1495 and other applicable law to each person having an ownership or
1496 security interest in the property. The seizing agency shall also
1497 publish, in accordance with chapter 50, notice of the forfeiture
1498 complaint for 2 consecutive weeks on a newspaper's website and
1499 the statewide legal notice website in accordance with s.
1500 50.0211(5) or, if published in print, once each week for 2
1501 consecutive weeks in a newspaper qualified to publish legal
1502 notices under chapter 50 of general circulation, as defined in
1503 s. ~~165.031~~, in the county where the seizure occurred.

1504 Section 31. This act shall take effect January 1, 2022.