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CS/HB 7049, Engrossed 1

2022 Legislature

1  
 2 An act relating to legal notices; amending s. 50.011,  
 3 F.S.; revising the requirements for newspapers  
 4 publishing legal notices; deleting an option for  
 5 publication on a newspaper's website; providing for  
 6 the publication of legal notices on certain publicly  
 7 accessible websites; amending ss. 50.021, 50.0211, and  
 8 50.031, F.S.; conforming provisions to changes made by  
 9 the act; creating s. 50.0311, F.S.; providing  
 10 definitions; authorizing a governmental agency to  
 11 publish legal notices on a publicly accessible website  
 12 under certain circumstances; providing criteria for  
 13 website publication; authorizing a governmental agency  
 14 with a certain percentage of its population located  
 15 within a county meeting a certain population threshold  
 16 to use a publicly accessible website to publish  
 17 legally required advertisements and public notices  
 18 only if certain requirements are met; requiring a  
 19 governmental agency to provide specified notice to  
 20 certain residents and property owners relating to  
 21 alternative methods of receiving legal notices;  
 22 authorizing a governmental agency to publish certain  
 23 public notices and advertisements on its governmental  
 24 access channels; providing a requirement for public  
 25 bid advertisements made by governmental agencies on

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26 publicly accessible websites; amending s. 50.051,  
 27 F.S.; revising a form for affidavits of publication;  
 28 amending s. 50.061, F.S.; correcting a cross-  
 29 reference; amending s. 50.0711, F.S.; revising  
 30 provisions relating to the use of court docket funds;  
 31 amending ss. 11.02, 45.031, 90.902, 120.81, 121.055,  
 32 162.12, 189.015, 190.005, 200.065, 348.0308, 348.635,  
 33 348.7605, 849.38, and 932.704, F.S.; conforming  
 34 provisions to changes made by the act; providing an  
 35 effective date.

36  
 37 Be It Enacted by the Legislature of the State of Florida:

38  
 39 Section 1. Section 50.011, Florida Statutes, is amended to  
 40 read:

41 50.011 Publication of legal notices.—Whenever by statute  
 42 an official or legal advertisement or a publication, ~~or~~ or notice  
 43 in a newspaper or on a governmental agency website has been or  
 44 is directed or permitted in the nature of or in lieu of process,  
 45 or for constructive service, or in initiating, assuming,  
 46 reviewing, exercising, or enforcing jurisdiction or power, or  
 47 for any purpose, including all legal notices and advertisements  
 48 of sheriffs and tax collectors, such legislation, whether  
 49 existing or repealed, means either of the contemporaneous and  
 50 ~~continuous intent and meaning of such legislation all and~~

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51 ~~singular, existing or repealed, is and has been and is hereby~~  
 52 ~~declared to be and to have been, and the rule of interpretation~~  
 53 ~~is and has been the following:~~

54       (1) A publication in a newspaper printed and published  
 55 periodically at least once a week, containing at least 25  
 56 percent of its words in the English language, available to the  
 57 public generally for the publication of official or other  
 58 notices and customarily containing information of a public  
 59 character or of interest or of value to the residents or owners  
 60 of property in the county where published, or of interest or of  
 61 value to the general public, which ~~A publication in a newspaper~~  
 62 ~~that meets all of the following:~~

63       ~~(a) Is printed and published periodically at least once a~~  
 64 ~~week.~~

65       ~~(b) Contains at least 25 percent of its words in the~~  
 66 ~~English language.~~

67       ~~(c) Satisfies one of the following criteria:~~

68       (a)1. Has an audience consisting of at least 10 percent of  
 69 the households in the county or municipality, as determined by  
 70 the most recent decennial census, where the legal or public  
 71 notice is being published or posted, by calculating the  
 72 combination of the total of the number of print copies  
 73 reflecting the day of highest print circulation, of which at  
 74 least 25 percent of such print copies must be delivered to  
 75 individuals' home or business addresses, as certified biennially

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76 | by a certified independent third-party auditor, and the total  
 77 | number of online unique monthly visitors to the newspaper's  
 78 | website from within the state, as measured by industry-accepted  
 79 | website analytics software. The newspaper must also be sold, or  
 80 | otherwise available to the public, at no less than 10 publicly  
 81 | accessible outlets. For legal and public notices published by  
 82 | nongovernmental entities, the newspaper's audience in the county  
 83 | or municipality where the project, property, or other primary  
 84 | subject of the notice is located must meet the 10 percent  
 85 | threshold; or-

86 |       (b)2. Is entered or qualified to be admitted and entered  
 87 | as periodical class mail at a post office in the county where  
 88 | published. Holds a periodicals permit as of March 1, 2021, and  
 89 | accepts legal notices for publication as of that date. Any such  
 90 | newspaper may continue to publish legal notices through  
 91 | December 31, 2023, so long as the newspaper continues to meet  
 92 | the requirements set forth in s. 21, chapter 99-2, Laws of  
 93 | Florida, and continues to hold a periodicals permit. Beginning  
 94 | January 1, 2024, and thereafter, any such newspaper must meet  
 95 | the criteria under subparagraph 1.

96 |       ~~3. For newspapers publishing legal notices in a fiscally~~  
 97 | ~~constrained county, holds a periodicals permit and meets all~~  
 98 | ~~other requirements of this chapter. A newspaper qualified under~~  
 99 | ~~this subparagraph does not need to meet the criteria under~~  
 100 | ~~subparagraph 1. so long as the newspaper continues to hold a~~

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101 ~~periodicals permit. For purposes of this subparagraph, the term~~  
102 ~~"fiscally constrained county" means a county within a rural area~~  
103 ~~of opportunity designated by the Governor pursuant to s.~~  
104 ~~288.0656 or a county for which the value of a mill will raise no~~  
105 ~~more than \$5 million in revenue, based on the certified taxable~~  
106 ~~value certified pursuant to s. 1011.62(4)(a)1.a., from the~~  
107 ~~previous July 1.~~

108 ~~(d) Is available to the public generally for the~~  
109 ~~publication of official or other notices with no more than 75~~  
110 ~~percent of its content dedicated toward advertising, as measured~~  
111 ~~in half of the newspaper's issues that are published during any~~  
112 ~~12-month period, and customarily containing information of a~~  
113 ~~public character or of interest or of value to the residents or~~  
114 ~~owners of property in the county where published, or of interest~~  
115 ~~or of value to the general public.~~

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

125 (2) A publication on a publicly accessible website under

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126 ~~s. 50.0311 Internet publication for governmental agency notices~~  
 127 ~~under s. 50.0211(1)(b) on the website of any newspaper in the~~  
 128 ~~county to which the legal notice pertains and on the statewide~~  
 129 ~~legal notice website as provided in s. 50.0211(5). A newspaper~~  
 130 ~~is deemed to be a newspaper in the county to which the legal~~  
 131 ~~notice pertains if it satisfies the criteria in subsection (1).~~

132 Section 2. Section 50.021, Florida Statutes, is amended to  
 133 read:

134 50.021 Publication when no newspaper in county.—When any  
 135 law, or order or decree of court, directs advertisements to be  
 136 made in a county and there is no newspaper published in the  
 137 county, the advertisement may be published on a publicly  
 138 accessible website as provided in s. 50.0311 ~~made by publication~~  
 139 ~~in any newspaper qualified under this chapter in an adjoining~~  
 140 ~~county or on the website of any such newspaper for governmental~~  
 141 ~~agency notices under s. 50.0211(1)(b), and on the statewide~~  
 142 ~~legal notice website as provided in s. 50.0211(5) or made by~~  
 143 ~~posting three copies thereof in three different places in the~~  
 144 ~~county, one of which shall be at the front door of the~~  
 145 ~~courthouse, and by publication in the nearest county in which a~~  
 146 ~~newspaper qualified under this chapter is published.~~

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

149 50.0211 Internet website publication.—

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

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

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

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

159           ~~2. Educational unit notices pursuant to s. 120.81.~~

160           ~~3. Retirement system notices pursuant to s. 121.0511.~~

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

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

166           ~~6. Code enforcement notices published pursuant to s.~~  
 167 ~~162.12.~~

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

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

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

175           ~~10. Disclosures of tax impact by value adjustment boards~~

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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 (1)~~(2)~~ This section applies to legal notices that must be  
 192 published in accordance with this chapter unless otherwise  
 193 specified.  
 194 (2)~~(3)~~ If a governmental agency publishes a legal notice  
 195 in the print edition of a newspaper, each legal notice must be  
 196 published ~~posted~~ on the newspaper's website on the same day that  
 197 the 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

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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  
 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 (3) (a) ~~(4) (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](http://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  
 222 number.

223 2. Published ~~Posted~~ for a period of at least 90  
 224 consecutive days after the first day of publication ~~posting~~.

225 (c) The statewide website created under this subsection

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226 shall maintain a searchable archive of all legal notices  
 227 published ~~posted~~ on the publicly accessible website for 18  
 228 months after the first day of publication ~~posting~~. Such  
 229 searchable archive shall be provided and accessible to the  
 230 general public without charge.

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

246 ~~(5)(a) In lieu of publishing a legal notice in the print~~  
 247 ~~edition of a newspaper of general circulation, a governmental~~  
 248 ~~agency may opt for Internet-only publication of governmental~~  
 249 ~~agency notices with any newspaper of general circulation within~~  
 250 ~~the jurisdiction of the affected governmental agency so long as~~

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

272 ~~(b) The legal notices section of the print edition of a~~  
273 ~~newspaper must include a disclaimer stating that additional~~  
274 ~~legal notices may be accessed on the newspaper's website and the~~  
275 ~~statewide legal notice website. The legal notices section of the~~

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276 ~~newspaper's website must also include a disclaimer stating that~~  
277 ~~legal notices are also published in the print edition of the~~  
278 ~~newspaper and on the statewide legal notice website.~~

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

290 ~~(d) If a governmental agency exercises the option to~~  
291 ~~publish Internet-only governmental agency notices in accordance~~  
292 ~~with this subsection, such agency must provide notice at least~~  
293 ~~once per week in the print edition of a newspaper of general~~  
294 ~~circulation within the region in which the governmental agency~~  
295 ~~is located which states that legal notices pertaining to the~~  
296 ~~agency do not all appear in the print edition of the local~~  
297 ~~newspaper and that additional legal notices may be accessed on~~  
298 ~~the newspaper's website and that a full listing of any legal~~  
299 ~~notices may be accessed on the statewide legal notice website~~  
300 ~~located at [www.floridapublicnotices.com](http://www.floridapublicnotices.com). Additionally, any such~~

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301 ~~governmental agency must post a link on its website homepage to~~  
 302 ~~a webpage that lists all of the newspapers in which the~~  
 303 ~~governmental agency publishes legal notices. A newspaper is~~  
 304 ~~deemed to be a newspaper of general circulation within the~~  
 305 ~~region in which the governmental agency is located if it~~  
 306 ~~satisfies the criteria in s. 50.011(1).~~

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

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

319 Section 4. Section 50.031, Florida Statutes, is amended to  
 320 read:

321 50.031 Newspapers in which legal notices and process may  
 322 be published.-If a governmental agency publishes a legal notice  
 323 in a newspaper, no notice or publication required to be  
 324 published in the print edition of a newspaper or on a  
 325 newspaper's website, if authorized, in the nature of or in lieu

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

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351 accordance with ~~the provisions of~~ this section or s. 50.0311 ~~s.~~  
 352 50.0211(5). Proof of such publication shall be made by uniform  
 353 affidavit.

354 Section 5. Section 50.0311, Florida Statutes, is created  
 355 to read:

356 50.0311 Publication of advertisements and public notices  
 357 on a publicly accessible website and governmental access  
 358 channels.—

359 (1) For purposes of this chapter, the term "governmental  
 360 agency" means a county, municipality, school board, or other  
 361 unit of local government or political subdivision in this state.

362 (2) For purposes of notices and advertisements required  
 363 under s. 50.011, the term "publicly accessible website" means a  
 364 county's official website or other private website designated by  
 365 the county for the publication of legal notices and  
 366 advertisements that is accessible via the Internet. All  
 367 advertisements and public notices published on a website as  
 368 provided in this chapter must be in searchable form and indicate  
 369 the date on which the advertisement or public notice was first  
 370 published on the website.

371 (3) A governmental agency may use the publicly accessible  
 372 website of the county in which it lies to publish legally  
 373 required advertisements and public notices if the cost of  
 374 publishing advertisements and public notices on such website is  
 375 less than the cost of publishing advertisements and public

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376 notices in a newspaper.

377 (4) A governmental agency with at least 75 percent of its  
 378 population located within a county with a population of fewer  
 379 than 160,000 may use a publicly accessible website to publish  
 380 legally required advertisements and public notices only if the  
 381 governing body of the governmental agency, at a public hearing  
 382 that has been noticed in a newspaper as provided in this  
 383 chapter, determines that the residents of the governmental  
 384 agency have sufficient access to the Internet by broadband  
 385 service, as defined in s. 364.02, or by any other means, such  
 386 that publishing advertisements and public notices on a publicly  
 387 accessible website will not unreasonably restrict public access.

388 (5) A special district spanning the geographic boundaries  
 389 of more than one county that satisfies the criteria for  
 390 publishing and chooses to publish legally required  
 391 advertisements and public notices on a publicly accessible  
 392 website must publish such advertisements and public notices on  
 393 the publicly accessible website of each county it spans. For  
 394 purposes of this subsection, the term "special district" has the  
 395 same meaning as in s. 189.012.

396 (6) A governmental agency that uses a publicly accessible  
 397 website to publish legally required advertisements and public  
 398 notices shall provide notice at least once per year in a  
 399 newspaper of general circulation or another publication that is  
 400 mailed or delivered to all residents and property owners

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401 throughout the government's jurisdiction, indicating that  
402 property owners and residents may receive legally required  
403 advertisements and public notices from the governmental agency  
404 by first-class mail or e-mail upon registering their name and  
405 address or e-mail address with the governmental agency. The  
406 governmental agency shall maintain a registry of names,  
407 addresses, and e-mail addresses of property owners and residents  
408 who have requested in writing that they receive legally required  
409 advertisements and public notices from the governmental agency  
410 by first-class mail or e-mail.

411 (7) A link to advertisements and public notices published  
412 on a publicly accessible website shall be conspicuously placed:

413 (a) On the website's homepage or on a page accessible  
414 through a direct link from the homepage.

415 (b) On the homepage of the website of each governmental  
416 agency publishing notices on the publicly accessible website or  
417 on a page accessible through a direct link from the homepage.

418 (8) A governmental agency that has a governmental access  
419 channel authorized under s. 610.109 may also include on its  
420 governmental access channel a summary of all advertisements and  
421 public notices that are published on a publicly accessible  
422 website.

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

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426 Section 6. Section 50.051, Florida Statutes, is amended to  
 427 read:

428 50.051 Proof of publication; form of uniform affidavit.-  
 429 The printed form upon which all such affidavits establishing  
 430 proof of publication are to be executed shall be substantially  
 431 as follows:

432 NAME OF COUNTY  
 433 STATE OF FLORIDA  
 434 COUNTY OF .....

435 Before the undersigned authority personally appeared .....,  
 436 who on oath says that he or she is .... of ~~the ....., a ....~~  
 437 ~~newspaper published at .... in ....~~ County, Florida; that the  
 438 attached copy of advertisement, being a .... in the matter of  
 439 .... in the .... Court, was published on the publicly accessible  
 440 website of .... County, Florida, or in a ~~said~~ newspaper by print  
 441 in the issues of .... ~~or by publication on the newspaper's~~  
 442 ~~website, if authorized,~~ on ... (date)....

443 Affiant further says that the website or newspaper complies  
 444 with all legal requirements for publication in chapter 50,  
 445 Florida Statutes.

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

449 ...(Signature of Notary Public)...

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

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451 ... (Notary Public) ...

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

454 50.061 Amounts chargeable.—

455 (5) If the public notice is published in the print edition  
 456 of a newspaper, the publishing ~~posting~~ of the notice on the  
 457 newspaper's website pursuant to s. 50.0211(2) ~~s. 50.0211(3)~~ must  
 458 be done at no additional charge.

459 Section 8. Section 50.0711, Florida Statutes, is amended  
 460 to read:

461 50.0711 Court docket fund; service charges; publications.—

462 (1) The clerk of the court in each county may establish a  
 463 court docket fund for the purpose of paying the cost of  
 464 publication of the fact of the filing of any civil case in the  
 465 circuit court of the county by the style and of the calendar  
 466 relating to such cases. This court docket fund shall be funded  
 467 by \$1 mandatory court cost for all civil actions, suits, or  
 468 proceedings filed in the circuit court of the county. The clerk  
 469 shall maintain such funds separate and apart, and the proceeds  
 470 from this court cost shall not be diverted to any other fund or  
 471 for any purpose other than that established in this section. The  
 472 clerk of the court shall dispense the fund to the designated  
 473 publicly accessible website publisher or record newspaper in the  
 474 county on a quarterly basis.

475 (2) If a judicial circuit publishes legal notices in a

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476 newspaper, a newspaper qualified under the terms of s. 50.011  
 477 shall be designated as the record newspaper for such publication  
 478 by an order of the majority of the judges in the judicial  
 479 circuit in which such county is located, and such order shall be  
 480 filed and recorded with the clerk of the circuit court for such  
 481 county. The designated record newspaper may be changed at the  
 482 end of any fiscal year of the county by a majority vote of the  
 483 judges of the judicial circuit of the county ordering such  
 484 change 30 days prior to the end of the fiscal year, notice of  
 485 which order shall be given to the previously designated record  
 486 newspaper.

487 (3) The publicly accessible website publisher or  
 488 publishers of any designated record newspapers receiving payment  
 489 from this court docket fund shall publish, without additional  
 490 charge, the fact of the filing of any civil case, suit, or  
 491 action filed in such county in the circuit. Such publication  
 492 shall be in accordance with a schedule agreed upon between the  
 493 website publisher or record newspaper and the clerk of the court  
 494 in such county.

495 (4) The publicly accessible website publisher or  
 496 publishers of any designated record newspapers receiving  
 497 revenues from the court docket fund established in subsection  
 498 (1) shall, without charge, accept legal advertisements for the  
 499 purpose of service of process by publication under s. 49.011(4),  
 500 (10), and (11) when such publication is required of persons

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501 authorized to proceed as indigent persons under s. 57.081.  
 502 Section 9. Section 11.02, Florida Statutes, is amended to  
 503 read:  
 504 11.02 Notice of special or local legislation or certain  
 505 relief acts.—The notice required to obtain special or local  
 506 legislation or any relief act specified in s. 11.065 shall be by  
 507 publishing the identical notice as provided in chapter 50 or  
 508 circulated throughout the county or counties where the matter or  
 509 thing to be affected by such legislation shall be situated one  
 510 time at least 30 days before introduction of the proposed law  
 511 into the Legislature or, if the notice is not published on a  
 512 publicly accessible website as provided in s. 50.0311 ~~made by~~  
 513 ~~Internet publication as provided in s. 50.0211(5)~~ and there is  
 514 ~~being~~ no newspaper circulated throughout or published in the  
 515 county, by posting for at least 30 days at not fewer ~~less~~ than  
 516 three public places in the county or each of the counties, one  
 517 of which places shall be at the courthouse in the county or  
 518 counties where the matter or thing to be affected by such  
 519 legislation shall be situated. Notice of special or local  
 520 legislation shall state the substance of the contemplated law,  
 521 as required by s. 10, Art. III of the State Constitution. Notice  
 522 of any relief act specified in s. 11.065 shall state the name of  
 523 the claimant, the nature of the injury or loss for which the  
 524 claim is made, and the amount of the claim against the affected  
 525 municipality's revenue-sharing trust fund.

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526 Section 10. Subsection (2) of section 45.031, Florida  
 527 Statutes, is amended to read:

528 45.031 Judicial sales procedure.—In any sale of real or  
 529 personal property under an order or judgment, the procedures  
 530 provided in this section and ss. 45.0315–45.035 may be followed  
 531 as an alternative to any other sale procedure if so ordered by  
 532 the court.

533 (2) PUBLICATION OF SALE.—Notice of sale shall be published  
 534 on a publicly accessible website as provided in s. 50.0311 for  
 535 at least 2 consecutive weeks before the sale or once a week for  
 536 2 consecutive weeks in a newspaper of general circulation, as  
 537 provided ~~defined~~ in chapter 50, published in the county where  
 538 the sale is to be held. The second publication by newspaper  
 539 shall be at least 5 days before the sale. The notice shall  
 540 contain:

- 541 (a) A description of the property to be sold.
- 542 (b) The time and place of sale.
- 543 (c) A statement that the sale will be made pursuant to the  
 544 order or final judgment.
- 545 (d) The caption of the action.
- 546 (e) The name of the clerk making the sale.
- 547 (f) A statement that any person claiming an interest in  
 548 the surplus from the sale, if any, other than the property owner  
 549 as of the date of the lis pendens must file a claim before the  
 550 clerk reports the surplus as unclaimed.

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551  
 552 The court, in its discretion, may enlarge the time of the sale.  
 553 Notice of the changed time of sale shall be published as  
 554 provided herein.

555 Section 11. Subsection (12) of section 90.902, Florida  
 556 Statutes, is amended to read:

557 90.902 Self-authentication.—Extrinsic evidence of  
 558 authenticity as a condition precedent to admissibility is not  
 559 required for:

560 (12) A legal notice published in accordance with the  
 561 requirements of chapter 50 in the print edition of a qualified  
 562 newspaper or on a publicly accessible website as provided in s.  
 563 50.0311 ~~the website of a qualified newspaper.~~

564 Section 12. Paragraph (d) of subsection (1) of section  
 565 120.81, Florida Statutes, is amended to read:

566 120.81 Exceptions and special requirements; general  
 567 areas.—

568 (1) EDUCATIONAL UNITS.—

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

574 1. By publication in a newspaper qualified under chapter  
 575 50 in the affected area or on a publicly accessible website as

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576 | provided in s. 50.0311;

577 |         2. By mail to all persons who have made requests of the  
578 | educational unit for advance notice of its proceedings and to  
579 | organizations representing persons affected by the proposed  
580 | rule; and

581 |         3. By posting in appropriate places so that those  
582 | particular classes of persons to whom the intended action is  
583 | directed may be duly notified.

584 |         Section 13. Paragraph (b) of subsection (1) of section  
585 | 121.055, Florida Statutes, is amended to read:

586 |         121.055 Senior Management Service Class.—There is hereby  
587 | established a separate class of membership within the Florida  
588 | Retirement System to be known as the "Senior Management Service  
589 | Class," which shall become effective February 1, 1987.

590 |         (1)

591 |         (b)1. Except as provided in subparagraph 2., effective  
592 | January 1, 1990, participation in the Senior Management Service  
593 | Class is compulsory for the president of each community college,  
594 | the manager of each participating municipality or county, and  
595 | all appointed district school superintendents. Effective January  
596 | 1, 1994, additional positions may be designated for inclusion in  
597 | the Senior Management Service Class if:

598 |         a. Positions to be included in the class are designated by  
599 | the local agency employer. Notice of intent to designate  
600 | positions for inclusion in the class must be published for at

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601 | least 2 consecutive weeks if published on a publicly accessible  
 602 | website as provided in s. 50.0311 ~~by Internet publication as~~  
 603 | ~~provided in s. 50.0211(5)~~ or, if published in print, once a week  
 604 | for 2 consecutive weeks in a newspaper qualified under chapter  
 605 | 50 that is published in the county or counties affected.

606 |       b. Up to 10 nonelective full-time positions may be  
 607 | designated for each local agency employer reporting to the  
 608 | department; for local agencies with 100 or more regularly  
 609 | established positions, additional nonelective full-time  
 610 | positions may be designated, not to exceed 1 percent of the  
 611 | regularly established positions within the agency.

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

- 616 |           (I) Heads an organizational unit; or
- 617 |           (II) Has responsibility to effect or recommend personnel,  
 618 | budget, expenditure, or policy decisions in his or her areas of  
 619 | responsibility.

620 |       2. In lieu of participation in the Senior Management  
 621 | Service Class, members of the Senior Management Service Class,  
 622 | pursuant to subparagraph 1., may withdraw from the Florida  
 623 | Retirement System altogether. The decision to withdraw from the  
 624 | system is irrevocable as long as the employee holds the  
 625 | position. Any service creditable under the Senior Management

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626 Service Class shall be retained after the member withdraws from  
 627 the system; however, additional service credit in the Senior  
 628 Management Service Class may not be earned after such  
 629 withdrawal. Such members are not eligible to participate in the  
 630 Senior Management Service Optional Annuity Program.

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

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

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

643 (I) The cost for such credit shall be an amount  
 644 representing the actuarial accrued liability for the affected  
 645 period of service. The cost shall be calculated using the  
 646 discount rate and other relevant actuarial assumptions that were  
 647 used to value the pension plan liabilities in the most recent  
 648 actuarial valuation. The calculation must include any service  
 649 already maintained under the pension plan in addition to the  
 650 period of withdrawal. The actuarial accrued liability

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651 | attributable to any service already maintained under the pension  
 652 | plan shall be applied as a credit to the total cost resulting  
 653 | from the calculation. The division must ensure that the transfer  
 654 | sum is prepared using a formula and methodology certified by an  
 655 | actuary.

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

661 |         (h)1. Except as provided in subparagraph 3., effective  
 662 | January 1, 1994, participation in the Senior Management Service  
 663 | Class shall be compulsory for the State Courts Administrator and  
 664 | the Deputy State Courts Administrators, the Clerk of the Supreme  
 665 | Court, the Marshal of the Supreme Court, the Executive Director  
 666 | of the Justice Administrative Commission, the capital collateral  
 667 | regional counsel, the clerks of the district courts of appeals,  
 668 | the marshals of the district courts of appeals, and the trial  
 669 | court administrator and the Chief Deputy Court Administrator in  
 670 | each judicial circuit. Effective January 1, 1994, additional  
 671 | positions in the offices of the state attorney and public  
 672 | defender in each judicial circuit may be designated for  
 673 | inclusion in the Senior Management Service Class of the Florida  
 674 | Retirement System, provided that:

675 |             a. Positions to be included in the class shall be

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676 designated by the state attorney or public defender, as  
 677 appropriate. Notice of intent to designate positions for  
 678 inclusion in the class shall be published for at least 2  
 679 consecutive weeks on a publicly accessible website as provided  
 680 in s. 50.0311 ~~by Internet publication as provided in s.~~  
 681 ~~50.0211(5)~~ or, if published in print, once a week for 2  
 682 consecutive weeks in a newspaper qualified under chapter 50 in  
 683 the county or counties affected.

684 b. One nonelective full-time position may be designated  
 685 for each state attorney and public defender reporting to the  
 686 Department of Management Services; for agencies with 200 or more  
 687 regularly established positions under the state attorney or  
 688 public defender, additional nonelective full-time positions may  
 689 be designated, not to exceed 0.5 percent of the regularly  
 690 established positions within the agency.

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

695 (I) Heads an organizational unit; or

696 (II) Has responsibility to effect or recommend personnel,  
 697 budget, expenditure, or policy decisions in his or her areas of  
 698 responsibility.

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

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701 holds a position designated for coverage in the Senior  
 702 Management Service Class, and such participation shall continue  
 703 until the employee terminates employment in a covered position.  
 704 Effective January 1, 2001, participation in this class is  
 705 compulsory for assistant state attorneys, assistant statewide  
 706 prosecutors, assistant public defenders, and assistant capital  
 707 collateral regional counsel. Effective January 1, 2002,  
 708 participation in this class is compulsory for assistant  
 709 attorneys general.

710 3. In lieu of participation in the Senior Management  
 711 Service Class, such members, excluding assistant state  
 712 attorneys, assistant public defenders, assistant statewide  
 713 prosecutors, assistant attorneys general, and assistant capital  
 714 collateral regional counsel, may participate in the Senior  
 715 Management Service Optional Annuity Program as established in  
 716 subsection (6).

717 Section 14. Paragraph (a) of subsection (2) of section  
 718 162.12, Florida Statutes, is amended to read:

719 162.12 Notices.—

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

724 (a)1. Such notice shall be published in print in a  
 725 newspaper or on a publicly accessible website as provided in s.

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726 50.0311 ~~newspaper's website and the statewide legal notice~~  
 727 ~~website as provided in s. 50.0211(5)~~ for 4 consecutive weeks. If  
 728 published in print, the notice shall be published once during  
 729 each week for 4 consecutive weeks (four publications being  
 730 sufficient) in a newspaper in the county where the code  
 731 enforcement board is located. The newspaper shall meet such  
 732 requirements as are prescribed under chapter 50 for legal and  
 733 official advertisements.

734 2. Proof of publication shall be made as provided in ss.  
 735 50.041 and 50.051.

736 Section 15. Subsection (1) of section 189.015, Florida  
 737 Statutes, is amended to read:

738 189.015 Meetings; notice; required reports.—

739 (1) The governing body of each special district shall file  
 740 quarterly, semiannually, or annually a schedule of its regular  
 741 meetings with the local governing authority or authorities. The  
 742 schedule shall include the date, time, and location of each  
 743 scheduled meeting. The schedule shall be published quarterly,  
 744 semiannually, or annually in the manner required in this  
 745 subsection. The governing body of an independent special  
 746 district shall advertise the day, time, place, and purpose of  
 747 any meeting other than a regular meeting or any recessed and  
 748 reconvened meeting of the governing body, at least 7 days before  
 749 such meeting as provided in chapter 50 in the county or counties  
 750 in which the special district is located, unless a bona fide

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751 emergency situation exists, in which case a meeting to deal with  
 752 the emergency may be held as necessary, with reasonable notice,  
 753 so long as it is subsequently ratified by the governing body. No  
 754 approval of the annual budget shall be granted at an emergency  
 755 meeting. The notice shall be posted as provided in chapter 50.  
 756 Any other provision of law to the contrary notwithstanding, and  
 757 except in the case of emergency meetings, water management  
 758 districts may provide reasonable notice of public meetings held  
 759 to evaluate responses to solicitations issued by the water  
 760 management district, as provided in chapter 50 by publication on  
 761 a publicly accessible website ~~Internet publication~~ or by  
 762 publication in a newspaper in the county where the principal  
 763 office of the water management district is located, or in the  
 764 county or counties where the public work will be performed, no  
 765 fewer ~~less~~ than 7 days before such meeting.

766 Section 16. Paragraph (d) of subsection (1) of section  
 767 190.005, Florida Statutes, is amended to read:

768 190.005 Establishment of district.—

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

775 (d) A local public hearing on the petition shall be

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776 | conducted by a hearing officer in conformance with the  
 777 | applicable requirements and procedures of the Administrative  
 778 | Procedure Act. The hearing shall include oral and written  
 779 | comments on the petition pertinent to the factors specified in  
 780 | paragraph (e). The hearing shall be held at an accessible  
 781 | location in the county in which the community development  
 782 | district is to be located. The petitioner shall cause a notice  
 783 | of the hearing to be published for 4 successive weeks on a  
 784 | publicly accessible website as provided in s. 50.0311  
 785 | ~~newspaper's website and the statewide legal notice website~~  
 786 | ~~provided in s. 50.0211(5)~~ or, if published in print, in a  
 787 | newspaper at least once a week for the 4 successive weeks  
 788 | immediately prior to the hearing as provided in chapter 50. Such  
 789 | notice shall give the time and place for the hearing, a  
 790 | description of the area to be included in the district, which  
 791 | description shall include a map showing clearly the area to be  
 792 | covered by the district, and any other relevant information  
 793 | which the establishing governing bodies may require. If  
 794 | published in the print edition of a newspaper, the advertisement  
 795 | may not be placed in the portion of the newspaper where legal  
 796 | notices and classified advertisements appear. The advertisement  
 797 | must be published in a newspaper in the county and of general  
 798 | interest and readership in the community pursuant to chapter 50.  
 799 | Whenever possible, the advertisement shall appear in a newspaper  
 800 | that is published at least weekly, unless the only newspaper in

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801 the community is published less than weekly. If the notice is  
802 published in the print edition of the newspaper, the map must  
803 also be included in any online advertisement 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 17. Paragraph (h) of subsection (3) of section  
809 200.065, Florida Statutes, is amended to read:

810 200.065 Method of fixing millage.—

811 (3) The advertisement shall be published as provided in  
812 chapter 50. If the advertisement is published in the print  
813 edition of a newspaper, the advertisement must be no less than  
814 one-quarter page in size of a standard size or a tabloid size  
815 newspaper, and the headline in the advertisement shall be in a  
816 type no smaller than 18 point. The advertisement shall not be  
817 placed in that portion of the newspaper where legal notices and  
818 classified advertisements appear. The advertisement shall be  
819 published in a newspaper in the county or in a geographically  
820 limited insert of such newspaper. The geographic boundaries in  
821 which such insert is circulated shall include the geographic  
822 boundaries of the taxing authority. It is the legislative intent  
823 that, whenever possible, the advertisement appear in a newspaper  
824 that is published at least weekly unless the only newspaper in  
825 the county is published less than weekly, or that the

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826 advertisement appear in a geographically limited insert of such  
 827 newspaper which insert is published throughout the taxing  
 828 authority's jurisdiction at least twice each week. It is further  
 829 the legislative intent that the newspaper selected be one of  
 830 general interest and readership in the community pursuant to  
 831 chapter 50.

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

846 Section 18. Subsection (3) of section 348.0308, Florida  
 847 Statutes, is amended to read:

848 348.0308 Public-private partnership.—The Legislature  
 849 declares that there is a public need for the rapid construction  
 850 of safe and efficient transportation facilities for traveling

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851 within the state and that it is in the public's interest to  
852 provide for public-private partnership agreements to effectuate  
853 the construction of additional safe, convenient, and economical  
854 transportation facilities.

855 (3) The agency may request proposals for public-private  
856 transportation projects or, if it receives an unsolicited  
857 proposal, it must publish a notice in the Florida Administrative  
858 Register and, as provided in chapter 50, on a publicly  
859 accessible website ~~by Internet publication~~ or by print in a  
860 newspaper qualified to publish legal notices in the county in  
861 which the project is located at least once a week for 2 weeks  
862 stating that it has received the proposal and will accept, for  
863 60 days after the initial date of publication, other proposals  
864 for the same project purpose. A copy of the notice must be  
865 mailed to each local government in the affected areas. After the  
866 public notification period has expired, the agency shall rank  
867 the proposals in order of preference. In ranking the proposals,  
868 the agency shall consider professional qualifications, general  
869 business terms, innovative engineering or cost-reduction terms,  
870 finance plans, and the need for state funds to deliver the  
871 proposal. If the agency is not satisfied with the results of the  
872 negotiations, it may, at its sole discretion, terminate  
873 negotiations with the proposer. If these negotiations are  
874 unsuccessful, the agency may go to the second and lower-ranked  
875 firms, in order, using the same procedure. If only one proposal

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876 is received, the agency may negotiate in good faith, and if it  
877 is not satisfied with the results, it may, at its sole  
878 discretion, terminate negotiations with the proposer. The agency  
879 may, at its discretion, reject all proposals at any point in the  
880 process up to completion of a contract with the proposer.

881 Section 19. Subsection (3) of section 348.635, Florida  
882 Statutes, is amended to read:

883 348.635 Public-private partnership.—The Legislature  
884 declares that there is a public need for the rapid construction  
885 of safe and efficient transportation facilities for traveling  
886 within the state and that it is in the public's interest to  
887 provide for public-private partnership agreements to effectuate  
888 the construction of additional safe, convenient, and economical  
889 transportation facilities.

890 (3) The authority may request proposals for public-private  
891 transportation projects or, if it receives an unsolicited  
892 proposal, it must publish a notice in the Florida Administrative  
893 Register and, as provided in chapter 50, on a publicly  
894 accessible website ~~by either Internet publication~~ or by print in  
895 a newspaper in the county in which the project is located at  
896 least once a week for 2 weeks stating that it has received the  
897 proposal and will accept, for 60 days after the initial date of  
898 publication, other proposals for the same project purpose. A  
899 copy of the notice must be mailed to each local government in  
900 the affected areas. After the public notification period has

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901 expired, the authority shall rank the proposals in order of  
 902 preference. In ranking the proposals, the authority shall  
 903 consider professional qualifications, general business terms,  
 904 innovative engineering or cost-reduction terms, finance plans,  
 905 and the need for state funds to deliver the proposal. If the  
 906 authority is not satisfied with the results of the negotiations,  
 907 it may, at its sole discretion, terminate negotiations with the  
 908 proposer. If these negotiations are unsuccessful, the authority  
 909 may go to the second and lower-ranked firms, in order, using the  
 910 same procedure. If only one proposal is received, the authority  
 911 may negotiate in good faith, and if it is not satisfied with the  
 912 results, it may, at its sole discretion, terminate negotiations  
 913 with the proposer. The authority may, at its discretion, reject  
 914 all proposals at any point in the process up to completion of a  
 915 contract with the proposer.

916 Section 20. Subsection (3) of section 348.7605, Florida  
 917 Statutes, is amended to read:

918 348.7605 Public-private partnership.—The Legislature  
 919 declares that there is a public need for the rapid construction  
 920 of safe and efficient transportation facilities for traveling  
 921 within the state and that it is in the public's interest to  
 922 provide for public-private partnership agreements to effectuate  
 923 the construction of additional safe, convenient, and economical  
 924 transportation facilities.

925 (3) The authority may request proposals for public-private

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926 transportation projects or, if it receives an unsolicited  
 927 proposal, it must publish a notice in the Florida Administrative  
 928 Register and, as provided in chapter 50, on a publicly  
 929 accessible website ~~by either Internet publication~~ or by print in  
 930 a newspaper in the county in which the project is located at  
 931 least once a week for 2 weeks stating that it has received the  
 932 proposal and will accept, for 60 days after the initial date of  
 933 publication, other proposals for the same project purpose. A  
 934 copy of the notice must be mailed to each local government in  
 935 the affected areas. After the public notification period has  
 936 expired, the authority shall rank the proposals in order of  
 937 preference. In ranking the proposals, the authority shall  
 938 consider professional qualifications, general business terms,  
 939 innovative engineering or cost-reduction terms, finance plans,  
 940 and the need for state funds to deliver the proposal. If the  
 941 authority is not satisfied with the results of the negotiations,  
 942 it may, at its sole discretion, terminate negotiations with the  
 943 proposer. If these negotiations are unsuccessful, the authority  
 944 may go to the second and lower-ranked firms, in order, using the  
 945 same procedure. If only one proposal is received, the authority  
 946 may negotiate in good faith, and if it is not satisfied with the  
 947 results, it may, at its sole discretion, terminate negotiations  
 948 with the proposer. The authority may, at its discretion, reject  
 949 all proposals at any point in the process up to completion of a  
 950 contract with the proposer.

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951 Section 21. Subsection (5) of section 849.38, Florida  
 952 Statutes, is amended to read:

953 849.38 Proceedings for forfeiture; notice of seizure and  
 954 order to show cause.—

955 (5) If the value of the property seized is shown by the  
 956 sheriff's return to have an appraised value of \$1,000 or less,  
 957 the above citation shall be served by posting at three public  
 958 places in the county, one of which shall be the front door of  
 959 the courthouse; if the value of the property is shown by the  
 960 sheriff's return to have an approximate value of more than  
 961 \$1,000, the citation shall be published by print or posted for  
 962 at least 2 consecutive weeks on a publicly accessible website as  
 963 provided in s. 50.0311 ~~newspaper's website and the statewide~~  
 964 ~~legal notice website in accordance with s. 50.0211(5)~~. If  
 965 published in print, the citation shall appear at least once each  
 966 week for 2 consecutive weeks in a newspaper qualified to publish  
 967 legal notices under chapter 50 that is published in the county,  
 968 if there is such a newspaper published in the county. If there  
 969 is no such newspaper, the notice of such publication shall be  
 970 made by certificate of the clerk if publication is made by  
 971 posting, and by affidavit as provided in chapter 50, if made by  
 972 publication as provided in chapter 50, which affidavit or  
 973 certificate shall be filed and become a part of the record in  
 974 the cause. Failure of the record to show proof of such  
 975 publication shall not affect any judgment made in the cause

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976 unless it shall affirmatively appear that no such publication  
 977 was made.

978 Section 22. Paragraph (a) of subsection (6) of section  
 979 932.704, Florida Statutes, is amended to read:

980 932.704 Forfeiture proceedings.—

981 (6)(a) If the property is required by law to be titled or  
 982 registered, or if the owner of the property is known in fact to  
 983 the seizing agency, or if the seized property is subject to a  
 984 perfected security interest in accordance with the Uniform  
 985 Commercial Code, chapter 679, the attorney for the seizing  
 986 agency shall serve the forfeiture complaint as an original  
 987 service of process under the Florida Rules of Civil Procedure  
 988 and other applicable law to each person having an ownership or  
 989 security interest in the property. The seizing agency shall also  
 990 publish, in accordance with chapter 50, notice of the forfeiture  
 991 complaint for 2 consecutive weeks on a publicly accessible  
 992 website ~~newspaper's website and the statewide legal notice~~  
 993 ~~website in accordance with s. 50.0211(5)~~ or, if published in  
 994 print, once each week for 2 consecutive weeks in a newspaper  
 995 qualified to publish legal notices under chapter 50 in the  
 996 county where the seizure occurred.

997 Section 23. This act shall take effect January 1, 2023.