

YOUR PUBLIC NOTICE PARTNER

MORE ON HB 35 AUDIT PUBLICATION REQUIREMENTS

As mentioned in the last newsletter, HB 35 makes several changes to the current system of legal ad and public notice publication in qualified newspapers pursuant to Chapter 50. One major change is to expand the types of newspapers that qualify for publishing such notices by allowing smaller, free newspapers (who may lack a permit) to qualify if audience thresholds and other requirements are met.

With respect to these thresholds, the newspaper can qualify if its “audience” consists of at least 10 percent of the households in the county or municipality, as determined by the most recent census, where the notice is posted, by calculating the total of number of print copies as “certified” by a “third-party auditor” and the number of online unique monthly visitors in the State of Florida, as measured by “industry accepted website analytics software.”

The law goes on to require that the publication publish the audit information. Specifically, the paper must “continually publish in a prominent manner the name, street address, phone number, website URL of the newspaper’s approved print auditor, the newspaper’s most recent statement of ownership, and a statement of the auditor certifying the veracity of the newspaper’s print distribution and the number of the newspaper’s website’s monthly unique visitors, or the newspaper’s periodicals permit, if applicable, within the first five pages of the print edition and the bottom portion of the homepage of the newspaper’s website.”

In light of the above language, the audit and the information published will become an important milestone in meeting the new requirements. The audit information published will also be valuable to government agencies and other entities running the notices to determine whether the paper actually meets the threshold requirements for the county or city in question.

The law does not provide a form for exact language to be used, so FPA has created the following template for newspapers if they so choose to use it. Basically, it sets forth the auditor contact information and provides a “QR Code” for a quick link to the more lengthy information contained in the audit itself.

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| NEWSPAPER LOGO | | |
| APPROVED AUDITOR INFO OR PERIODICALS PERMIT (IF APPLICABLE) AS REQUIRED FOR PUBLIC NOTICES PER SECTION 50.011(1)(e), F.S. | | |
| STATEMENT OF OWNERSHIP [LINK; QR CODE] | NAME OF APPROVED AUDITOR AUDITOR'S ADDRESS AUDITOR'S PHONE NUMBER AUDITOR'S WEBSITE URL | AUDITOR'S CERTIFICATION OR PERIODICALS PERMIT [LINK; QR CODE] |

We hope this form will assist you over the next several months. While the law goes into effect January 1, 2022, those papers with periodicals permits will be grandfathered for 2 years beyond that date.

‘Please contact your local newspaper if you have any questions regarding the form (or the new law).’

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| ORGANIZATION LOGO |
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NAME
Address
City, State, Zip
Phone number
Web address

**FOR MORE INFO, CONTACT US AT
EMAIL@ORGANIZATION.COM**