

CHAPTER 2021-17

Committee Substitute for House Bill No. 35

An act relating to legal notices; amending s. 50.011, F.S.; revising construction as to the satisfaction of publication requirements for legal notices; revising requirements for newspapers that are qualified to publish legal notices; defining the term “fiscally constrained county”; authorizing the Internet publication of specified governmental agency notices on newspaper websites in lieu of print publication if certain requirements are met; amending s. 50.021, F.S.; conforming provisions to changes made by the act; amending s. 50.0211, F.S.; defining terms; requiring the Florida Press Association to seek to ensure equitable access for minority populations to legal notices posted on the statewide legal notice website; requiring the association to publish and maintain certain reports on the statewide legal notice website; authorizing a governmental agency to choose between print publication or Internet-only publication of specified governmental agency notices with specified newspapers if certain conditions are met; specifying requirements for the placement, format, and accessibility of any such notices; requiring the newspaper to display a specified disclaimer regarding the posting of legal notices; authorizing a newspaper to charge for Internet-only publication of governmental agency notices, subject to specified limitations; specifying applicable penalties for unauthorized rebates, commissions, or refunds in connection with publication charges; requiring a governmental agency that publishes governmental agency notices by Internet-only publication to publish a specified notice in the print edition of a local newspaper and on their website; providing for construction; amending s. 50.031, F.S.; conforming provisions to changes made by the act; amending ss. 50.041 and 50.051, F.S.; revising provisions governing the uniform affidavit establishing proof of publication to conform to changes made by the act; amending s. 50.061, F.S.; conforming a cross-reference; amending s. 90.902, F.S.; providing for the self-authentication of legal notices under the Florida Evidence Code; amending ss. 11.02, 120.81, 121.0511, 121.055, 125.66, 162.12, 166.041, 189.015, 190.005, 190.046, 194.037, 197.402, 200.065, 338.223, 348.0308, 348.635, 348.7605, 373.0397, 373.146, 403.722, 849.38, and 932.704, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 10. Paragraph (d) of subsection (1) of section 120.81, Florida Statutes, is amended 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 ~~of general circulation~~ in the affected area;

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.

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Section 31. This act shall take effect January 1, 2022.

Approved by the Governor May 7, 2021.

Filed in Office Secretary of State May 7, 2021.