A bill to be entitled

An act relating to governmental agency publication of advertisements and public notices; amending s. 50.0311, F.S.; expanding the definition of the term "governmental agency"; revising the definition of the term "publicly accessible website"; requiring that certain legal notices be continuously published for a specified timeframe when the notices are for a specified purpose and provided under a certain circumstance; authorizing certain counties or specified municipalities, school boards, clerks of the circuit court, and tax collectors to use a publicly accessible website to publish certain advertisements and legal notices under specified conditions; revising the definition of the term "special district"; reenacting ss. 11.02, 45.031(2), 50.011(2), 50.021, 50.0211(3), 50.031, 50.051, 50.061(4), 50.0711(1), (3) and (4), 69.081(9), 90.902(12), 120.81(1)(d), 121.055(1)(b) and (h), 125.66(2)(a), 162.12(2)(a), 189.015(1), 190.005(1)(d), 197.402(1), 200.065(2)(f), 338.223(1)(c), 348.0308(3), 348.635(3), 348.7605(3), 373.0397, 373.146, 403.722(12), 849.38(5), 932.704(6)(a), 1001.372(2)(c), and 1011.03(1), F.S., relating to notice of special or local legislation or certain relief acts, judicial sales procedure,

publication of legal notices, publication when no newspaper in county, Internet website publication, newspapers in which legal notices and process may be published, proof of publication, form of uniform affidavit, amounts chargeable, court docket fund, service charges, publications, sunshine in litigation, concealment of public hazards prohibited, self-authentication, exceptions and special requirements, general areas, Senior Management Service Class, ordinances, enactment procedure, emergency ordinances, rezoning or change of land use ordinances or resolutions, notices, meetings, notice, required reports, establishment of district, advertisement of real or personal property with delinquent taxes, method of fixing millage, proposed turnpike projects, public-private partnership, public-private partnership, public-private partnership, Floridan and Biscayne aquifers, designation of prime groundwater recharge areas, publication of notices, process, and papers, permits, hazardous waste disposal, storage, and treatment facilities, proceedings for forfeiture, notice of seizure and order to show cause, forfeiture proceedings, district school board meetings, public hearings, budget to be submitted to Department of Education, respectively; providing an effective date.

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

Section 1. Section 50.0311, Florida Statutes, is amended to read:

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

(1) For purposes of this chapter, the term "governmental agency" means a county, municipality, school board, clerk of the circuit court, tax collector, water management district operating pursuant to chapter 373, or other unit of local government or political subdivision in this state.

(2) For purposes of notices and advertisements required under s. 50.011, the term "publicly accessible website" means a county's official website or other private website designated by the county for the publication of legal notices and advertisements which ~~that~~ is accessible through ~~via~~ the Internet. For legal notices and advertisements required under s. 50.011 by a municipality, clerk of the circuit court, tax collector, water management district, or other unit of local government, the term "publicly accessible website" means such entity's official website, a private website designated by such entity, a county's official website, or a private website designated by the county in which such entity is located.

(3) All advertisements and public notices published on a website as provided in this chapter must be in searchable form and indicate the date on which the advertisement or public notice was first published on the website.

(4) Any legal notice or advertisement that is published on a publicly accessible website must, unless otherwise specified by law, be published continuously for at least 2 weeks when the purpose is to provide notice of the status of a government activity or be published continuously from the date of initial publication through the date of the proposed event or activity.

(5) ~~(3)~~ A governmental agency may use the publicly accessible website of the county in which it lies to publish legally required advertisements and public notices if the cost of publishing advertisements and public notices on such website is less than the cost of publishing advertisements and public notices in a newspaper.

(6) ~~(4)~~ A ~~governmental agency with at least 75 percent of its population located within a~~ county having ~~with~~ a population of less ~~fewer~~ than 160,000; a municipality, school board, clerk of the circuit court, or tax collector that is located within a county having a population of less than 160,000; or any other unit of local government or political subdivision in this state having at least 75 percent of its population located within a county having a population of less than 160,000 may use a publicly accessible website to publish legally required

advertisements and public notices only if the governing body of the governmental agency, at a public hearing that has been noticed in a newspaper as provided in this chapter, determines that the residents of the governmental agency have sufficient access to the Internet by broadband service, as defined in s. 364.02, or by any other means, such that publishing advertisements and public notices on a publicly accessible website will not unreasonably restrict public access.

(7) ~~(5)~~ A special district spanning the geographic boundaries of more than one county that satisfies the criteria for publishing and publishes ~~chooses to publish~~ legally required advertisements and public notices on a publicly accessible website must publish such advertisements and public notices on the publicly accessible website of each county it spans. For purposes of this subsection, the term "special district" has the same meaning as in s. 189.012 but does not include a water management district operating pursuant to chapter 373.

(8) ~~(6)~~ A governmental agency that uses a publicly accessible website to publish legally required advertisements and public notices must ~~shall~~ provide notice at least once per year in a newspaper of general circulation or another publication that is mailed or delivered to all residents and property owners throughout the government's jurisdiction, indicating that property owners and residents may receive legally required advertisements and public notices from the

governmental agency by first-class mail or e-mail upon registering their name and address or e-mail address with the governmental agency. The governmental agency must ~~shall~~ maintain a registry of names, addresses, and e-mail addresses of property owners and residents who have requested in writing that they receive legally required advertisements and public notices from the governmental agency by first-class mail or e-mail.

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

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

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

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

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

Section 2. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a

reference thereto, section 11.02, Florida Statutes, is reenacted to read:

11.02 Notice of special or local legislation or certain relief acts.—The notice required to obtain special or local legislation or any relief act specified in s. 11.065 shall be by publishing the identical notice as provided in chapter 50 or circulated throughout the county or counties where the matter or thing to be affected by such legislation shall be situated one time at least 30 days before introduction of the proposed law into the Legislature or, if the notice is not published on a publicly accessible website as provided in s. 50.0311 and there is no newspaper circulated throughout or published in the county, by posting for at least 30 days at not fewer than three public places in the county or each of the counties, one of which places shall be at the courthouse in the county or counties where the matter or thing to be affected by such legislation shall be situated. Notice of special or local legislation shall state the substance of the contemplated law, as required by s. 10, Art. III of the State Constitution. Notice of any relief act specified in s. 11.065 shall state the name of the claimant, the nature of the injury or loss for which the claim is made, and the amount of the claim against the affected municipality's revenue-sharing trust fund.

Section 3. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a

reference thereto, subsection (2) of section 45.031, Florida Statutes, is reenacted to read:

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

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

(a) A description of the property to be sold.

(b) The time and place of sale.

(c) A statement that the sale will be made pursuant to the order or final judgment.

(d) The caption of the action.

(e) The name of the clerk making the sale.

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

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

Section 4. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (2) of section 50.011, Florida Statutes, is reenacted to read:

50.011 Publication of legal notices.—Whenever by statute an official or legal advertisement or a publication or notice in a newspaper or on a governmental agency website has been or is directed or permitted in the nature of or in lieu of process, or for constructive service, or in initiating, assuming, reviewing, exercising, or enforcing jurisdiction or power, or for any purpose, including all legal notices and advertisements of sheriffs and tax collectors, such legislation, whether existing or repealed, means either of the following:

(2) A publication on a publicly accessible website under s. 50.0311.

Section 5. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, section 50.021, Florida Statutes, is reenacted to read:

50.021 Publication when no newspaper in county.—When any law, or order or decree of court, directs advertisements to be made in a county and there is no newspaper published in the

county, the advertisement may be published on a publicly accessible website as provided in s. 50.0311 or made by posting three copies thereof in three different places in the county, one of which shall be at the front door of the courthouse, and by publication in the nearest county in which a newspaper qualified under this chapter is published.

Section 6. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (3) of section 50.0211, Florida Statutes, is reenacted to read:

50.0211 Internet website publication.—

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

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

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

2. Published for a period of at least 90 consecutive days after the first day of publication.

(c) The statewide website created under this subsection shall maintain a searchable archive of all legal notices

published on the publicly accessible website for 18 months after the first day of publication. Such searchable archive shall be provided and accessible to the general public without charge.

Section 7. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, section 50.031, Florida Statutes, is reenacted to read:

50.031 Newspapers in which legal notices and process may be published.—If a governmental agency publishes a legal notice in a newspaper, no notice or publication required to be published in the nature of or in lieu of process of any kind, nature, character, or description provided for under any law of the state, whether heretofore or hereafter enacted, and whether pertaining to constructive service, or the initiating, assuming, reviewing, exercising, or enforcing jurisdiction or power, by any court in this state, or any notice of sale of property, real or personal, for taxes, state, county, or municipal, or sheriff's, guardian's, or administrator's or any sale made pursuant to any judicial order, decree, or statute or any other publication or notice pertaining to any affairs of the state, or any county, municipality, or other political subdivision thereof, shall be deemed to have been published in accordance with the statutes providing for such publication, unless the same shall have been published for the prescribed period of time required for such publication, in a newspaper which at the time

of such publication shall have been in existence for 2 years and meets the requirements set forth in s. 50.011, or in a newspaper which is a direct successor of a newspaper which has been so published; provided, however, that nothing herein contained shall apply where in any county there shall be no newspaper in existence which shall have been published for the length of time above prescribed. No legal publication of any kind, nature, or description, as herein defined, shall be valid or binding or held to be in compliance with the statutes providing for such publication unless the same shall have been published in accordance with this section or s. 50.0311. Proof of such publication shall be made by uniform affidavit.

Section 8. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, section 50.051, Florida Statutes, is reenacted to read:

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

NAME OF COUNTY

STATE OF FLORIDA

COUNTY OF ....

Before the undersigned authority personally appeared ...., who on oath says that he or she is .... of .... County, Florida;

that the attached copy of advertisement, being a .... in the matter of .... in the .... Court, was published on the publicly accessible website of .... County, Florida, or in a newspaper by print in the issues of .... on ...(date)....

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

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

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

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

...(Notary Public)...

Section 9. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (4) of section 50.061, Florida Statutes, is reenacted to read:

50.061 Amounts chargeable.—

(4) A governmental agency publishing an official public notice or legal advertisement may procure publication by soliciting and accepting written bids from newspapers published in the county, in which case the specified charges in this section do not apply.

Section 10. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a

reference thereto, subsections (1), (3), and (4) of section 50.0711, Florida Statutes, are reenacted to read:

50.0711 Court docket fund; service charges; publications.—

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

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

(4) The publicly accessible website publisher or

publishers of any designated record newspapers receiving revenues from the court docket fund established in subsection (1) shall, without charge, accept legal advertisements for the purpose of service of process by publication under s. 49.011(4), (10), and (11) when such publication is required of persons authorized to proceed as indigent persons under s. 57.081.

Section 11. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (9) of section 69.081, Florida Statutes, is reenacted to read:

69.081 Sunshine in litigation; concealment of public hazards prohibited.—

(9) A governmental entity, except a municipality or county, that settles a claim in tort which requires the expenditure of public funds in excess of $5,000, shall provide notice, in accordance with the provisions of chapter 50, of such settlement, in the county in which the claim arose, within 60 days of entering into such settlement; provided that no notice shall be required if the settlement has been approved by a court of competent jurisdiction.

Section 12. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (12) of section 90.902, Florida Statutes, is reenacted to read:

90.902 Self-authentication.—Extrinsic evidence of

authenticity as a condition precedent to admissibility is not required for:

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

Section 13. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 120.81, Florida Statutes, is reenacted to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

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

1. By publication in a newspaper qualified under chapter 50 in the affected area or on a publicly accessible website as provided in s. 50.0311;

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

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

Section 14. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraphs (b) and (h) of subsection (1) of section 121.055, Florida Statutes, are reenacted to read:

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

(1)

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

a. Positions to be included in the class are designated by the local agency employer. Notice of intent to designate positions for inclusion in the class must be published for at least 2 consecutive weeks if published on a publicly accessible website as provided in s. 50.0311 or, if published in print, once a week for 2 consecutive weeks in a newspaper qualified

under chapter 50 that is published in the county or counties affected.

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

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

(I) Heads an organizational unit; or

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

2. In lieu of participation in the Senior Management Service Class, members of the Senior Management Service Class, pursuant to subparagraph 1., may withdraw from the Florida Retirement System altogether. The decision to withdraw from the system is irrevocable as long as the employee holds the position. Any service creditable under the Senior Management Service Class shall be retained after the member withdraws from the system; however, additional service credit in the Senior Management Service Class may not be earned after such

withdrawal. Such members are not eligible to participate in the Senior Management Service Optional Annuity Program.

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

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

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

(I) The cost for such credit shall be an amount representing the actuarial accrued liability for the affected period of service. The cost shall be calculated using the discount rate and other relevant actuarial assumptions that were used to value the pension plan liabilities in the most recent actuarial valuation. The calculation must include any service already maintained under the pension plan in addition to the period of withdrawal. The actuarial accrued liability attributable to any service already maintained under the pension plan shall be applied as a credit to the total cost resulting from the calculation. The division must ensure that the transfer

sum is prepared using a formula and methodology certified by an actuary.

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

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

a. Positions to be included in the class shall be designated by the state attorney or public defender, as appropriate. Notice of intent to designate positions for inclusion in the class shall be published for at least 2

consecutive weeks on a publicly accessible website as provided in s. 50.0311 or, if published in print, once a week for 2 consecutive weeks in a newspaper qualified under chapter 50 in the county or counties affected.

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

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

(I) Heads an organizational unit; or

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

2. Participation in this class shall be compulsory, except as provided in subparagraph 3., for any judicial employee who holds a position designated for coverage in the Senior Management Service Class, and such participation shall continue until the employee terminates employment in a covered position. Effective January 1, 2001, participation in this class is

compulsory for assistant state attorneys, assistant statewide prosecutors, assistant public defenders, and assistant capital collateral regional counsel. Effective January 1, 2002, participation in this class is compulsory for assistant attorneys general.

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

Section 15. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 125.66, Florida Statutes, is reenacted to read:

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

(2)(a) The regular enactment procedure is as follows: The board of county commissioners at any regular or special meeting may enact or amend any ordinance, except as provided in subsection (5), if notice of intent to consider such ordinance is given at least 10 days before such meeting by publication as provided in chapter 50. A copy of such notice must be kept

available for public inspection during the regular business hours of the office of the clerk of the board of county commissioners. The notice of proposed enactment must state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the county where such proposed ordinances may be inspected by the public. The notice must also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

Section 16. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 162.12, Florida Statutes, is reenacted to read:

162.12 Notices.—

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

(a)1. Such notice shall be published in print in a newspaper or on a publicly accessible website as provided in s. 50.0311 for 4 consecutive weeks. If published in print, the notice shall be published once during each week for 4 consecutive weeks (four publications being sufficient) in a newspaper in the county where the code enforcement board is located. The newspaper shall meet such requirements as are

prescribed under chapter 50 for legal and official advertisements.

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

Section 17. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (1) of section 189.015, Florida Statutes, is reenacted to read:

189.015 Meetings; notice; required reports.—

(1) The governing body of each special district shall file quarterly, semiannually, or annually a schedule of its regular meetings with the local governing authority or authorities. The schedule shall include the date, time, and location of each scheduled meeting. The schedule shall be published quarterly, semiannually, or annually in the manner required in this subsection. The governing body of an independent special district shall advertise the day, time, place, and purpose of any meeting other than a regular meeting or any recessed and reconvened meeting of the governing body, at least 7 days before such meeting as provided in chapter 50 in the county or counties in which the special district is located, unless a bona fide emergency situation exists, in which case a meeting to deal with the emergency may be held as necessary, with reasonable notice, so long as it is subsequently ratified by the governing body. No approval of the annual budget shall be granted at an emergency

meeting. The notice shall be posted as provided in chapter 50. Any other provision of law to the contrary notwithstanding, and except in the case of emergency meetings, water management districts may provide reasonable notice of public meetings held to evaluate responses to solicitations issued by the water management district, as provided in chapter 50 by publication on a publicly accessible website or by publication in a newspaper in the county where the principal office of the water management district is located, or in the county or counties where the public work will be performed, no fewer than 7 days before such meeting.

Section 18. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 190.005, Florida Statutes, is reenacted to read:

190.005 Establishment of district.—

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

(d) A local public hearing on the petition shall be conducted by a hearing officer in conformance with the applicable requirements and procedures of the Administrative

Procedure Act. The hearing shall include oral and written comments on the petition pertinent to the factors specified in paragraph (e). The hearing shall be held at an accessible location in the county in which the community development district is to be located. The petitioner shall cause a notice of the hearing to be published for 4 successive weeks on a publicly accessible website as provided in s. 50.0311 or, if published in print, in a newspaper at least once a week for the 4 successive weeks immediately prior to the hearing as provided in chapter 50. Such notice shall give the time and place for the hearing, a description of the area to be included in the district, which description shall include a map showing clearly the area to be covered by the district, and any other relevant information which the establishing governing bodies may require. If published in the print edition of a newspaper, the advertisement may not be placed in the portion of the newspaper where legal notices and classified advertisements appear. The advertisement must be published in a newspaper in the county and of general interest and readership in the community pursuant to chapter 50. Whenever possible, the advertisement shall appear in a newspaper that is published at least weekly, unless the only newspaper in the community is published less than weekly. If the notice is published in the print edition of the newspaper, the map must also be included in any online advertisement pursuant to s. 50.0211. All affected units of general-purpose local

government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

Section 19. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (1) of section 197.402, Florida Statutes, is reenacted to read:

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

(1) If advertisements are required, the board of county commissioners shall make such notice as provided in chapter 50. The tax collector shall pay all charges, and the proportionate cost of the advertisements shall be added to the delinquent taxes collected.

Section 20. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (f) of subsection (2) of section 200.065, Florida Statutes, is reenacted to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to

adopt a tentative budget on a publicly accessible website pursuant to s. 50.0311 or in a newspaper of general circulation pursuant to subsection (3) within 29 days after certification of value pursuant to subsection (1). For the purpose of this paragraph, the term "publicly accessible website" includes a district school board's official website if the school board website satisfies the remaining requirements of s. 50.0311. Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website if the district school board uses a different method of advertisement.

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be

considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.

Section 21. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (c) of subsection (1) of section 338.223, Florida Statutes, is reenacted to read:

338.223 Proposed turnpike projects.—

(1)

(c) Prior to requesting legislative approval of a proposed turnpike project, the environmental feasibility of the proposed project shall be reviewed by the Department of Environmental Protection. The department shall submit its Project Development and Environmental Report to the Department of Environmental Protection, along with a draft copy of a public notice. Within 14 days of receipt of the draft public notice, the Department of Environmental Protection shall return the draft public notice to the Department of Transportation with an approval of the

language or modifications to the language. Upon receipt of the approved or modified draft, or if no comments are provided within 14 days, the Department of Transportation shall publish the notice as provided in chapter 50 to provide a 30-day public comment period. If published in the print edition of a newspaper, the headline of the required notice shall be in a type no smaller than 18 point, shall be placed in that portion of the newspaper where legal notices appear, and shall be published in a newspaper qualified to publish legal notices in the county or counties of general interest and readership in the community as provided in s. 50.031. Whenever possible, the notice shall appear in a newspaper that is published at least weekly. All notices published pursuant to this section shall include, at a minimum, the following information:

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

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

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

After a review of the department's report and any public comments, the Department of Environmental Protection shall

submit a statement of environmental feasibility to the department within 30 days after the date on which public comments are due. The notice and the statement of environmental feasibility shall not give rise to any rights to a hearing or other rights or remedies provided pursuant to chapter 120 or chapter 403, and shall not bind the Department of Environmental Protection in any subsequent environmental permit review.

Section 22. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (3) of section 348.0308, Florida Statutes, is reenacted to read:

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

(3) The agency may request proposals for public-private transportation projects or, if it receives an unsolicited proposal, it must publish a notice in the Florida Administrative Register and, as provided in chapter 50, on a publicly accessible website or by print in a newspaper qualified to publish legal notices in the county in which the project is located at least once a week for 2 weeks stating that it has

received the proposal and will accept, for 60 days after the initial date of publication, other proposals for the same project purpose. A copy of the notice must be mailed to each local government in the affected areas. After the public notification period has expired, the agency shall rank the proposals in order of preference. In ranking the proposals, the agency shall consider professional qualifications, general business terms, innovative engineering or cost-reduction terms, finance plans, and the need for state funds to deliver the proposal. If the agency is not satisfied with the results of the negotiations, it may, at its sole discretion, terminate negotiations with the proposer. If these negotiations are unsuccessful, the agency may go to the second and lower-ranked firms, in order, using the same procedure. If only one proposal is received, the agency may negotiate in good faith, and if it is not satisfied with the results, it may, at its sole discretion, terminate negotiations with the proposer. The agency may, at its discretion, reject all proposals at any point in the process up to completion of a contract with the proposer.

Section 23. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (3) of section 348.635, Florida Statutes, is reenacted to read:

348.635 Public-private partnership.—The Legislature declares that there is a public need for the rapid construction

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

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

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

Section 24. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (3) of section 348.7605, Florida Statutes, is reenacted to read:

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

(3) The authority may request proposals for public-private transportation projects or, if it receives an unsolicited proposal, it must publish a notice in the Florida Administrative Register and, as provided in chapter 50, on a publicly accessible website or by print in a newspaper in the county in which the project is located at least once a week for 2 weeks stating that it has received the proposal and will accept, for 60 days after the initial date of publication, other proposals

for the same project purpose. A copy of the notice must be mailed to each local government in the affected areas. After the public notification period has expired, the authority shall rank the proposals in order of preference. In ranking the proposals, the authority shall consider professional qualifications, general business terms, innovative engineering or cost-reduction terms, finance plans, and the need for state funds to deliver the proposal. If the authority is not satisfied with the results of the negotiations, it may, at its sole discretion, terminate negotiations with the proposer. If these negotiations are unsuccessful, the authority may go to the second and lower-ranked firms, in order, using the same procedure. If only one proposal is received, the authority may negotiate in good faith, and if it is not satisfied with the results, it may, at its sole discretion, terminate negotiations with the proposer. The authority may, at its discretion, reject all proposals at any point in the process up to completion of a contract with the proposer.

Section 25. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, section 373.0397, Florida Statutes, is reenacted to read:

373.0397 Floridan and Biscayne aquifers; designation of prime groundwater recharge areas.—Upon preparation of an inventory of prime groundwater recharge areas for the Floridan

or Biscayne aquifers, but prior to adoption by the governing board, the water management district shall publish a legal notice of public hearing on the designated areas for the Floridan and Biscayne aquifers, with a map delineating the boundaries of the areas, as provided in chapter 50. The notice shall be at least one-fourth page and shall read as follows:

NOTICE OF PRIME RECHARGE

AREA DESIGNATION

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

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

A map of the affected areas follows.

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

Section 26. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, section 373.146, Florida Statutes, is reenacted to read:

373.146 Publication of notices, process, and papers.—

(1) Whenever in this chapter the publication of any

notice, process, or paper is required or provided for, unless otherwise provided by law, the publication thereof as provided in chapter 50 is considered as being sufficient.

(2) Notwithstanding any other provision of law to the contrary, and except in the case of emergency meetings, water management districts may provide reasonable notice of public meetings held to evaluate responses to solicitations issued by the water management district, by publication as provided in chapter 50, no less than 7 days before such meeting.

Section 27. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (12) of section 403.722, Florida Statutes, is reenacted to read:

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

(12) On the same day of filing with the department of an application for a permit for the construction modification, or operation of a hazardous waste facility, the applicant shall notify each city and county within 1 mile of the facility of the filing of the application and shall publish notice of the filing of the application. The applicant shall publish a second notice of the filing within 14 days after the date of filing. Each notice shall be published as provided in chapter 50 in the county in which the facility is located or is proposed to be located. The notice shall contain:

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

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

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

Notice of Application

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

Section 28. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (5) of section 849.38, Florida Statutes, is reenacted to read:

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

(5) If the value of the property seized is shown by the sheriff's return to have an appraised value of $1,000 or less, the above citation shall be served by posting at three public

places in the county, one of which shall be the front door of the courthouse; if the value of the property is shown by the sheriff's return to have an approximate value of more than $1,000, the citation shall be published by print or posted for at least 2 consecutive weeks on a publicly accessible website as provided in s. 50.0311. If published in print, the citation shall appear at least once each week for 2 consecutive weeks in a newspaper qualified to publish legal notices under chapter 50 that is published in the county, if there is such a newspaper published in the county. If there is no such newspaper, the notice of such publication shall be made by certificate of the clerk if publication is made by posting, and by affidavit as provided in chapter 50, if made by publication as provided in chapter 50, which affidavit or certificate shall be filed and become a part of the record in the cause. Failure of the record to show proof of such publication shall not affect any judgment made in the cause unless it shall affirmatively appear that no such publication was made.

Section 29. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (a) of subsection (6) of section 932.704, Florida Statutes, is reenacted to read:

932.704 Forfeiture proceedings.—

(6)(a) If the property is required by law to be titled or registered, or if the owner of the property is known in fact to

the seizing agency, or if the seized property is subject to a perfected security interest in accordance with the Uniform Commercial Code, chapter 679, the attorney for the seizing agency shall serve the forfeiture complaint as an original service of process under the Florida Rules of Civil Procedure and other applicable law to each person having an ownership or security interest in the property. The seizing agency shall also publish, in accordance with chapter 50, notice of the forfeiture complaint for 2 consecutive weeks on a publicly accessible website or, if published in print, once each week for 2 consecutive weeks in a newspaper qualified to publish legal notices under chapter 50 in the county where the seizure occurred.

Section 30. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, paragraph (c) of subsection (2) of section 1001.372, Florida Statutes, is reenacted to read:

1001.372 District school board meetings.—

(2) PLACE OF MEETINGS.—

(c) For the purpose of this section, due public notice shall consist of, at least 2 days prior to the meeting: continuous publication on a publicly accessible website as provided in s. 50.0311 or the official district school board website; publication in a newspaper of general circulation in the county, or in each county where there is no newspaper of

general circulation in the county, an announcement over at least one radio station whose signal is generally received in the county, a reasonable number of times daily during the 48 hours immediately preceding the date of such meeting; or posting a notice at the courthouse door if no newspaper is published in the county.

Section 31. For the purpose of incorporating the amendment made by this act to section 50.0311, Florida Statutes, in a reference thereto, subsection (1) of section 1011.03, Florida Statutes, is reenacted to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

(1) Each district school board shall cause a summary of its tentative budget, including the proposed millage levies as provided for by law, to be posted on the district's official website or on a publicly accessible website as provided in s. 50.0311.

Section 32. This act shall take effect July 1, 2026.