

1 A bill to be entitled
 2 An act relating to legal notices; amending s. 50.0211,
 3 F.S.; revising the period for which website legal
 4 notices are required to be published; authorizes
 5 clerks of court to provide links to legal notices web
 6 pages; specifying that no viewing or registration fee
 7 may be charged for viewing online legal notices
 8 published in a newspaper; requiring that website legal
 9 notices be archived for a specified period; requiring
 10 that legal notices placed on the statewide website
 11 must be accurate; amending s. 50.061, F.S.; clarifying
 12 payment provisions; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 50.0211, Florida Statutes, is amended
 17 to read:

18 50.0211 Internet website publication.—

19 (1) This section applies to legal notices that must be
 20 published in accordance with this chapter unless otherwise
 21 specified.

22 (2) Each legal notice must be posted ~~placed~~ on the
 23 newspaper's website on the same day that the printed notice
 24 appears in the newspaper, at no additional charge, in a separate
 25 web page titled "Legal Advertisements." A link to the legal
 26 notices web page shall be provided on the front page of the

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27 newspaper's website that provides access to the legal notices
28 ~~without charge.~~ A clerk of court may provide a link to a
29 newspaper's legal notices web page but is not required to do so.
30 Furthermore, a clerk of court is not required to provide a link
31 to any newspaper that publishes legal notices if the clerk's web
32 page where such links are posted identifies the links as a
33 nonexhaustive list of links to legal notices. If there is a
34 specified size and placement required for a printed legal
35 notice, the size and placement of the notice on the newspaper's
36 website should optimize its online visibility in keeping with
37 the print requirements. The newspaper's web pages that contain
38 legal notices shall present the legal notices as the dominant
39 and leading subject matter of those pages. The newspaper's
40 website shall contain a search function to facilitate searching
41 the legal notices. A fee may not be charged, and registration
42 may not be required, for viewing or searching legal notices on a
43 newspaper's website if the legal notice was published in that
44 newspaper. This subsection shall take effect July 1, 2013.

45 (3) (a) If a legal notice is published in a newspaper, the
46 newspaper publishing the notice shall place the notice on the
47 website established and maintained as an initiative of the
48 Florida Press Association as a repository for such notices
49 located at the following address: www.floridapublicnotices.com.

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

52 1. Accessible and searchable by party name and case

53 number.

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

56 (c) The statewide website created under this subsection
57 shall maintain a searchable archive of all legal notices posted
58 on the publicly accessible website on or after October 1, 2014,
59 for 18 months after the first day of posting. This searchable
60 archive shall be provided and accessible to the general public
61 without charge.

62 (4) Newspapers that publish legal notices shall, upon
63 request, provide e-mail notification of new legal notices when
64 they are printed in the newspaper and added to the newspaper's
65 website. Such e-mail notification shall be provided without
66 charge, and notification for such an e-mail registry shall be
67 available on the front page of the legal notices section of the
68 newspaper's website. ~~This subsection shall take effect July 1,~~
69 ~~2013.~~

70 (5) If there is a conflict or difference between a legal
71 notice printed in a newspaper and the version posted on the
72 statewide website, the version printed in the newspaper shall be
73 used for purposes of meeting legal requirements. However, this
74 subsection does not affect the right of a person to relief from
75 a judicial sale based upon an error or omission in a legal
76 notice printed in a newspaper or posted on the statewide website
77 ~~An error in the notice placed on the newspaper or statewide~~
78 ~~website shall be considered a harmless error and proper legal~~

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79 ~~notice requirements shall be considered met if the notice~~
80 ~~published in the newspaper is correct.~~

81 Section 2. Subsections (2) and (3) of section 50.061,
82 Florida Statutes, are amended to read:

83 50.061 Amounts chargeable.—

84 (2) The charge for publishing each such official public
85 notice or legal advertisement shall be 70 cents per square inch
86 for the first insertion and 40 cents per square inch for each
87 subsequent insertion, except that government notices required to
88 be published more than once, the cost of which ~~whose cost~~ is
89 paid for by the government and not paid in advance by or allowed
90 to be recouped from private parties, may not be charged for the
91 second and successive insertions at a rate greater than 85
92 percent of the original rate.

93 (3) Where the regular established minimum commercial rate
94 per square inch of the newspaper publishing such official public
95 notices or legal advertisements is in excess of the rate herein
96 stipulated, said minimum commercial rate per square inch may be
97 charged for all such legal advertisements or official public
98 notices for each insertion, except that government notices
99 required to be published more than once, the cost of which ~~whose~~
100 ~~cost~~ is paid for by the government and not paid in advance by or
101 allowed to be recouped from private parties, may not be charged
102 for the second and successive insertions at a rate greater than
103 85 percent of the original rate.

104 Section 3. This act shall take effect October 1, 2014.