

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 380

INTRODUCER: Senator Trumbull

SUBJECT: Legal Notices

DATE: December 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<u>Pre-meeting</u>
2. _____	_____	<u>CA</u>	_____
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 380 gives certain “governmental agencies” more control over where they publish advertisements and legal notices. Currently, a county, municipality, school board, or other unit of local government or political subdivision may publish advertisements and legal notices only in a local newspaper or on the official website of their county or other private website designated by the county. Under the bill, these governmental agencies, with the addition of the offices of clerks of the circuit court and the offices of tax collectors, have the option to publish advertisements and legal notices on their own official websites, a private website they designate, or in a local newspaper.

The bill retains the requirements of existing law that the advertisements and legal notices posted on a website be in a searchable format, indicate the date of publication, and be more cost effective than publishing them in a newspaper.

II. Present Situation:

Public Notice of Meetings

The State Constitution requires that all county, municipal, school district, or special district meetings be open and noticed to the public if official acts will be taken or if public business will be discussed or transacted. The State Constitution further authorizes the Legislature to enact laws that govern the enforcement of these provisions. The requirements for publishing legal notices and official advertisements are located in ch. 50, F.S.

Publication of Legal Notices and Advertisements

Prior to 2023, legal notices and advertisements were required by statute to be published in local newspapers. However, the Legislature enacted legislation that took effect on January 1, 2023,

which permitted certain governmental agencies the option to publish those items on its county's official website or another website designated by the county.

These advertisements, for example, include the notices that a tax collector must publish in a local newspaper on November 1 or soon thereafter, stating that the tax roll is open for collection.¹ Once personal property taxes become delinquent, a tax collector must publish a list of the delinquent tax payers and the amount due.² A tax collector must also advertise the sale of tax certificates on real property which has delinquent taxes due. The advertisements for the sale of tax certificates must be placed in a newspaper once a week for 3 weeks.³

Definitions and Key Provisions of Existing Law

The term “governmental agency,” for purposes of ch. 50, F.S., “means a county, municipality, school board, or other unit of local government or political subdivision in the state.” If a governmental agency is authorized by ch. 50, F.S., to publish an advertisement or legal notice on a website instead of a newspaper, the website must be a “publicly accessible website.” These websites are limited to a county's official website or other private website that the county has designated for publishing legal notices and advertisements. It must be Internet accessible. The advertisements and legal notices posted there must be in searchable form and indicate the date when the advertisement or public notice was first published on the website. However, the cost of publishing advertisements and legal notices that may be posted on a website must be less than the cost of publishing those items in a newspaper.

III. Effect of Proposed Changes:

The bill grants a governmental agency, which is defined under existing law to include “a county, municipality, school board, or other unit of local government or political subdivision in this state” more control over where they are allowed to publish advertisements and legal notices. Additionally, the definition of governmental agency is expanded to expressly include the offices of the clerk of the circuit court and the tax collector. These offices are also granted by the bill the option to publish advertisements and legal notices on their own official websites, on a private website they designate, or in a local newspaper. As a result of the bill, governmental agencies are no longer limited to publishing advertisements and legal notices on their county's website or a private website designated by the county.

The bill keeps the existing law requirements that the advertisements and legal notices be posted on a website in a searchable form, indicate the date when the items were first published, and cost less than it would cost to publish the items in a newspaper.

The bill takes effect July 1, 2026.

¹ Section 197.322(2), F.S.

² Section 197.402(2), F.S.

³ Section 197.402(3), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Newspapers will lose advertising revenue to the extent that the bill shifts advertisements and legal notices away from newspapers to governmental agency websites. However, the shift of the publication of advertisements and legal notices from one public website to another will not affect newspaper revenue.

C. Government Sector Impact:

The bill may shift advertisements and legal notices away from county websites to the official websites of smaller units of government. Any county revenue generated from the use of their websites by other units of government will be reduced accordingly.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Legislature may wish to revise the bill to clarify or specify how long an advertisement or legal notice must appear on a website if, for example, it must otherwise be published in a newspaper once a week for 3 consecutive weeks.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 50.0311, 11.02, 45.031, 50.011, 90.902, 120.81, 121.055, 162.12, 190.005, 200.065, 849.38, 1001.372, and 1011.03.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.