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MEMORANDUM HR03-2022

To: Agency Administrators
From: Carolyn Horwich, Esq., Director of Human Resources
Subject: Changes to Legal Notices Statute
Date: February 11, 2022

During the 2021 legislative session, the Legislature enacted [CS/HB 35](#). The law made several changes to how legal notices are published. The bill is lengthy and impacts many scenarios in which publication of a legal notice is required. This law went into effect **January 1, 2022**.

As stated in the House of Representatives Staff Final Bill Analysis, the bill:

- Modifies the criteria that a newspaper must satisfy to publish legal notices.
- Gives governmental agencies the option to publish legal notices on the website of a qualified newspaper and on the FPA's [Florida Press Association] repository website under specified conditions.
- Authorizes a newspaper publishing legal notices online to charge for such publication up to the amount it would charge to publish the notices in its print edition.
- Requires the FPA to seek to ensure that minority populations throughout the state have equitable access to legal notices posted on the FPA's repository website and requires the FPA to publish a report containing specified information.

One of the statutes amended by this bill is [s. 121.055, F.S.](#); this section addresses the notice requirements when a governmental agency seeks to designate a position as senior management service class in the Florida Retirement System.

As of today's date, the Legislature seeks to further amend how legal notices are published. [PCB JDC 22-02](#) would revert some conditions of publication to pre-2022 status as well as make other changes.

To summarize the current state of legal notices, your office has additional options regarding publication, should you wish to exercise them.