

1                   A bill to be entitled  
2           An act relating to legal notices; amending s. 50.011,  
3           F.S.; providing for the publication of legal notices  
4           on certain publicly accessible websites; amending ss.  
5           50.021, 50.0211, and 50.031, F.S.; conforming  
6           provisions to changes made by the act; creating s.  
7           50.0311, F.S.; providing definitions; allowing a  
8           governmental agency to publish legal notices on a  
9           publicly accessible website under certain  
10          circumstances; providing criteria for website  
11          publication; authorizing a fiscally constrained county  
12          to use a publicly accessible website to publish  
13          legally required advertisements and public notices  
14          only if certain requirements are met; requiring a  
15          governmental agency to provide specified notice to  
16          certain residents and property owners relating to  
17          alternative methods of receiving legal notices;  
18          authorizing a governmental agency to publish certain  
19          public notices and advertisements on its governmental  
20          access channels; amending s. 50.041, F.S.; removing  
21          provisions relating to the publication of legal  
22          notices in newspapers; amending s. 50.051, F.S.;  
23          revising a form for affidavits of publication;  
24          amending s. 50.0711, F.S.; revising provisions  
25          relating to the use of court docket funds; amending s.

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26 83.806, F.S.; providing that an advertisement of a  
 27 sale or disposition of property may be published on  
 28 certain websites for a specified time period; amending  
 29 ss. 11.02, 45.031, 121.0511, 121.055, 125.66, 162.12,  
 30 166.041, 189.015, 190.005, 190.046, 194.037, 197.402,  
 31 200.065, 338.223, 348.0308, 348.635, 348.7605,  
 32 373.0397, 373.146, 403.722, 712.06, 849.38, 865.09,  
 33 and 932.704; conforming provisions to changes made by  
 34 the act; providing an effective date.

35

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

37

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

40 50.011 Publication of ~~Where and in what language~~ legal  
 41 notices ~~to be published.~~ Whenever by statute an official or  
 42 legal advertisement or a publication, or notice in a newspaper  
 43 or governmental agency website has been or is directed or  
 44 permitted in the nature of or in lieu of process, or for  
 45 constructive service, or in initiating, assuming, reviewing,  
 46 exercising or enforcing jurisdiction or power, or for any  
 47 purpose, including all legal notices and advertisements of  
 48 sheriffs and tax collectors, the contemporaneous and continuous  
 49 intent and meaning of such legislation all and singular,  
 50 existing or repealed, is and has been and is hereby declared to

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51 | be and to have been, and the rule of interpretation is and has  
52 | been the following:

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

64 |       (2) On a publicly accessible website pursuant to s.  
65 | 50.0311.

66 |       Section 2. Section 50.021, Florida Statutes, is amended to  
67 | read:

68 |       50.021 Publication when no newspaper in county.—When any  
69 | law, or order or decree of court, directs ~~shall direct~~  
70 | advertisements to be made in a ~~any~~ county and there is ~~be~~ no  
71 | newspaper published in the ~~said~~ county, the advertisement may be  
72 | posted on a publicly accessible website as provided in s.  
73 | 50.0311 or made by posting three copies thereof in three  
74 | different places in the ~~said~~ county, one of which shall be at  
75 | the front door of the courthouse, and by publication in the

76 | nearest county in which a newspaper is published.

77 | Section 3. Subsections (2) and (3) of section 50.0211,  
78 | Florida Statutes, are amended to read:

79 | 50.0211 Internet website publication.—

80 | (2) If a governmental agency publishes a legal notice in a  
81 | newspaper, each legal notice must be posted on the newspaper's  
82 | website on the same day that the printed notice appears in the  
83 | newspaper, at no additional charge, in a separate web page  
84 | titled "Legal Notices," "Legal Advertising," or comparable  
85 | identifying language. A link to the legal notices web page shall  
86 | be provided on the front page of the newspaper's website that  
87 | provides access to the legal notices. If there is a specified  
88 | size and placement required for a printed legal notice, the size  
89 | and placement of the notice on the newspaper's website must  
90 | optimize its online visibility in keeping with the print  
91 | requirements. The newspaper's web pages that contain legal  
92 | notices must present the legal notices as the dominant and  
93 | leading subject matter of those pages. The newspaper's website  
94 | must contain a search function to facilitate searching the legal  
95 | notices. A fee may not be charged, and registration may not be  
96 | required, for viewing or searching legal notices on a  
97 | newspaper's website if the legal notice is published in a  
98 | newspaper.

99 | (3) (a) If a legal notice is published in a newspaper, the  
100 | newspaper publishing the notice shall place the notice on the

101 statewide website established and maintained as an initiative of  
 102 the Florida Press Association as a repository for such notices  
 103 located at the following address: www.floridapublicnotices.com.

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

106 1. Accessible and searchable by party name and case  
 107 number.

108 2. Posted for a period of at least 90 consecutive days  
 109 after the first day of posting.

110 (c) The statewide website created under this subsection  
 111 shall maintain a searchable archive of all legal notices posted  
 112 on the publicly accessible website ~~on or after October 1, 2014,~~  
 113 for 18 months after the first day of posting. Such searchable  
 114 archive shall be provided and accessible to the general public  
 115 without charge.

116 Section 4. Section 50.031, Florida Statutes, is amended to  
 117 read:

118 50.031 Newspapers in which legal notices and process may  
 119 be published.—If a governmental agency publishes a legal notice  
 120 in a newspaper, no notice or publication required to be  
 121 published ~~in a newspaper~~ in the nature of or in lieu of process  
 122 of any kind, nature, character or description provided for under  
 123 any law of the state, whether heretofore or hereafter enacted,  
 124 and whether pertaining to constructive service, or the  
 125 initiating, assuming, reviewing, exercising or enforcing

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126 jurisdiction or power, by any court in this state, or any notice  
127 of sale of property, real or personal, for taxes, state, county  
128 or municipal, or sheriff's, guardian's or administrator's or any  
129 sale made pursuant to any judicial order, decree or statute or  
130 any other publication or notice pertaining to any affairs of the  
131 state, or any county, municipality or other political  
132 subdivision thereof, shall be deemed to have been published in  
133 accordance with the statutes providing for such publication,  
134 unless the same shall have been published for the prescribed  
135 period of time required for such publication, in a newspaper  
136 which at the time of such publication shall have been in  
137 existence for 1 year and shall have been entered as periodicals  
138 matter at a post office in the county where published, or in a  
139 newspaper which is a direct successor of a newspaper which  
140 together have been so published; provided, however, that nothing  
141 herein contained shall apply where in any county there shall be  
142 no newspaper in existence which shall have been published for  
143 the length of time above prescribed. No legal publication of any  
144 kind, nature or description, as herein defined, shall be valid  
145 or binding or held to be in compliance with the statutes  
146 providing for such publication unless the same shall have been  
147 published in accordance with the provisions of this section or  
148 s. 50.0311. Proof of such publication shall be made by uniform  
149 affidavit.

150 Section 5. Section 50.0311, Florida Statutes, is created

151 to read:

152 50.0311 Publication of advertisements and public notices  
153 on a publicly accessible website and governmental access  
154 channels.-

155 (1) For purposes of this chapter, "governmental agency"  
156 means a county, municipality, school board, or other unit of  
157 local government or political subdivision in this state.

158 (2) For purposes of notices and advertisements required  
159 under s. 50.11, the term "publicly accessible website" means a  
160 governmental agency's official website or other private website  
161 designated by the governmental agency for the posting of legal  
162 notices and advertisements that is accessible via the Internet.  
163 All advertisements and public notices published on a website as  
164 provided in this chapter must be in searchable form.

165 (3) "Fiscally constrained county" means a county within a  
166 rural area of opportunity as designated by the Governor pursuant  
167 to s. 288.0656 or a county for which the value of a mill will  
168 raise no more than \$5 million in revenue, based on the certified  
169 school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,  
170 from the previous July 1.

171 (4) A governmental agency in a county that is not a  
172 fiscally constrained county may use a publicly accessible  
173 website to publish legally required advertisements and public  
174 notices if the cost of publishing advertisements and public  
175 notices on a website is less than the cost of publishing

176 advertisements and public notices in a newspaper.

177 (5) A governmental agency in a fiscally constrained county  
178 may use a publicly accessible website to publish legally  
179 required advertisements and public notices only if the  
180 governmental agency, after a public hearing which has been  
181 noticed in a newspaper as provided in this chapter, makes a  
182 determination of the following:

183 (a) Publishing advertisements and public notices on a  
184 publicly accessible website is in the public interest.

185 (b) The cost of publishing advertisements and public  
186 notices on a publicly accessible website is less than the cost  
187 of publishing advertisements and public notices in a newspaper.

188 (c) The residents of the county have sufficient access to  
189 the Internet by broadband service as defined in s. 364.02(2) or  
190 any other means such that publishing advertisements and public  
191 notices on a publicly accessible website will not unreasonably  
192 restrict public access.

193 (6) A governmental agency shall provide notice at least  
194 once per year in a newspaper of general circulation or another  
195 publication that is mailed or delivered to all residents and  
196 property owners throughout the government's jurisdiction,  
197 indicating that property owners and residents may receive  
198 legally required advertisements and public notices from the  
199 government agency by first-class mail or e-mail upon registering  
200 their name and address or e-mail address with the governmental



201 agency. The governmental agency shall maintain a registry of  
202 names, addresses, and e-mail addresses of property owners and  
203 residents who request in writing that they receive legally  
204 required advertisements and public notices from the governmental  
205 agency by first-class mail or e-mail.

206 (7) A link to advertisements and public notices published  
207 on a publicly accessible website shall be conspicuously placed  
208 on the website's homepage or accessible through a direct link  
209 from the homepage. Each advertisement or public notice shall  
210 indicate the date on which the advertisement or public notice  
211 was first published on the publicly accessible website.

212 (8) A governmental agency that has a governmental access  
213 channel authorized under s. 610.109 may also include on its  
214 governmental access channel a summary of all advertisements and  
215 public notices that are posted on its publicly accessible  
216 website.

217 Section 6. Section 50.041, Florida Statutes, is amended to  
218 read:

219 50.041 Proof of publication; uniform affidavits required.—

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

224 (2) Each such affidavit shall be printed upon white paper  
225 and shall be 8 1/2 inches in width and of convenient length, not

226 less than 5 1/2 inches. A white margin of not less than 2 1/2  
 227 inches shall be left at the right side of each affidavit form  
 228 and upon or in this space shall be substantially pasted a  
 229 clipping which shall be a true copy of the public notice or  
 230 legal advertisement for which proof is executed. Alternatively,  
 231 the affidavit may be provided in electronic rather than paper  
 232 form, provided the notarization of the affidavit complies with  
 233 the requirements of s. 117.021.

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

241 Section 7. Section 50.051, Florida Statutes, is amended to  
 242 read:

243 50.051 Proof of publication; form of uniform affidavit.—  
 244 The printed form upon which all such affidavits establishing  
 245 proof of publication are to be executed shall be substantially  
 246 as follows:

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

250 STATE OF FLORIDA

251 COUNTY OF .....

252 Before the undersigned authority personally appeared .....,  
 253 who on oath says that he or she is .... of ~~the ....., a ....~~  
 254 ~~newspaper published at .... in~~ .... County, Florida; that the  
 255 attached copy of advertisement, being a .... in the matter of  
 256 .... in the .... Court, was published on the publicly accessible  
 257 website of the governmental agency or in a said newspaper. ~~in~~  
 258 ~~the issues of .....~~

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

272 Sworn to and subscribed before me this .... day of .....,  
 273 ...(year)..., by ....., who is personally known to me or who has  
 274 produced (type of identification) as identification.  
 275 ...(Signature of Notary Public)...

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

278 Section 8. Section 50.0711, Florida Statutes, is amended  
 279 to read:

280 50.0711 Court docket fund; service charges; publications.—

281 (1) The clerk of the court in each county may establish a  
 282 court docket fund for the purpose of paying the cost of  
 283 publication of the fact of the filing of any civil case in the  
 284 circuit court of the county by the style and of the calendar  
 285 relating to such cases. This court docket fund shall be funded  
 286 by \$1 mandatory court cost for all civil actions, suits, or  
 287 proceedings filed in the circuit court of the county. The clerk  
 288 shall maintain such funds separate and apart, and the proceeds  
 289 from this court cost shall not be diverted to any other fund or  
 290 for any purpose other than that established in this section. The  
 291 clerk of the court shall dispense the fund to the designated  
 292 publicly accessible website publisher or record newspaper in the  
 293 county on a quarterly basis.

294 (2) If a judicial circuit publishes legal notices in a  
 295 newspaper, a newspaper qualified under the terms of s. 50.011  
 296 shall be designated as the record newspaper for such publication  
 297 by an order of the majority of the judges in the judicial  
 298 circuit in which such county is located, and such order shall be  
 299 filed and recorded with the clerk of the circuit court for such  
 300 county. The designated record newspaper may be changed at the

301 end of any fiscal year of the county by a majority vote of the  
 302 judges of the judicial circuit of the county ordering such  
 303 change 30 days prior to the end of the fiscal year, notice of  
 304 which order shall be given to the previously designated record  
 305 newspaper.

306 (3) The publicly accessible website publisher or  
 307 publishers of any designated record newspapers receiving payment  
 308 from this court docket fund shall publish, without additional  
 309 charge, the fact of the filing of any civil case, suit, or  
 310 action filed in such county in the circuit. Such publication  
 311 shall be in accordance with a schedule agreed upon between the  
 312 website publisher or record newspaper and the clerk of the court  
 313 in such county.

314 (4) The publicly accessible website publisher or  
 315 publishers of any designated record newspapers receiving  
 316 revenues from the court docket fund established in subsection  
 317 (1) shall, without charge, accept legal advertisements for the  
 318 purpose of service of process by publication under s. 49.011(4),  
 319 (10), and (11) when such publication is required of persons  
 320 authorized to proceed as indigent persons under s. 57.081.

321 Section 9. Subsection (4) of section 83.806, Florida  
 322 Statutes, is amended to read:

323 83.806 Enforcement of lien.—An owner's lien as provided in  
 324 s. 83.805 may be satisfied as follows:

325 (4) After the expiration of the time given in the notice,

326 an advertisement of the sale or other disposition shall be  
327 published once a week for 2 consecutive weeks in a newspaper of  
328 general circulation in the area where the self-service storage  
329 facility or self-contained storage unit is located or published  
330 continuously for 14 consecutive days on a public website that  
331 customarily conducts personal property auctions.

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

338 (b) The advertisement shall include:

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

342 2. The address of the self-service storage facility or the  
343 address where the self-contained storage unit is located and the  
344 name of the tenant.

345 3. The time, place, and manner of the sale or other  
346 disposition. The sale or other disposition shall take place at  
347 least 15 days after the first publication.

348 (c) If there is no newspaper of general circulation in the  
349 area where the self-service storage facility or self-contained  
350 storage unit is located, the advertisement shall be posted at

351 least 10 days before the date of the sale or other disposition  
352 in at least three conspicuous places in the neighborhood where  
353 the self-service storage facility or self-contained storage unit  
354 is located or published continuously for 14 consecutive days on  
355 a public website that customarily conducts personal property  
356 auctions.

357 Section 10. Section 11.02, Florida Statutes, is amended to  
358 read:

359 11.02 Notice of special or local legislation or certain  
360 relief acts.—The notice required to obtain special or local  
361 legislation or any relief act specified in s. 11.065 shall be by  
362 publishing the identical notice ~~in each county involved in some~~  
363 ~~newspaper~~ as provided ~~defined~~ in chapter 50 ~~published in or~~  
364 circulated throughout the county or counties where the matter or  
365 thing to be affected by such legislation shall be situated one  
366 time at least 30 days before introduction of the proposed law  
367 into the Legislature or, if the notice is not posted on a  
368 publicly accessible website as provided in chapter 50 and there  
369 being no newspaper circulated throughout or published in the  
370 county, by posting for at least 30 days at not less than three  
371 public places in the county or each of the counties, one of  
372 which places shall be at the courthouse in the county or  
373 counties where the matter or thing to be affected by such  
374 legislation shall be situated. Notice of special or local  
375 legislation shall state the substance of the contemplated law,

376 as required by s. 10, Art. III of the State Constitution. Notice  
377 of any relief act specified in s. 11.065 shall state the name of  
378 the claimant, the nature of the injury or loss for which the  
379 claim is made, and the amount of the claim against the affected  
380 municipality's revenue-sharing trust fund.

381 Section 11. Subsection (2) of section 45.031, Florida  
382 Statutes, is amended to read:

383 45.031 Judicial sales procedure.—In any sale of real or  
384 personal property under an order or judgment, the procedures  
385 provided in this section and ss. 45.0315-45.035 may be followed  
386 as an alternative to any other sale procedure if so ordered by  
387 the court.

388 (2) PUBLICATION OF SALE.—Notice of sale shall be published  
389 on a publicly accessible website for at least 2 consecutive  
390 weeks before the sale or once a week for 2 consecutive weeks in  
391 a newspaper of general circulation, ~~as provided defined~~ in  
392 chapter 50, published in the county where the sale is to be  
393 held. The second publication by newspaper shall be at least 5  
394 days before the sale. The notice shall contain:

- 395 (a) A description of the property to be sold.  
396 (b) The time and place of sale.  
397 (c) A statement that the sale will be made pursuant to the  
398 order or final judgment.  
399 (d) The caption of the action.  
400 (e) The name of the clerk making the sale.



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

405  
 406 The court, in its discretion, may enlarge the time of the sale.  
 407 Notice of the changed time of sale shall be published as  
 408 provided herein.

409 Section 12. Subsection (2) of section 121.0511, Florida  
 410 Statutes, is amended to read:

411 121.0511 Revocation of election and alternative plan.—The  
 412 governing body of any municipality or independent special  
 413 district that has elected to participate in the Florida  
 414 Retirement System may revoke its election in accordance with the  
 415 following procedure:

416 (2) At least 7 days, but not more than 15 days, before the  
 417 hearing, notice of intent to revoke, specifying the time and  
 418 place of the hearing, must be published as provided in chapter  
 419 50 ~~in a newspaper of general circulation in the area affected,~~  
 420 ~~as provided by ss. 50.011-50.031.~~ Proof of publication of the  
 421 notice must be submitted to the Department of Management  
 422 Services.

423 Section 13. Paragraphs (b) and (h) of subsection (1) of  
 424 section 121.055, Florida Statutes, are amended to read:

425 121.055 Senior Management Service Class.—There is hereby

426 established a separate class of membership within the Florida  
427 Retirement System to be known as the "Senior Management Service  
428 Class," which shall become effective February 1, 1987.

429 (1)

430 (b)1. Except as provided in subparagraph 2., effective  
431 January 1, 1990, participation in the Senior Management Service  
432 Class is compulsory for the president of each community college,  
433 the manager of each participating municipality or county, and  
434 all appointed district school superintendents. Effective January  
435 1, 1994, additional positions may be designated for inclusion in  
436 the Senior Management Service Class if:

437 a. Positions to be included in the class are designated by  
438 the local agency employer. Notice of intent to designate  
439 positions for inclusion in the class must be published for at  
440 least 2 consecutive weeks if published on a publicly accessible  
441 website or once a week for 2 consecutive weeks in a newspaper of  
442 general circulation published in the county or counties  
443 affected, ~~as~~ provided in chapter 50.

444 b. Up to 10 nonelective full-time positions may be  
445 designated for each local agency employer reporting to the  
446 department; for local agencies with 100 or more regularly  
447 established positions, additional nonelective full-time  
448 positions may be designated, not to exceed 1 percent of the  
449 regularly established positions within the agency.

450 c. Each position added to the class must be a managerial

451 or policymaking position filled by an employee who is not  
452 subject to continuing contract and serves at the pleasure of the  
453 local agency employer without civil service protection, and who:

454 (I) Heads an organizational unit; or

455 (II) Has responsibility to effect or recommend personnel,  
456 budget, expenditure, or policy decisions in his or her areas of  
457 responsibility.

458 2. In lieu of participation in the Senior Management  
459 Service Class, members of the Senior Management Service Class,  
460 pursuant to subparagraph 1., may withdraw from the Florida  
461 Retirement System altogether. The decision to withdraw from the  
462 system is irrevocable as long as the employee holds the  
463 position. Any service creditable under the Senior Management  
464 Service Class shall be retained after the member withdraws from  
465 the system; however, additional service credit in the Senior  
466 Management Service Class may not be earned after such  
467 withdrawal. Such members are not eligible to participate in the  
468 Senior Management Service Optional Annuity Program.

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

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

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

481           (I) The cost for such credit shall be an amount  
482 representing the actuarial accrued liability for the affected  
483 period of service. The cost shall be calculated using the  
484 discount rate and other relevant actuarial assumptions that were  
485 used to value the pension plan liabilities in the most recent  
486 actuarial valuation. The calculation must include any service  
487 already maintained under the pension plan in addition to the  
488 period of withdrawal. The actuarial accrued liability  
489 attributable to any service already maintained under the pension  
490 plan shall be applied as a credit to the total cost resulting  
491 from the calculation. The division must ensure that the transfer  
492 sum is prepared using a formula and methodology certified by an  
493 actuary.

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

499           (h)1. Except as provided in subparagraph 3., effective  
500 January 1, 1994, participation in the Senior Management Service

501 Class shall be compulsory for the State Courts Administrator and  
502 the Deputy State Courts Administrators, the Clerk of the Supreme  
503 Court, the Marshal of the Supreme Court, the Executive Director  
504 of the Justice Administrative Commission, the capital collateral  
505 regional counsel, the clerks of the district courts of appeals,  
506 the marshals of the district courts of appeals, and the trial  
507 court administrator and the Chief Deputy Court Administrator in  
508 each judicial circuit. Effective January 1, 1994, additional  
509 positions in the offices of the state attorney and public  
510 defender in each judicial circuit may be designated for  
511 inclusion in the Senior Management Service Class of the Florida  
512 Retirement System, provided that:

513 a. Positions to be included in the class shall be  
514 designated by the state attorney or public defender, as  
515 appropriate. Notice of intent to designate positions for  
516 inclusion in the class shall be published for at least 2  
517 consecutive weeks if published on a publicly accessible website  
518 or once a week for 2 consecutive weeks in a newspaper of general  
519 circulation published in the county or counties affected, as  
520 provided in chapter 50.

521 b. One nonelective full-time position may be designated  
522 for each state attorney and public defender reporting to the  
523 Department of Management Services; for agencies with 200 or more  
524 regularly established positions under the state attorney or  
525 public defender, additional nonelective full-time positions may

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

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

532 |       (I) Heads an organizational unit; or

533 |       (II) Has responsibility to effect or recommend personnel,  
534 | budget, expenditure, or policy decisions in his or her areas of  
535 | responsibility.

536 |       2. Participation in this class shall be compulsory, except  
537 | as provided in subparagraph 3., for any judicial employee who  
538 | holds a position designated for coverage in the Senior  
539 | Management Service Class, and such participation shall continue  
540 | until the employee terminates employment in a covered position.  
541 | Effective January 1, 2001, participation in this class is  
542 | compulsory for assistant state attorneys, assistant statewide  
543 | prosecutors, assistant public defenders, and assistant capital  
544 | collateral regional counsel. Effective January 1, 2002,  
545 | participation in this class is compulsory for assistant  
546 | attorneys general.

547 |       3. In lieu of participation in the Senior Management  
548 | Service Class, such members, excluding assistant state  
549 | attorneys, assistant public defenders, assistant statewide  
550 | prosecutors, assistant attorneys general, and assistant capital

551 collateral regional counsel, may participate in the Senior  
552 Management Service Optional Annuity Program as established in  
553 subsection (6).

554 Section 14. Paragraph (a) of subsection (2) and paragraph  
555 (b) of subsection (4) of section 125.66, Florida Statutes, are  
556 amended to read:

557 125.66 Ordinances; enactment procedure; emergency  
558 ordinances; rezoning or change of land use ordinances or  
559 resolutions.—

560 (2) (a) The regular enactment procedure shall be as  
561 follows: The board of county commissioners at any regular or  
562 special meeting may enact or amend any ordinance, except as  
563 provided in subsection (4), if notice of intent to consider such  
564 ordinance is given at least 10 days prior to said meeting by  
565 publication as provided in chapter 50 ~~in a newspaper of general~~  
566 ~~circulation in the county~~. A copy of such notice shall be kept  
567 available for public inspection during the regular business  
568 hours of the office of the clerk of the board of county  
569 commissioners. The notice of proposed enactment shall state the  
570 date, time, and place of the meeting; the title or titles of  
571 proposed ordinances; and the place or places within the county  
572 where such proposed ordinances may be inspected by the public.  
573 The notice shall also advise that interested parties may appear  
574 at the meeting and be heard with respect to the proposed  
575 ordinance.

576 (4) Ordinances or resolutions, initiated by other than the  
577 county, that change the actual zoning map designation of a  
578 parcel or parcels of land shall be enacted pursuant to  
579 subsection (2). Ordinances or resolutions that change the actual  
580 list of permitted, conditional, or prohibited uses within a  
581 zoning category, or ordinances or resolutions initiated by the  
582 county that change the actual zoning map designation of a parcel  
583 or parcels of land shall be enacted pursuant to the following  
584 procedure:

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

591 1. The board of county commissioners shall hold two  
592 advertised public hearings on the proposed ordinance or  
593 resolution. At least one hearing shall be held after 5 p.m. on a  
594 weekday, unless the board of county commissioners, by a majority  
595 plus one vote, elects to conduct that hearing at another time of  
596 day. The first public hearing shall be held at least 7 days  
597 after the day that the first advertisement is published. The  
598 second hearing shall be held at least 10 days after the first  
599 hearing and shall be advertised at least 5 days prior to the  
600 public hearing.



601           2. If published in a newspaper, the required  
602 advertisements shall be no less than 2 columns wide by 10 inches  
603 long in a standard size or a tabloid size newspaper, and the  
604 headline in the advertisement shall be in a type no smaller than  
605 18 point. The advertisement shall not be placed in that portion  
606 of the newspaper where legal notices and classified  
607 advertisements appear. The advertisement shall be placed in a  
608 newspaper ~~of general paid circulation~~ in the county and of  
609 general interest and readership in the community pursuant to  
610 chapter 50, not one of limited subject matter. It is the  
611 legislative intent that, whenever possible, the advertisement  
612 shall appear in a newspaper that is published at least weekly ~~5~~  
613 ~~days a week~~ unless the only newspaper in the community is  
614 published less than weekly ~~5 days a week~~. The advertisement  
615 shall be in substantially the following form:

616                               NOTICE OF (TYPE OF) CHANGE

617           The ...(name of local governmental unit)... proposes to  
618 adopt the following by ordinance or resolution:...(title of  
619 ordinance or resolution)....

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

622           Except for amendments which change the actual list of permitted,  
623 conditional, or prohibited uses within a zoning category, the  
624 advertisement shall contain a geographic location map which  
625 clearly indicates the area within the local government covered

626 by the proposed ordinance or resolution. The map shall include  
627 major street names as a means of identification of the general  
628 area. In addition to being published on a publicly accessible  
629 website or in the newspaper, the map must be part of the online  
630 notice required pursuant to s. 50.0211 or s. 50.0311.

631 3. In lieu of publishing the advertisements set out in  
632 this paragraph, the board of county commissioners may mail a  
633 notice to each person owning real property within the area  
634 covered by the ordinance or resolution. Such notice shall  
635 clearly explain the proposed ordinance or resolution and shall  
636 notify the person of the time, place, and location of both  
637 public hearings on the proposed ordinance or resolution.

638 Section 15. Paragraph (a) of subsection (2) of section  
639 162.12, Florida Statutes, is amended to read:

640 162.12 Notices.—

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

645 (a)1. Such notice shall be published for 4 consecutive  
646 weeks on a publicly accessible website as provided in chapter 50  
647 or once during each week for 4 consecutive weeks (four  
648 publications being sufficient) in a newspaper of general  
649 circulation in the county where the code enforcement board is  
650 located. The newspaper shall meet such requirements as are

651 | prescribed under chapter 50 for legal and official  
 652 | advertisements.

653 |         2. Proof of publication shall be made as provided in ss.  
 654 | 50.041 and 50.051.

655 |         Section 16. Paragraph (c) of subsection (3) of section  
 656 | 166.041, Florida Statutes, is amended to read:

657 |             166.041 Procedures for adoption of ordinances and  
 658 | resolutions.—

659 |             (3)

660 |             (c) Ordinances initiated by other than the municipality  
 661 | that change the actual zoning map designation of a parcel or  
 662 | parcels of land shall be enacted pursuant to paragraph (a).  
 663 | Ordinances that change the actual list of permitted,  
 664 | conditional, or prohibited uses within a zoning category, or  
 665 | ordinances initiated by the municipality that change the actual  
 666 | zoning map designation of a parcel or parcels of land shall be  
 667 | enacted pursuant to the following procedure:

668 |             1. In cases in which the proposed ordinance changes the  
 669 | actual zoning map designation for a parcel or parcels of land  
 670 | involving less than 10 contiguous acres, the governing body  
 671 | shall direct the clerk of the governing body to notify by mail  
 672 | each real property owner whose land the municipality will  
 673 | redesignate by enactment of the ordinance and whose address is  
 674 | known by reference to the latest ad valorem tax records. The  
 675 | notice shall state the substance of the proposed ordinance as it

676 affects that property owner and shall set a time and place for  
677 one or more public hearings on such ordinance. Such notice shall  
678 be given at least 30 days prior to the date set for the public  
679 hearing, and a copy of the notice shall be kept available for  
680 public inspection during the regular business hours of the  
681 office of the clerk of the governing body. The governing body  
682 shall hold a public hearing on the proposed ordinance and may,  
683 upon the conclusion of the hearing, immediately adopt the  
684 ordinance.

685 2. In cases in which the proposed ordinance changes the  
686 actual list of permitted, conditional, or prohibited uses within  
687 a zoning category, or changes the actual zoning map designation  
688 of a parcel or parcels of land involving 10 contiguous acres or  
689 more, the governing body shall provide for public notice and  
690 hearings as follows:

691 a. The local governing body shall hold two advertised  
692 public hearings on the proposed ordinance. At least one hearing  
693 shall be held after 5 p.m. on a weekday, unless the local  
694 governing body, by a majority plus one vote, elects to conduct  
695 that hearing at another time of day. The first public hearing  
696 shall be held at least 7 days after the day that the first  
697 advertisement is published. The second hearing shall be held at  
698 least 10 days after the first hearing and shall be advertised at  
699 least 5 days prior to the public hearing.

700 b. If published in a newspaper, the required

701 advertisements shall be no less than 2 columns wide by 10 inches  
702 long in a standard size or a tabloid size newspaper, and the  
703 headline in the advertisement shall be in a type no smaller than  
704 18 point. The advertisement shall not be placed in that portion  
705 of the newspaper where legal notices and classified  
706 advertisements appear. The advertisement shall be placed in a  
707 newspaper ~~of general paid circulation~~ in the municipality and of  
708 general interest and readership in the municipality, not one of  
709 limited subject matter, pursuant to chapter 50. It is the  
710 legislative intent that, whenever possible, the advertisement  
711 appear in a newspaper that is published at least weekly ~~5 days a~~  
712 ~~week~~ unless the only newspaper in the municipality is published  
713 less than weekly ~~5 days a week~~. The advertisement shall be in  
714 substantially the following form:

715 NOTICE OF (TYPE OF) CHANGE

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

718 A public hearing on the ordinance will be held on ...(date  
719 and time)... at ...(meeting place)....

720 Except for amendments which change the actual list of permitted,  
721 conditional, or prohibited uses within a zoning category, the  
722 advertisement shall contain a geographic location map which  
723 clearly indicates the area covered by the proposed ordinance.  
724 The map shall include major street names as a means of  
725 identification of the general area. If ~~In addition to being~~

726 | published in the newspaper, the map must also be part of the  
 727 | online notice required pursuant to s. 50.0211 or s. 50.0311.

728 |       c. In lieu of publishing the advertisement set out in this  
 729 | paragraph, the municipality may mail a notice to each person  
 730 | owning real property within the area covered by the ordinance.  
 731 | Such notice shall clearly explain the proposed ordinance and  
 732 | shall notify the person of the time, place, and location of any  
 733 | public hearing on the proposed ordinance.

734 |       Section 17. Subsection (1) of section 189.015, Florida  
 735 | Statutes, is amended to read:

736 |       189.015 Meetings; notice; required reports.—

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

751 exists, in which case a meeting to deal with the emergency may  
752 be held as necessary, with reasonable notice, so long as it is  
753 subsequently ratified by the governing body. No approval of the  
754 annual budget shall be granted at an emergency meeting. The  
755 notice shall be posted as provided in ~~advertisement shall be~~  
756 ~~placed in that portion of the newspaper where legal notices and~~  
757 ~~classified advertisements appear. The advertisement shall appear~~  
758 ~~in a newspaper that is published at least 5 days a week, unless~~  
759 ~~the only newspaper in the county is published fewer than 5 days~~  
760 ~~a week. The newspaper selected must be one of general interest~~  
761 ~~and readership in the community and not one of limited subject~~  
762 ~~matter, pursuant to chapter 50. Any other provision of law to~~  
763 the contrary notwithstanding, and except in the case of  
764 emergency meetings, water management districts may provide  
765 reasonable notice of public meetings held to evaluate responses  
766 to solicitations issued by the water management district, by  
767 publication as provided in chapter 50 on a publicly accessible  
768 website or ~~in a newspaper of general paid circulation~~ in the  
769 county where the principal office of the water management  
770 district is located, or in the county or counties where the  
771 public work will be performed, no less than 7 days before such  
772 meeting.

773 Section 18. Paragraph (d) of subsection (1) of section  
774 190.005, Florida Statutes, is amended to read:

775 190.005 Establishment of district.—

776 (1) The exclusive and uniform method for the establishment  
777 of a community development district with a size of 2,500 acres  
778 or more shall be pursuant to a rule, adopted under chapter 120  
779 by the Florida Land and Water Adjudicatory Commission, granting  
780 a petition for the establishment of a community development  
781 district.

782 (d) A local public hearing on the petition shall be  
783 conducted by a hearing officer in conformance with the  
784 applicable requirements and procedures of the Administrative  
785 Procedure Act. The hearing shall include oral and written  
786 comments on the petition pertinent to the factors specified in  
787 paragraph (e). The hearing shall be held at an accessible  
788 location in the county in which the community development  
789 district is to be located. The petitioner shall cause a notice  
790 of the hearing to be published for 4 successive weeks on a  
791 publicly accessible website or in a newspaper at least once a  
792 week for the 4 successive weeks immediately prior to the hearing  
793 as provided in chapter 50. Such notice shall give the time and  
794 place for the hearing, a description of the area to be included  
795 in the district, which description shall include a map showing  
796 clearly the area to be covered by the district, and any other  
797 relevant information which the establishing governing bodies may  
798 require. If published in a newspaper, the advertisement shall  
799 not be placed in that portion of the newspaper where legal  
800 notices and classified advertisements appear. The advertisement



801 shall be published in a newspaper ~~of general paid circulation~~ in  
802 the county and of general interest and readership in the  
803 community, not one of limited subject matter, pursuant to  
804 chapter 50. Whenever possible, the advertisement shall appear in  
805 a newspaper that is published at least weekly ~~5 days a week~~,  
806 unless the only newspaper in the community is published less  
807 than weekly ~~fewer than 5 days a week~~. ~~If~~ In addition to being  
808 published in the newspaper, the map referenced above must also  
809 be part of the online advertisement required pursuant to s.  
810 50.0211 or s. 50.0311. All affected units of general-purpose  
811 local government and the general public shall be given an  
812 opportunity to appear at the hearing and present oral or written  
813 comments on the petition.

814 Section 19. Paragraph (h) of subsection (1) of section  
815 190.046, Florida Statutes, is amended to read:

816 190.046 Termination, contraction, or expansion of  
817 district.—

818 (1) A landowner or the board may petition to contract or  
819 expand the boundaries of a community development district in the  
820 following manner:

821 (h) For a petition to establish a new community  
822 development district of less than 2,500 acres on land located  
823 solely in one county or one municipality, sufficiently  
824 contiguous lands located within the county or municipality which  
825 the petitioner anticipates adding to the boundaries of the

826 district within 10 years after the effective date of the  
827 ordinance establishing the district may also be identified. If  
828 such sufficiently contiguous land is identified, the petition  
829 must include a legal description of each additional parcel  
830 within the sufficiently contiguous land, the current owner of  
831 the parcel, the acreage of the parcel, and the current land use  
832 designation of the parcel. At least 14 days before the hearing  
833 required under s. 190.005(2)(b), the petitioner must give the  
834 current owner of each such parcel notice of filing the petition  
835 to establish the district, the date and time of the public  
836 hearing on the petition, and the name and address of the  
837 petitioner. A parcel may not be included in the district without  
838 the written consent of the owner of the parcel.

839 1. After establishment of the district, a person may  
840 petition the county or municipality to amend the boundaries of  
841 the district to include a previously identified parcel that was  
842 a proposed addition to the district before its establishment. A  
843 filing fee may not be charged for this petition. Each such  
844 petition must include:

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

847 b. A new legal description by metes and bounds of the  
848 district;

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

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

852 e. A description of the development proposed on the

853 additional parcel; and

854 f. A copy of the original petition identifying the parcel

855 to be added.

856 2. Before filing with the county or municipality, the  
857 person must provide the petition to the district and to the  
858 owner of the proposed additional parcel, if the owner is not the  
859 petitioner.

860 3. Once the petition is determined sufficient and  
861 complete, the county or municipality must process the addition  
862 of the parcel to the district as an amendment to the ordinance  
863 that establishes the district. The county or municipality may  
864 process all petitions to amend the ordinance for parcels  
865 identified in the original petition, even if, by adding such  
866 parcels, the district exceeds 2,500 acres.

867 4. The petitioner shall cause to be published in a  
868 newspaper of general circulation in the proposed district a  
869 notice of the intent to amend the ordinance that establishes the  
870 district. The notice must be in addition to any notice required  
871 for adoption of the ordinance amendment. Such notice must be  
872 published as provided in chapter 50 at least 10 days before the  
873 scheduled hearing on the ordinance amendment ~~and may be~~  
874 ~~published in the section of the newspaper reserved for legal~~  
875 ~~notices~~. The notice must include a general description of the

876 land to be added to the district and the date and time of the  
 877 scheduled hearing to amend the ordinance. The petitioner shall  
 878 deliver, including by mail or hand delivery, the notice of the  
 879 hearing on the ordinance amendment to the owner of the parcel  
 880 and to the district at least 14 days before the scheduled  
 881 hearing.

882 5. The amendment of a district by the addition of a parcel  
 883 pursuant to this paragraph does not alter the transition from  
 884 landowner voting to qualified elector voting pursuant to s.  
 885 190.006, even if the total size of the district after the  
 886 addition of the parcel exceeds 5,000 acres. Upon adoption of the  
 887 ordinance expanding the district, the petitioner must cause to  
 888 be recorded a notice of boundary amendment which reflects the  
 889 new boundaries of the district.

890 6. This paragraph is intended to facilitate the orderly  
 891 addition of lands to a district under certain circumstances and  
 892 does not preclude the addition of lands to any district using  
 893 the procedures in the other provisions of this section.

894 Section 20. Subsection (1) of section 194.037, Florida  
 895 Statutes, is amended to read:

896 194.037 Disclosure of tax impact.—

897 (1) After hearing all petitions, complaints, appeals, and  
 898 disputes, the clerk shall make public notice of the findings and  
 899 results of the board as provided in chapter 50. If published in  
 900 a newspaper, the notice must be in at least a quarter-page size

901 advertisement of a standard size or tabloid size newspaper, and  
 902 the headline shall be in a type no smaller than 18 point. The  
 903 advertisement shall not be placed in that portion of the  
 904 newspaper where legal notices and classified advertisements  
 905 appear. The advertisement shall be published in a newspaper ~~of~~  
 906 ~~general paid circulation~~ in the county. The newspaper selected  
 907 shall be one of general interest and readership in the  
 908 community, and not one of limited subject matter, pursuant to  
 909 chapter 50. For all advertisements published pursuant to this  
 910 section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT  
 911 BOARD. The public notice shall list the members of the value  
 912 adjustment board and the taxing authorities to which they are  
 913 elected. The form shall show, in columnar form, for each of the  
 914 property classes listed under subsection (2), the following  
 915 information, with appropriate column totals:

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

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

921 (c) In the third column, the number of parcels for which  
 922 the board considered the petition and reduced the assessment  
 923 from that made by the property appraiser on the initial  
 924 assessment roll.

925 (d) In the fourth column, the number of parcels for which

926 petitions were filed but not considered by the board because  
927 such petitions were withdrawn or settled prior to the board's  
928 consideration.

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

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

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

946 Section 21. Subsection (1) of section 197.402, Florida  
947 Statutes, is amended to read:

948 197.402 Advertisement of real or personal property with  
949 delinquent taxes.—

950 (1) If advertisements are required, the board of county

951 commissioners shall make such notice ~~select the newspaper~~ as  
952 provided in chapter 50. The tax collector shall pay all  
953 ~~newspaper~~ charges, and the proportionate cost of the  
954 advertisements shall be added to the delinquent taxes collected.

955 Section 22. Paragraph (h) of subsection (3) of section  
956 200.065, Florida Statutes, is amended to read:

957 200.065 Method of fixing millage.—

958 (3) The advertisement shall be published as provided in  
959 chapter 50. If the advertisement is published by newspaper, the  
960 advertisement must be no less than one-quarter page in size of a  
961 standard size or a tabloid size newspaper, and the headline in  
962 the advertisement shall be in a type no smaller than 18 point.  
963 The advertisement shall not be placed in that portion of the  
964 newspaper where legal notices and classified advertisements  
965 appear. The advertisement shall be published in a newspaper ~~of~~  
966 ~~general paid circulation~~ in the county or in a geographically  
967 limited insert of such newspaper. The geographic boundaries in  
968 which such insert is circulated shall include the geographic  
969 boundaries of the taxing authority. It is the legislative intent  
970 that, whenever possible, the advertisement appear in a newspaper  
971 that is published at least weekly ~~5 days a week~~ unless the only  
972 newspaper in the county is published less than weekly ~~5 days a~~  
973 ~~week~~, or that the advertisement appear in a geographically  
974 limited insert of such newspaper which insert is published  
975 throughout the taxing authority's jurisdiction at least twice

976 each week. It is further the legislative intent that the  
977 newspaper selected be one of general interest and readership in  
978 the community and not one of limited subject matter, pursuant to  
979 chapter 50.

980 (h) In no event shall any taxing authority add to or  
981 delete from the language of the advertisements as specified  
982 herein unless expressly authorized by law, except that, if an  
983 increase in ad valorem tax rates will affect only a portion of  
984 the jurisdiction of a taxing authority, advertisements may  
985 include a map or geographical description of the area to be  
986 affected and the proposed use of the tax revenues under  
987 consideration. In addition, if published in the newspaper, the  
988 map must be part of the online advertisement required by s.  
989 50.0211 or s. 50.0311. The advertisements required herein shall  
990 not be accompanied, preceded, or followed by other advertising  
991 or notices which conflict with or modify the substantive content  
992 prescribed herein.

993 Section 23. Paragraph (c) of subsection (1) of section  
994 338.223, Florida Statutes, is amended to read:

995 338.223 Proposed turnpike projects.—

996 (1)

997 (c) Prior to requesting legislative approval of a proposed  
998 turnpike project, the environmental feasibility of the proposed  
999 project shall be reviewed by the Department of Environmental  
1000 Protection. The department shall submit its Project Development



1001 and Environmental Report to the Department of Environmental  
1002 Protection, along with a draft copy of a public notice. Within  
1003 14 days of receipt of the draft public notice, the Department of  
1004 Environmental Protection shall return the draft public notice to  
1005 the Department of Transportation with an approval of the  
1006 language or modifications to the language. Upon receipt of the  
1007 approved or modified draft, or if no comments are provided  
1008 within 14 days, the Department of Transportation shall publish  
1009 the notice as provided in chapter 50 ~~in a newspaper~~ to provide a  
1010 30-day public comment period. If published in a newspaper, the  
1011 headline of the required notice shall be in a type no smaller  
1012 than 18 point, ~~The notice~~ shall be placed in that portion of  
1013 the newspaper where legal notices appear, and ~~The notice~~ shall  
1014 be published in a newspaper of general circulation in the county  
1015 or counties of general interest and readership in the community  
1016 as provided in s. 50.031, not one of limited subject matter.  
1017 Whenever possible, the notice shall appear in a newspaper that  
1018 is published at least weekly ~~5 days a week~~. All The notices  
1019 ~~notice~~ published pursuant to this section shall include, at a  
1020 minimum ~~but is not limited to~~, the following information:  
1021 1. The purpose of the notice is to provide for a 30-day  
1022 period for written public comments on the environmental impacts  
1023 of a proposed turnpike project.  
1024 2. The name and description of the project, along with a  
1025 geographic location map clearly indicating the area where the

1026 proposed project will be located.

1027 3. The address where such comments must be sent and the  
1028 date such comments are due.

1029  
1030 After a review of the department's report and any public  
1031 comments, the Department of Environmental Protection shall  
1032 submit a statement of environmental feasibility to the  
1033 department within 30 days after the date on which public  
1034 comments are due. The notice and the statement of environmental  
1035 feasibility shall not give rise to any rights to a hearing or  
1036 other rights or remedies provided pursuant to chapter 120 or  
1037 chapter 403, and shall not bind the Department of Environmental  
1038 Protection in any subsequent environmental permit review.

1039 Section 24. Subsection (3) of section 348.0308, Florida  
1040 Statutes, is amended to read:

1041 348.0308 Public-private partnership.—The Legislature  
1042 declares that there is a public need for the rapid construction  
1043 of safe and efficient transportation facilities for traveling  
1044 within the state and that it is in the public's interest to  
1045 provide for public-private partnership agreements to effectuate  
1046 the construction of additional safe, convenient, and economical  
1047 transportation facilities.

1048 (3) The agency may request proposals for public-private  
1049 transportation projects or, if it receives an unsolicited  
1050 proposal, it must publish a notice in the Florida Administrative

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1051 Register and as provided in chapter 50 ~~a newspaper of general~~  
1052 ~~circulation in the county in which it is located at least once a~~  
1053 ~~week~~ for 2 weeks stating that it has received the proposal and  
1054 will accept, for 60 days after the initial date of publication,  
1055 other proposals for the same project purpose. A copy of the  
1056 notice must be mailed to each local government in the affected  
1057 areas. After the public notification period has expired, the  
1058 agency shall rank the proposals in order of preference. In  
1059 ranking the proposals, the agency shall consider professional  
1060 qualifications, general business terms, innovative engineering  
1061 or cost-reduction terms, finance plans, and the need for state  
1062 funds to deliver the proposal. If the agency is not satisfied  
1063 with the results of the negotiations, it may, at its sole  
1064 discretion, terminate negotiations with the proposer. If these  
1065 negotiations are unsuccessful, the agency may go to the second  
1066 and lower-ranked firms, in order, using the same procedure. If  
1067 only one proposal is received, the agency may negotiate in good  
1068 faith, and if it is not satisfied with the results, it may, at  
1069 its sole discretion, terminate negotiations with the proposer.  
1070 The agency may, at its discretion, reject all proposals at any  
1071 point in the process up to completion of a contract with the  
1072 proposer.

1073 Section 25. Subsection (3) of section 348.635, Florida  
1074 Statutes, is amended to read:

1075 348.635 Public-private partnership.—The Legislature

1076 declares that there is a public need for the rapid construction  
1077 of safe and efficient transportation facilities for traveling  
1078 within the state and that it is in the public's interest to  
1079 provide for public-private partnership agreements to effectuate  
1080 the construction of additional safe, convenient, and economical  
1081 transportation facilities.

1082 (3) The authority may request proposals for public-private  
1083 transportation projects or, if it receives an unsolicited  
1084 proposal, it must publish a notice in the Florida Administrative  
1085 Register as provided in chapter 50 ~~and a newspaper of general~~  
1086 ~~circulation in the county in which it is located at least once a~~  
1087 ~~week~~ for 2 weeks stating that it has received the proposal and  
1088 will accept, for 60 days after the initial date of publication,  
1089 other proposals for the same project purpose. A copy of the  
1090 notice must be mailed to each local government in the affected  
1091 areas. After the public notification period has expired, the  
1092 authority shall rank the proposals in order of preference. In  
1093 ranking the proposals, the authority shall consider professional  
1094 qualifications, general business terms, innovative engineering  
1095 or cost-reduction terms, finance plans, and the need for state  
1096 funds to deliver the proposal. If the authority is not satisfied  
1097 with the results of the negotiations, it may, at its sole  
1098 discretion, terminate negotiations with the proposer. If these  
1099 negotiations are unsuccessful, the authority may go to the  
1100 second and lower-ranked firms, in order, using the same

1101 procedure. If only one proposal is received, the authority may  
1102 negotiate in good faith, and if it is not satisfied with the  
1103 results, it may, at its sole discretion, terminate negotiations  
1104 with the proposer. The authority may, at its discretion, reject  
1105 all proposals at any point in the process up to completion of a  
1106 contract with the proposer.

1107 Section 26. Subsection (3) of section 348.7605, Florida  
1108 Statutes, is amended to read:

1109 348.7605 Public-private partnership.—The Legislature  
1110 declares that there is a public need for the rapid construction  
1111 of safe and efficient transportation facilities for traveling  
1112 within the state and that it is in the public's interest to  
1113 provide for public-private partnership agreements to effectuate  
1114 the construction of additional safe, convenient, and economical  
1115 transportation facilities.

1116 (3) The authority may request proposals for public-private  
1117 transportation projects or, if it receives an unsolicited  
1118 proposal, it must publish a notice in the Florida Administrative  
1119 Register and as provided in chapter 50 ~~a newspaper of general~~  
1120 ~~circulation in the county in which it is located at least once a~~  
1121 ~~week~~ for 2 weeks stating that it has received the proposal and  
1122 will accept, for 60 days after the initial date of publication,  
1123 other proposals for the same project purpose. A copy of the  
1124 notice must be mailed to each local government in the affected  
1125 areas. After the public notification period has expired, the

1126 authority shall rank the proposals in order of preference. In  
 1127 ranking the proposals, the authority shall consider professional  
 1128 qualifications, general business terms, innovative engineering  
 1129 or cost-reduction terms, finance plans, and the need for state  
 1130 funds to deliver the proposal. If the authority is not satisfied  
 1131 with the results of the negotiations, it may, at its sole  
 1132 discretion, terminate negotiations with the proposer. If these  
 1133 negotiations are unsuccessful, the authority may go to the  
 1134 second and lower-ranked firms, in order, using the same  
 1135 procedure. If only one proposal is received, the authority may  
 1136 negotiate in good faith, and if it is not satisfied with the  
 1137 results, it may, at its sole discretion, terminate negotiations  
 1138 with the proposer. The authority may, at its discretion, reject  
 1139 all proposals at any point in the process up to completion of a  
 1140 contract with the proposer.

1141 Section 27. Section 373.0397, Florida Statutes, is amended  
 1142 to read:

1143 373.0397 Floridan and Biscayne aquifers; designation of  
 1144 prime groundwater recharge areas.—Upon preparation of an  
 1145 inventory of prime groundwater recharge areas for the Floridan  
 1146 or Biscayne aquifers, but prior to adoption by the governing  
 1147 board, the water management district shall publish a legal  
 1148 notice of public hearing on the designated areas for the  
 1149 Floridan and Biscayne aquifers, with a map delineating the  
 1150 boundaries of the areas, as provided ~~in newspapers defined in~~

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1151 chapter 50 in each county ~~as having general circulation~~ within  
 1152 the area to be affected. The notice shall be at least one-fourth  
 1153 page and shall read as follows:

1154 NOTICE OF PRIME RECHARGE

1155 AREA DESIGNATION

1156 The ...(name of taxing authority)... proposes to designate  
 1157 specific land areas as areas of prime recharge to the ...(name  
 1158 of aquifer)... Aquifer.

1159 All concerned citizens are invited to attend a public  
 1160 hearing on the proposed designation to be held on ...(date and  
 1161 time)... at ...(meeting place)....

1162 A map of the affected areas follows.  
 1163 The governing board of the water management district shall adopt  
 1164 a designation of prime groundwater recharge areas to the  
 1165 Floridan and Biscayne aquifers by rule within 120 days after the  
 1166 public hearing, subject to the provisions of chapter 120.

1167 Section 28. Section 373.146, Florida Statutes, is amended  
 1168 to read:

1169 373.146 Publication of notices, process, and papers.—

1170 (1) Whenever in this chapter the publication of any  
 1171 notice, process, or paper is required or provided for, unless  
 1172 otherwise provided by law, the publication thereof ~~in some~~  
 1173 ~~newspaper or newspapers~~ as provided ~~defined~~ in chapter 50 in  
 1174 each county ~~having general circulation~~ within the area to be  
 1175 affected shall be taken and considered as being sufficient.

1176 (2) Notwithstanding any other provision of law to the  
 1177 contrary, and except in the case of emergency meetings, water  
 1178 management districts may provide reasonable notice of public  
 1179 meetings held to evaluate responses to solicitations issued by  
 1180 the water management district, by publication as provided in  
 1181 chapter 50 ~~in a newspaper of general paid circulation~~ in the  
 1182 county where the principal office of the water management  
 1183 district is located, or in the county or counties where the  
 1184 public work will be performed, no less than 7 days before such  
 1185 meeting.

1186 Section 29. Subsection (12) of section 403.722, Florida  
 1187 Statutes, is amended to read:

1188 403.722 Permits; hazardous waste disposal, storage, and  
 1189 treatment facilities.—

1190 (12) On the same day of filing with the department of an  
 1191 application for a permit for the construction modification, or  
 1192 operation of a hazardous waste facility, the applicant shall  
 1193 notify each city and county within 1 mile of the facility of the  
 1194 filing of the application and shall publish notice of the filing  
 1195 of the application. The applicant shall publish a second notice  
 1196 of the filing within 14 days after the date of filing. Each  
 1197 notice shall be published ~~in a newspaper of general circulation~~  
 1198 in the county in which the facility is located or is proposed to  
 1199 be located as provided in chapter 50. ~~Notwithstanding the~~  
 1200 ~~provisions of chapter 50, for purposes of this section, a~~



1201 ~~"newspaper of general circulation" shall be the newspaper within~~  
 1202 ~~the county in which the installation or facility is proposed~~  
 1203 ~~which has the largest daily circulation in that county and has~~  
 1204 ~~its principal office in that county. If the newspaper with the~~  
 1205 ~~largest daily circulation has its principal office outside the~~  
 1206 ~~county, the notice shall appear in both the newspaper with the~~  
 1207 ~~largest daily circulation in that county, and a newspaper~~  
 1208 ~~authorized to publish legal notices in that county. The notice~~  
 1209 shall contain:

1210 (a) The name of the applicant and a brief description of  
 1211 the project and its location.

1212 (b) The location of the application file and when it is  
 1213 available for public inspection.

1214  
 1215 The notice shall be prepared by the applicant and shall comply  
 1216 with the following format:

1217 Notice of Application

1218 The Department of Environmental Protection announces receipt of  
 1219 an application for a permit from ...(name of applicant)... to  
 1220 ...(brief description of project).... This proposed project will  
 1221 be located at ...(location)... in ...(county)... ...(city)....  
 1222 This application is being processed and is available for public  
 1223 inspection during normal business hours, 8:00 a.m. to 5:00 p.m.,  
 1224 Monday through Friday, except legal holidays, at ...(name and  
 1225 address of office)....

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1226 Section 30. Paragraph (b) of subsection (3) of section  
 1227 712.06, Florida Statutes, is amended to read:

1228 712.06 Contents of notice; recording and indexing.—

1229 (3) The person providing the notice referred to in s.  
 1230 712.05, other than a notice for preservation of a community  
 1231 covenant or restriction, shall:

1232 (b) Publish the notice referred to in s. 712.05 for 2  
 1233 consecutive weeks on a publicly accessible website as provided  
 1234 in chapter 50 or once a week, for 2 consecutive weeks in a  
 1235 newspaper as defined in chapter 50, ~~the notice referred to in s.~~  
 1236 ~~712.05,~~ with the official record book and page number in which  
 1237 such notice was recorded, ~~in a newspaper as defined in chapter~~  
 1238 ~~50~~ in the county in which the property is located.

1239 Section 31. Subsection (5) of section 849.38, Florida  
 1240 Statutes, is amended to read:

1241 849.38 Proceedings for forfeiture; notice of seizure and  
 1242 order to show cause.—

1243 (5) If the value of the property seized is shown by the  
 1244 sheriff's return to have an appraised value of \$1,000 or less,  
 1245 the above citation shall be served by posting at three public  
 1246 places in the county, one of which shall be the front door of  
 1247 the courthouse; if the value of the property is shown by the  
 1248 sheriff's return to have an approximate value of more than  
 1249 \$1,000, the citation shall be published for at least 2  
 1250 consecutive weeks on a publicly accessible website as provided

1251 in chapter 50 or at least once each week for 2 consecutive weeks  
 1252 in some newspaper of general publication published in the  
 1253 county, if there be such a newspaper published in the county and  
 1254 if not, then said notice of such publication shall be made by  
 1255 certificate of the clerk if publication is made by posting, and  
 1256 by affidavit as provided in chapter 50, if made by publication  
 1257 as provided in chapter 50 ~~in a newspaper~~, which affidavit or  
 1258 certificate shall be filed and become a part of the record in  
 1259 the cause. Failure of the record to show proof of such  
 1260 publication shall not affect any judgment made in the cause  
 1261 unless it shall affirmatively appear that no such publication  
 1262 was made.

1263 Section 32. Paragraph (a) of subsection (3) of section  
 1264 865.09, Florida Statutes, is amended to read:

1265 865.09 Fictitious name registration.—

1266 (3) REGISTRATION.—

1267 (a) A person may not engage in business under a fictitious  
 1268 name unless the person first registers the name with the  
 1269 division by filing a registration listing:

- 1270 1. The name to be registered.
- 1271 2. The mailing address of the business.
- 1272 3. The name and address of each registrant.
- 1273 4. If the registrant is a business entity that was  
 1274 required to file incorporation or similar documents with its  
 1275 state of organization when it was organized, such entity must be

1276 registered with the division and in active status with the  
1277 division; provide its Florida document registration number; and  
1278 provide its federal employer identification number if the entity  
1279 has such a number.

1280 5. Certification by at least one registrant that the  
1281 intention to register such fictitious name has been advertised  
1282 as provided ~~at least once in a newspaper as defined in chapter~~  
1283 50 in the county in which the principal place of business of the  
1284 registrant is or will be located.

1285 6. Any other information the division may reasonably deem  
1286 necessary to adequately inform other governmental agencies and  
1287 the public as to the registrant so conducting business.

1288 Section 33. Paragraph (a) of subsection (6) of section  
1289 932.704, Florida Statutes, is amended to read:

1290 932.704 Forfeiture proceedings.—

1291 (6) (a) If the property is required by law to be titled or  
1292 registered, or if the owner of the property is known in fact to  
1293 the seizing agency, or if the seized property is subject to a  
1294 perfected security interest in accordance with the Uniform  
1295 Commercial Code, chapter 679, the attorney for the seizing  
1296 agency shall serve the forfeiture complaint as an original  
1297 service of process under the Florida Rules of Civil Procedure  
1298 and other applicable law to each person having an ownership or  
1299 security interest in the property. The seizing agency shall also  
1300 publish, in accordance with chapter 50, notice of the forfeiture

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1301 | complaint for 2 consecutive weeks on a publicly accessible  
1302 | website or once each week for 2 consecutive weeks in a newspaper  
1303 | of general circulation, ~~as defined in s. 165.031,~~ in the county  
1304 | where the seizure occurred.

1305 | Section 34. This act shall take effect July 1, 2021.