

CHAPTER 99-6

House Bill No. 1049

An act relating to the Florida Statutes; amending ss. 40.011, 45.031, 50.051, 75.11, 83.56, 98.095, 99.021, 101.051, 101.111, 101.47, 101.49, 102.167, 105.031, 106.087, 125.411, 157.31, 196.111, 200.065, 236.32, 255.05, 298.301, 298.77, 372.312, 538.08, 538.24, 568.13, 591.29, 695.031, 709.08, 713.20, 713.22, 713.23, 718.116, 727.111, 765.303, 812.014, 849.38, 921.241, 921.242, and 932.66, Florida Statutes, to revise references to dates reading "19...." in forms in the Florida Statutes in anticipation of the approaching millennium.

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

Section 1. Subsection (2) of section 40.011, Florida Statutes, is amended to read:

40.011 Jury lists.—

(2) The affidavit executed pursuant to subsection (1) must be in substantially the following form:

State of Florida

I,, do solemnly swear (or affirm) that I am years of age; that I am a citizen of the United States and a legal resident of Florida and County; that I personally make application for jury duty; that I am eligible to serve as a juror under the Constitution and laws of Florida; and that I reside at ...(Address)...

...(Signature)...

Sworn to and subscribed before me this day of, ...(year)... 19...., at County, Florida.

.....
(Signature and title of officer administering oath)

Section 2. Subsections (3), (4), and (7) of section 45.031, Florida Statutes, are amended to read:

45.031 Judicial sales procedure.—In any sale of real or personal property under an order or judgment, the following procedure may be followed as an alternative to any other sale procedure if so ordered by the court:

(3) CERTIFICATION OF SALE.—After a sale of the property the clerk shall promptly file a certificate of sale and serve a copy of it on each party not in default in substantially the following form:

(Caption of Action)

CERTIFICATE OF SALE

The undersigned clerk of the court certifies that notice of public sale of the property described in the order or final judgment was published in, a newspaper circulated in County, Florida, in the manner shown by the proof of publication attached, and on, ...(year)... 19...., the property was offered for public sale to the highest and best bidder for cash. The highest and best bid received for the property was submitted by, to whom the property was sold. The proceeds of the sale are retained for distribution in accordance with the order or final judgment. WITNESS my hand and the seal of this court on, ...(year)... 19....

...(Clerk)...
By ...(Deputy Clerk)...

(4) CERTIFICATE OF TITLE.—If no objections to the sale are filed within 10 days after filing the certificate of sale, the clerk shall file a certificate of title and serve a copy of it on each party not in default in substantially the following form:

(Caption of Action)

CERTIFICATE OF TITLE

The undersigned clerk of the court certifies that he or she executed and filed a certificate of sale in this action on, ...(year)... 19...., for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in County, Florida:
(description)

was sold to

WITNESS my hand and the seal of the court on, ...(year)... 19....
...(Clerk)...
By ...(Deputy Clerk)...

(7) DISBURSEMENTS OF PROCEEDS.—On filing a certificate of title the clerk shall disburse the proceeds of the sale in accordance with the order or final judgment, and shall file a report of such disbursements and serve a copy of it on each party not in default, and on the Department of Revenue if it was named as a defendant in the action, in substantially the following form:

(Caption of Action)

CERTIFICATE OF DISBURSEMENTS

The undersigned clerk of the court certifies that he or she disbursed the proceeds received from the sale of the property as provided in the order or final judgment to the persons and in the amounts as follows:

Name Amount

Total

WITNESS my hand and the seal of the court on, ...(year)... ~~19....~~.

...(Clerk)...

By ...(Deputy Clerk)...

If no objections to the report are served within 10 days after it is filed, the disbursements by the clerk shall stand approved as reported. If timely objections to the report are served, they shall be heard by the court. Service of objections to the report does not affect or cloud the title of the purchaser of the property in any manner.

Section 3. Section 50.051, Florida Statutes, is amended 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 NEWSPAPER

Published (Weekly or Daily)

(Town or City) (County) FLORIDA

STATE OF FLORIDA

COUNTY OF

Before the undersigned authority personally appeared, who on oath says that he or she is of the, a newspaper published at in County, Florida; that the attached copy of advertisement, being a in the matter of in the Court, was published in said newspaper in the issues of

Affiant further says that the said is a newspaper published at, in said County, Florida, and that the said newspaper has heretofore been continuously published in said County, Florida, each and has been entered as second-class mail matter at the post office in, in said County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this day of, ...(year)... ~~19....~~, 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 4. Subsection (1) of section 75.11, Florida Statutes, is amended to read:

75.11 Stamping instruments validated.—

(1) Bonds or certificates, when validated under this chapter, shall have stamped or written thereon, by the proper officers of such county, municipality or district issuing them, a statement in substantially the following form:

“This bond is one of a series of bonds which were validated by judgment of the Circuit Court for County, rendered on, ...(year)... ~~19....~~.”

Section 5. Subsection (3) of section 83.56, Florida Statutes, is amended to read:

83.56 Termination of rental agreement.—

(3) If the tenant fails to pay rent when due and the default continues for 3 days, excluding Saturday, Sunday, and legal holidays, after delivery of written demand by the landlord for payment of the rent or possession of the premises, the landlord may terminate the rental agreement. Legal holidays for the purpose of this section shall be court-observed holidays only. The 3-day notice shall contain a statement in substantially the following form:

You are hereby notified that you are indebted to me in the sum of dollars for the rent and use of the premises ...(address of leased premises, including county)...., Florida, now occupied by you and that I demand payment of the rent or possession of the premises within 3 days (excluding Saturday, Sunday, and legal holidays) from the date of delivery of this notice, to wit: on or before the day of, ...(year)... ~~19....~~.

...(landlord’s name, address and phone number)...

Section 6. Subsection (3) of section 98.095, Florida Statutes, is amended to read:

98.095 County registers open to inspection; copies.—

(3) Any person who acquires a list of registered voters from the office of the supervisor shall take and subscribe to an oath which shall be in substantially the following form:

I hereby swear or affirm that I am a person authorized by s. 98.095, Florida Statutes, to acquire information on registered voters of County, Florida; that the information acquired will be used only for the purposes prescribed in that section and for no other purpose; and that I will not permit the use or copying of such information by persons not authorized by the Election Code of the State of Florida.

...(Signature of person acquiring list)...

Sworn to and subscribed before me this day of, ...(year)... ~~19....~~.

...(Signature and title of person administering oath)...

Section 7. Paragraph (a) of subsection (1) of section 99.021, Florida Statutes, is amended to read:

99.021 Form of candidate oath.—

(1)(a) Each candidate, whether a party candidate, an independent candidate, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105, shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida
County of....

Before me, an officer authorized to administer oaths, personally appeared ...(please print name as you wish it to appear on the ballot)..., to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is a qualified elector of County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes.

...(Signature of candidate)...
...(Address)...

Sworn to and subscribed before me this day of, ...(year)... ~~19....~~, at County, Florida.

...(Signature and title of officer administering oath)...

Section 8. Subsection (4) of section 101.051, Florida Statutes, is amended to read:

101.051 Electors seeking assistance in casting ballots; form to be executed; forms to be furnished.—

(4) If an elector needs assistance in voting pursuant to the provisions of this section, the clerk or one of the inspectors shall require the elector requesting assistance in voting to take the following oath:

DECLARATION TO SECURE ASSISTANCE

State of Florida
County of
Date
Precinct

I, ...(Print name)..., swear or affirm that I am a registered elector and request assistance from ...(Print names)... in voting at the ...(name of election)... held on ...(date of election)... for the following reason

.....
.....

...(Signature of voter)...

Sworn and subscribed to before me this day of, ...(year)... 19.....

...(Signature of Official Administering Oath)...

Section 9. Subsections (1) and (2) of section 101.111, Florida Statutes, are amended to read:

101.111 Person desiring to vote may be challenged; challenger to execute oath; oath of challenged elector; determination of challenge.—

(1) When the right to vote of any person who desires to vote is questioned by any elector or watcher, the challenge shall be reduced to writing with an oath as provided in this section, giving reasons for the challenge, which shall be delivered to the clerk or inspector. Any elector or authorized poll watcher challenging an elector at an election shall execute the oath set forth below:

OATH OF PERSON ENTERING CHALLENGE

State of Florida

County of

I do solemnly swear that my name is; that I am a member of the party; that I am years old; that I was born in the state of.... or the country of; that my residence is on street, in the municipality of; and that I have reason to believe that is attempting to vote illegally and the reasons for my belief are set forth herein to wit:

.....
.....

...(Signature of person challenging voter)...

Sworn and subscribed to before me this day of, ...(year)... 19.....

...(Clerk of election)...

(2) Before a challenged elector is permitted to vote by any officer or person in charge of admission to the polling place, the challenged elector's right to vote shall be determined in accordance with the provisions of subsection (3). The clerk or inspector shall immediately deliver to the challenged elector a copy of the oath of the person entering the challenge and shall request the challenged elector to execute the following affidavit:

OATH OF CHALLENGED VOTER

State of Florida

County of

I do solemnly swear that my name is; that I am a member of the party; that I am years old; that I was born in the state of or the country of; that my residence is on street, in the municipality of, in this the

.... precinct of county; that I personally made application for registration and signed my name and that I am a qualified voter, and I am not registered to vote in any other precinct other than the one in which I am presently seeking to vote.

...(Signature of voter)...

Sworn and subscribed to before me this day of, ...(year)... 19....

...(Clerk of election or Inspector)...

Any inspector or clerk of election may administer the oath.

Section 10. Subsection (8) of section 101.47, Florida Statutes, is amended to read:

101.47 Requirements before elector enters voting machine booth.—

(8) The identification slip shall be in substantially the following form:

No.

SIGNATURE IDENTIFICATION SLIP.... ELECTION

Held in County, Florida, on the day of, A. D. ...(year)... 19....

I affix my signature hereto in the place and at the time of voting for the purpose of identifying myself as a duly registered and qualified voter in this election.

...(Signature of voter)...

I hereby certify that the foregoing signature was signed in my presence during voting hours at this voting precinct and by me compared with that on the registration books and approved for voting in precinct No.

...(Initials of clerk or inspector)...

I hereby certify that I admitted the person who signed this identification slip to the voting machine; that said voter was personally known to me, or told me that he or she signed it; and that the number of the voting machine is

...(Initials of official operating machine)...

Section 11. Subsection (1) of section 101.49, Florida Statutes, is amended to read:

101.49 Procedure of election officers where signatures differ.—

(1) Whenever any clerk or inspector, upon a just comparison of the signature, shall doubt that the handwriting affixed to a signature identification slip of any elector who presents himself or herself at the polls to vote is the same as the signature of the elector affixed in the registration book, the clerk or inspector shall deliver to the person an affidavit which shall be in substantially the following form:

STATE OF FLORIDA,
COUNTY OF

I do solemnly swear (or affirm) that my name is; that I am years old; that I was born in the State of; that I am registered to vote, and at the time I registered I resided on Street, in the municipality of, County of, State of Florida; that I am a qualified voter of the county and state aforesaid and have not voted in this election.

...(Signature of voter)...

Sworn to and subscribed before me this day of, A. D. ...(year)... 19....

...(Clerk or inspector of election)..
Precinct No.
County of

Section 12. Section 102.167, Florida Statutes, is amended to read:

102.167 Form of protest of election returns.—

(1) The form of the “Protest of Election Returns to Canvassing Board” shall be as follows:

PROTEST OF ELECTION RETURNS TO
CANVASSING BOARD

....., Florida
....., ...(year)... 19....

As provided in Section 102.166(1), Florida Statutes, I, of County, Florida, believe the election returns from Precinct No. in the election ...(year)... 19.... are erroneous.

I hereby protest the canvass of such returns by the Canvassing Board, and request that said returns be investigated, examined, checked, and corrected by said Canvassing Board. The basis for this protest is

.....
.....
.....
.....
.....

Under penalties of perjury, I swear (or affirm) that I have read the foregoing and that the facts alleged are true, to the best of my knowledge and belief.

...(Signature of person protesting election returns)...

(2) The form of the “Protest of Election Returns to Circuit Judge” shall be as follows:

PROTEST OF ELECTION RETURNS TO
CIRCUIT JUDGE

....., Florida
....., ...(year)... 19....

As provided in Section 102.166(2), Florida Statutes, I, of Florida, being a qualified elector in Precinct No. of County, Florida, believe the

election returns from Precinct No. in the election of(year)... ~~19....~~ are fraudulent.

I hereby protest against the canvass of such returns by the Canvassing Board, and request that said returns be investigated, examined, checked, and corrected. The basis for this protest is

Under penalties of perjury, I swear (or affirm) that I have read the foregoing and that the facts alleged are true, to the best of my knowledge and belief.

...(Signature of person protesting election returns)...

Section 13. Subsection (4) of section 105.031, Florida Statutes, is amended to read:

105.031 Qualification; filing fee; candidate's oath; items required to be filed.—

(4) CANDIDATE'S OATH.—All candidates for judicial office shall subscribe to an oath or affirmation in writing to be filed with the appropriate qualifying officer upon qualifying. A printed copy of the oath or affirmation shall be furnished to the candidate by the qualifying officer and shall be in substantially the following form:

State of Florida
County of

Before me, an officer authorized to administer oaths, personally appeared ...(please print name as you wish it to appear on the ballot)..., to me well known, who, being sworn, says he or she: is a candidate for the judicial office of; that his or her legal residence is County, Florida; that he or she is a qualified elector of the state and of the territorial jurisdiction of the court to which he or she seeks election; that he or she is qualified under the constitution and laws of Florida to hold the judicial office to which he or she desires to be elected or in which he or she desires to be retained; that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent to the office he or she seeks; and that he or she has resigned from any office which he or she is required to resign pursuant to s. 99.012, Florida Statutes.

...(Signature of candidate)...
...(Address)...

Sworn to and subscribed before me this day of, ... (year)... ~~19....~~, at County, Florida.

...(Signature and title of officer administering oath)...

Section 14. Paragraph (a) of subsection (1) of section 106.087, Florida Statutes, is amended to read:

106.087 Independent expenditures; contribution limits; restrictions on political parties, political committees, and committees of continuous existence.—

(1)(a) As a condition of receiving a rebate of filing fees and party assessment funds pursuant to s. 99.061(2), s. 99.092(1), s. 99.103, or s. 103.121(1)(b), the chair or treasurer of a state or county executive committee shall take and subscribe to an oath or affirmation in writing. During the qualifying period for state candidates and prior to distribution of such funds, a printed copy of the oath or affirmation shall be filed with the Secretary of State and shall be substantially in the following form:

State of Florida
County of....

Before me, an officer authorized to administer oaths, personally appeared ...(name)..., to me well known, who, being sworn, says that he or she is the ...(title)... of the ...(name of party)... ...(state or specified county)... executive committee; that the executive committee has not made, either directly or indirectly, an independent expenditure in support of or opposition to a candidate or elected public official in the prior 6 months; that the executive committee will not make, either directly or indirectly, an independent expenditure in support of or opposition to a candidate or elected public official, through and including the upcoming general election; and that the executive committee will not violate the contribution limits applicable to candidates under s. 106.08(2), Florida Statutes.

...(Signature of committee officer)...
...(Address)...

Sworn to and subscribed before me this day of, ...(year)... 19..., at County, Florida.

...(Signature and title of officer administering oath)...

Section 15. Subsection (1) of section 125.411, Florida Statutes, is amended to read:

125.411 Conveyance of land by county.—

(1) Deeds of conveyance of lands, the title to which is held by any county or in the name of its board of county commissioners, may be in substantially the following form:

THIS DEED, made this day of, ...(year)... 19..., by County, Florida, party of the first part, and, party of the second part,

WITNESSETH that the said party of the first part, for and in consideration of the sum of \$... to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land lying and being in County, Florida:

.....

.....
IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST: ...Clerk (or Deputy Clerk of Circuit Court)...
.... County, Florida

By its Board of County Commissioners

By ...Chair (or Vice Chair)...

Section 16. Section 157.31, Florida Statutes, is amended to read:

157.31 Notice of reassessment for drainage.—In all such cases, the board of county commissioners, upon the matter being brought to its attention, shall cause to be published in some newspaper published in the county, at least once each week for 2 consecutive weeks, a notice substantially in the following form:

Notice of Reassessment for Drainage

Whereas, it has been discovered that the proceedings to establish a public ditch, drain or canal, commencing at and running in a general course through the following lands, viz. were defective, and the assessment in pursuance thereof made was invalid, or irregular and not made in compliance with law, now, therefore, notice is hereby given to all persons interested, that the County Commissioners of County, will be in session at o'clock in the forenoon, at the courthouse, on the day of, ...(year)... ~~19....~~, for the purpose of providing for a reassessment of the property specially benefited by the said public ditch, drain or canal, and all persons interested are hereby notified to attend on the said day, and present objections, if any, to the said reassessment, and are further notified that the board will give a hearing to all parties interested, and act on the said matter at the said meeting.

Section 17. Subsection (1) of section 196.111, Florida Statutes, is amended to read:

196.111 Property appraisers may notify persons entitled to homestead exemption; publication of notice; costs.—

(1) As soon as practicable after February 5 of each current year, the property appraisers of the several counties may mail to each person to whom homestead exemption was granted for the year immediately preceding and whose application for exemption for the current year has not been filed as of February 1 thereof, a form for application for homestead exemption, together with a notice reading substantially as follows:

NOTICE TO TAXPAYERS ENTITLED
TO HOMESTEAD EXEMPTION

Records in this office indicate that you have not filed an application for homestead exemption for the current year.

If you wish to claim such exemption, please fill out the enclosed form and file it with your property appraiser on or before March 1, ... (year) ... 19.....

Failure to do so may constitute a waiver of said exemption for the year ... (year) ... 19.....

...(Property Appraiser)...
... County, Florida

Section 18. Paragraph (b) of subsection (9) of section 200.065, Florida Statutes, 1998 Supplement, is amended to read:

200.065 Method of fixing millage.—

(9)

(b) In the event a school district needs to amend the list of capital outlay projects previously advertised and adopted, a notice of intent to amend the notice of tax for school capital outlay shall be published in conformity with the advertisement required in subsection (3). A public hearing to adopt the amended project list shall be held not less than 2 days nor more than 5 days after the day the advertisement is first published. The projects should be listed under each category of new, amended, or deleted projects in the same order as required in paragraph (a). The notice shall appear in the following form, except that any of the categories of new, amended, or deleted projects may be omitted if not appropriate for the changes proposed:

AMENDED NOTICE OF TAX FOR
SCHOOL CAPITAL OUTLAY

The School Board of ...(name)... County will soon consider a measure to amend the use of property tax for the capital outlay projects previously advertised for the ... (year) ... 19.... to ... (year) ... 19.... school year.

New projects to be funded:

...(list of capital outlay projects)...

Amended projects to be funded:

...(list of capital outlay projects)...

Projects to be deleted:

...(list of capital outlay projects)...

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

A DECISION on the proposed amendment to the projects funded from CAPITAL OUTLAY TAXES will be made at this meeting.

Section 19. Subsection (2) of section 236.32, Florida Statutes, is amended to read:

236.32 Procedure for holding and conducting school district millage elections.—The procedure for holding and conducting school district millage elections shall be:

(2) FORM OF BALLOT.—The school board, at its option, may determine whether to use paper ballots or automatic voting machines for said election. On the ballot, the school board may propose a single millage or two millages, with one for operating expenses and another for a local capital improvement reserve fund. When two millage figures are proposed, each millage shall be voted on separately. The school board shall provide substantially the following form of ballot for voting the levy in the school district:

SPECIAL SCHOOL DISTRICT MILLAGE ELECTION FOR THE DISTRICT OF COUNTY, FLORIDA, HELD, ..(year)... ~~19~~.....

(a) In districts where paper ballots are used the following instructions shall be included:

INSTRUCTIONS TO VOTERS: The proposed levy for the school term as proposed by the school board is mills for operating expenses and mills for the local capital improvement reserve fund. Each millage will be voted on and determined separately. Indicate your choice by making an "X" in the proper space below. If some other millage for operating expenses is desired, indicate by writing in the millage. On the proposed levy for local capital improvement reserve fund, vote "for" or "against."

1. Proposed levy of mills for operating expenses.
 - FOR proposed levy of mills for operating expenses.
 - AGAINST proposed levy of mills for operating expenses.
2. Proposed levy of mills for local capital improvement reserve fund.
 - FOR proposed levy of mills for local capital improvement reserve fund.
 - AGAINST proposed levy for local capital improvement reserve fund.

(b) In districts where automatic voting machines are used the following instructions shall be included:

INSTRUCTIONS TO VOTERS: The proposed levy for the school term as proposed by the school board is mills for operating expenses and mills for the local capital improvement reserve fund.

Each millage will be voted on and determined separately. If you favor the proposed millage for operating expenses, so indicate by depressing the "for" lever directly over (under) the proposed millage. If you favor a different millage for operating expenses, so indicate by writing in the millage you favor. You may select only one millage for operating expenses. On the proposed millage for the local capital improvement reserve fund, indicate your choice by depressing the "for" lever or the "against" lever over (under) the proposed millage.

Section 20. Subsection (3) of section 255.05, Florida Statutes, 1998 Supplement, is amended to read:

255.05 Bond of contractor constructing public buildings; form; action by materialmen.—

(3) The bond required in subsection (1) may be in substantially the following form:

PUBLIC CONSTRUCTION BOND

BY THIS BOND, We, as Principal and, a corporation, as Surety, are bound to, herein called Owner, in the sum of \$....., for payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated, 19....., between Principal and Owner for construction of, the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and

2. Promptly makes payments to all claimants, as defined in Section 255.05(1), Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and

3. Pays Owner all losses, damages, expenses, costs, and attorney's fees, including appellate proceedings, that Owner sustains because of a default by Principal under the contract; and

4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

Any changes in or under the contract documents and compliance or non-compliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond.

DATED ON, 19.....

...(Name of Principal)...
By ...(As Attorney in Fact)...
...(Name of Surety)...

Section 21. Subsections (2) and (6) of section 298.301, Florida Statutes, 1998 Supplement, are amended to read:

298.301 District water control plan adoption; district boundary modification; plan amendment; notice forms; objections; hearings; assessments.—

(2) Before adopting a water control plan or plan amendment, the board of supervisors must adopt a resolution to consider adoption of the proposed plan or plan amendment. As soon as the resolution proposing the adoption or amendment of the district's water control plan has been filed with the district secretary, the board of supervisors shall give notice of a public hearing on the proposed plan or plan amendment by causing publication to be made once a week for 3 consecutive weeks in a newspaper of general circulation published in each county in which lands and other property described in the resolution are situated. The notice must be in substantially the following form:

Notice of Hearing

To the owners and all persons interested in the lands corporate, and other property in and adjacent to the ...name of district... District.

You are notified that the ...name of district... District has filed in the office of the secretary of the district a resolution to consider approval of a water control plan or an amendment to the current water control plan to provide ...here insert a summary of the proposed water control plan or plan amendment.... On or before its scheduled meeting of ...(date and time)... at the district's offices located at ...(list address of offices)... written objections to the proposed plan or plan amendment may be filed at the district's offices. A public hearing on the proposed plan or plan amendment will be conducted at the scheduled meeting, and written objections will be considered at that time. At the conclusion of the hearing, the board of supervisors may determine to proceed with the process for approval of the proposed plan or plan amendment and direct the district engineer to prepare an engineer's report identifying any property to be taken, determining benefits and damages, and estimating the cost of implementing the improvements associated with the proposed plan or plan amendment. A final hearing on approval of the proposed plan or plan amendment and engineer's report shall be duly noticed and held at a regularly scheduled board of supervisors meeting within 60 days after filing of the engineer's report with the secretary of the district.

Date of first publication:, ...(year)... 19....

(Chairman, Board of Supervisors)

..... County, Florida

(6) Upon the filing of the engineer's report, the board of supervisors shall give notice thereof by arranging the publication of the report together with a geographical depiction of the district once a week for 2 consecutive weeks in a newspaper of general circulation in each county in the district. The notice must be substantially as follows:

Notice of Filing Engineer's Report for District

Notice is given to all persons interested in the following described land and property in County (or Counties), Florida, viz.: ...(Here describe land and property)... included within the district that the engineer hereto appointed to determine benefits and damages to the property and lands situated in the district and to determine the estimated cost of construction required by the water control plan, within or without the limits of the district, under the proposed water control plan or plan amendment, filed his report in the office of the secretary of the district, located at ...(list address of district offices),... on the day of, ...(year)... 19...., and you may examine the report and file written objections with the secretary of the district to all, or any part thereof, on or before ...(enter date 20 days after the last scheduled publication of this notice, which date must be before the date of the final hearing).... The report recommends ...(describe benefits and damages).... A final hearing to consider approval of the report and proposed water control plan or plan amendment shall be held ...(time, place, and date

at least 30 days but no later than 60 days after the last scheduled publication of this notice)...

Date of first publication:, ...(year)... 19....

(Chairman, Board of Supervisors)

..... County, Florida

Section 22. Subsection (2) of section 298.77, Florida Statutes, is amended to read:

298.77 Readjustment of assessments; procedure, notice, hearings.—

(2) Such notice may be in the following form:

NOTICE IS HEREBY GIVEN to all persons interested in the lands included within the Water Control District that a petition has been filed with the district, praying for a readjustment of the assessment of benefits for the purpose of making a more equitable basis for the levy of taxes against the various pieces and parcels of land in said district to pay its indebtedness and maintain its drainage system, and that said petition will be heard by the board of supervisors on the day of, ...(year)... 19.....

Dated, ...(year)... 19.....

...(Secretary of District)...
.... County

Section 23. Subsection (3) of section 372.312, Florida Statutes, is amended to read:

372.312 Forfeiture proceedings.—

(3) The said citation may be in, or substantially in, the following form:

IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT, IN AND FOR COUNTY, FLORIDA.

IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

(here describe property)

THE STATE OF FLORIDA TO:

ALL PERSONS, FIRMS AND CORPORATIONS OWNING, HAVING OR CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED PROPERTY

YOU AND EACH OF YOU are hereby notified that the above described property has been seized, under and by virtue of chapter 372, as amended, and is now in the possession of the board of county commissioners of this county, and you, and each of you, are hereby further notified that a petition, under said chapter, has been filed in the circuit court of the Judicial Circuit, in and for County, Florida, seeking the forfeiture of the said property, and you are hereby directed and required to file your claim, if any you have, and show cause, on or before, ...(year)... 19...., if not personally served with process herein, and within twenty days from personal service if personally served with process herein, why the said property should not

be forfeited pursuant to said chapter. Should you fail to file claim as herein directed judgment will be entered herein against you in due course. Persons not personally served with process may obtain a copy of the petition for forfeiture filed herein from the undersigned clerk of court.

WITNESS my hand and the seal of the above mentioned court, at, Florida, this, ...(year)... 19....
(COURT SEAL) ... (Clerk of the above mentioned court)...
By ... (Deputy Clerk)...

Section 24. Subsection (1) of section 538.08, Florida Statutes, is amended to read:

538.08 Stolen goods; petition for return.—

(1) If the secondhand dealer contests the identification or ownership of the property, the person alleging ownership of the property may, provided that a timely report of the theft of the goods was made to the proper authorities, bring an action for replevin in the county or circuit court by petition in substantially the following form:

Plaintiff A. B., sues defendant C. D., and alleges:

1. This is an action to recover possession of personal property in.....County, Florida.

2. The description of the property is: ...(list property).... To the best of plaintiff's knowledge, information, and belief, the value of the property is \$.....

3. Plaintiff is entitled to the possession of the property under a security agreement dated....., ...(year)... 19...., a copy of which is attached.

4. To plaintiff's best knowledge, information, and belief, the property is located at.....

5. The property is wrongfully detained by defendant. Defendant came into possession of the property by ...(describe method of possession).... To plaintiff's best knowledge, information, and belief, defendant detains the property because ...(give reasons)....

6. The property has not been taken under an execution or attachment against plaintiff's property.

Section 25. Subsection (1) of section 538.24, Florida Statutes, is amended to read:

538.24 Stolen regulated metals property; petition for return.—

(1) If the secondary metals recycler contests the identification or ownership of the regulated metals property, the party other than the secondary metals recycler claiming ownership of any stolen goods in the possession of a secondary metals recycler may, provided that a timely report of the theft of the regulated metals property was made to the proper authorities, bring an action for replevin in the county or circuit court by petition in substantially the following form:

Plaintiff A. B. sues defendant C. D., and alleges:

1. This is an action to recover possession of personal property in County, Florida.
2. The description of the property is: ...(list property)... To the best of plaintiff's knowledge, information, and belief, the value of the property is \$.....
3. Plaintiff is the lawful owner of the property and can identify the property as belonging to the plaintiff in the following manner: ...(explain basis of identification)....
4. Plaintiff is entitled to the possession of the property under a security agreement dated, ...(year)... ~~19....~~, a copy of which is attached.
5. To the plaintiff's best knowledge, information, and belief, the property is located at
6. The property is wrongfully detained by defendant. Defendant came into possession of the property by ...(describe method of possession)... To plaintiff's best knowledge, information, and belief, defendant detains the property because ...(give reasons)....
7. The property has not been taken under an execution or attachment against plaintiff's property.

Section 26. Subsection (1) of section 568.13, Florida Statutes, is amended to read:

568.13 Form of information or indictment.—

(1) An indictment or information framed substantially as follows shall be deemed sufficient in counties voting against the sale of intoxicating liquors, wines, or beer:

The grand jurors of the State of Florida, inquiring in and for the body of the County of, upon their oaths do present that, late of the County of, did, on, to wit: the day of, ...(year)... ~~19....~~, in the said County of, State of Florida, unlawfully sell intoxicating liquors, (or intoxicating wines or intoxicating beer as the case may be), which said county had voted against the sale of intoxicating liquors, wines, or beer, contrary to the statute made and provided and against the peace and dignity of the State of Florida.

Section 27. Subsection (1) of section 591.29, Florida Statutes, is amended to read:

591.29 Seed trees; form of designation and dedication.—

(1) Seed trees shall be designated as such by filling out and signing an instrument by the owner in substantially the following form:

CONVEYANCE AND/OR DEDICATION OF STANDING TIMBER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OF FLORIDA.

State of Florida,

County of
 Owner(s) of Land
 Description of Land

Approximate number
 of seed trees designated

This day of, ... (year) ... 19....

Signed: ...(Owner)...

Section 28. Subsection (2) of section 695.031, Florida Statutes, is amended to read:

695.031 Affidavits and acknowledgments by members of armed forces and their spouses.—

(2) The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer’s certificate of acknowledgment or otherwise shall be required, and no seal shall be necessary, but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

On this day of, ... (year) ... 19...., before me, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be serving in or with, or whose duties require her or his presence with the Armed Forces of the United States, and to be the person whose name is subscribed to the within instrument, and acknowledged that she or he executed the same for the purposes therein contained, and the undersigned does further certify that she or he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the Armed Forces of the United States.

...(Signature of commissioned officer.)...

...(Rank of commissioned officer and command or branch of service to which officer is attached.)...

Section 29. Paragraph (c) of subsection (4) of section 709.08, Florida Statutes, is amended to read:

709.08 Durable power of attorney.—

(4) PROTECTION WITHOUT NOTICE; GOOD FAITH ACTS; AFFIDAVITS.—

(c) A third party that has not received written notice under subsection (5) may, but need not, require that the attorney in fact execute an affidavit stating that there has been no revocation, partial or complete termination, or suspension of the durable power of attorney at the time the power of attorney is exercised. A written affidavit executed by the attorney in fact under this paragraph may, but need not, be in the following form:

(5) When a lienor is required to execute a waiver or release of lien in exchange for, or to induce payment of, the final payment, the waiver and release may be in substantially the following form:

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of \$....., hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to ...(insert the name of your customer)... on the job of ...(insert the name of the owner)... to the following described property:

...(description of property)...

DATED on, ...(year)... 19.....

...(Lienor)...
By:

Section 31. Subsection (2) of section 713.22, Florida Statutes, is amended to read:

713.22 Duration of lien.—

(2) An owner or the owner's agent or attorney may elect to shorten the time prescribed in subsection (1) within which to commence an action to enforce any claim of lien or claim against a bond or other security under s. 713.23 or s. 713.24 by recording in the clerk's office a notice in substantially the following form:

NOTICE OF CONTEST OF LIEN

To: ...(Name and address of lienor)...

You are notified that the undersigned contests the claim of lien filed by you on, ...(year)... 19....., and recorded in Book, Page, of the public records of County, Florida, and that the time within which you may file suit to enforce your lien is limited to 60 days from the date of service of this notice. This day of, ...(year)... 19.....

Signed: ...(Owner or Attorney)...

The lien of any lienor upon whom such notice is served and who fails to institute a suit to enforce his or her lien within 60 days after service of such notice shall be extinguished automatically. The clerk shall mail a copy of the notice of contest to the lien claimant at the address shown in the claim of lien or most recent amendment thereto and shall certify to such service on the face of such notice and record the notice. Service shall be deemed complete upon mailing.

Section 32. Subsections (2) and (3) of section 713.23, Florida Statutes, 1998 Supplement, are amended to read:

713.23 Payment bond.—

(2) The bond shall secure every lien under the direct contract accruing subsequent to its execution and delivery, except that of the contractor. Every claim of lien, except that of the contractor, filed subsequent to execution and delivery of the bond shall be transferred to it with the same effect as liens

transferred under s. 713.24. Record notice of the transfer shall be effected by the contractor, or any person having an interest in the property against which the claim of lien has been asserted, by recording in the clerk’s office a notice in substantially the following form:

NOTICE OF BOND

To ...(Name and Address of Lienor)...

You are notified that the claim of lien filed by you on, 19...., and recorded in Official Records Book at page of the public records of County, Florida, is secured by a bond, a copy being attached.

Signed: ...(Name of person recording notice)...

The notice shall be verified. The clerk shall mail a copy of the notice to the lienor at the address shown in the claim of lien, or the most recent amendment to it; shall certify to the service on the face of the notice; and shall record the notice. The clerk shall receive the same fee as prescribed in s. 713.24(1) for certifying to a transfer of lien.

(3) A payment bond in substantially the following form shall be sufficient:

PAYMENT BOND

BY THIS BOND We,, as Principal, and, a corporation, as Surety, are bound to, herein called Owner, in the sum of \$.... for the payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

THE CONDITION OF THIS BOND is that if Principal:

1. Promptly makes payments to all lienors supplying labor, material, and supplies used directly or indirectly by Principal in the prosecution of the work provided in the contract dated, 19...., between Principal and Owner for construction of, the contract being made a part of this bond by reference; and

2. Pays Owner all loss, damage, expenses, costs, and attorney’s fees, including appellate proceedings, that Owner sustains because of default by Principal under paragraph 1. of this bond;

then this bond is void; otherwise, it remains in full force.

Any changes in or under the contract documents and compliance or non-compliance with formalities connected with the contract or with the changes do not affect Surety’s obligation under this bond.

DATED on, 19....

...(Principal)... (SEAL)

...(Surety’s name)...

By

As Attorney in Fact

Section 33. Paragraph (c) of subsection (5) of section 718.116, Florida Statutes, 1998 Supplement, is amended to read:

718.116 Assessments; liability; lien and priority; interest; collection.—

(5)

(c) By recording a notice in substantially the following form, a unit owner or the unit owner’s agent or attorney may require the association to enforce a recorded claim of lien against his or her condominium parcel:

NOTICE OF CONTEST OF LIEN

TO: ...(Name and address of association)... You are notified that the undersigned contests the claim of lien filed by you on, ...(year)... ~~19....~~, and recorded in Official Records Book at Page, of the public records of County, Florida, and that the time within which you may file suit to enforce your lien is limited to 90 days from the date of service of this notice. Executed this day of, ...(year)... ~~19....~~.

Signed: ...(Owner or Attorney)...

After notice of contest of lien has been recorded, the clerk of the circuit court shall mail a copy of the recorded notice to the association by certified mail, return receipt requested, at the address shown in the claim of lien or most recent amendment to it and shall certify to the service on the face of the notice. Service is complete upon mailing. After service, the association has 90 days in which to file an action to enforce the lien; and, if the action is not filed within the 90-day period, the lien is void. However, the 90-day period shall be extended for any length of time that the association is prevented from filing its action because of an automatic stay resulting from the filing of a bankruptcy petition by the unit owner or by any other person claiming an interest in the parcel.

Section 34. Subsection (2) of section 727.111, Florida Statutes, is amended to read:

727.111 Notice.—

(2) The notice of assignment shall be in substantially the following form:

NOTICE OF ASSIGNMENT

IN THE CIRCUIT COURT
OF THE....
CIRCUIT, IN AND FOR
....COUNTY,
FLORIDA

IN RE:,
Assignor,

to:.....,
Assignee.

TO CREDITORS AND OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that on, a petition commencing an assignment for the benefit of creditors pursuant to chapter 727, Florida Statutes,

made by, assignor, with principal place of business at, to, assignee, whose address is, was filed on, ...(year)... ~~19....~~.

YOU ARE HEREBY further notified that in order to receive any dividend in this proceeding you must file a proof of claim with the assignee or the assignee's attorney on or before....(120 days from the date of the filing of the petition).

.....
ASSIGNEE

Attorney for assignee (if any):....
Address:.....

Section 35. Subsection (1) of section 765.303, Florida Statutes, is amended to read:

765.303 Suggested form of a living will.—

(1) A living will may, but need not, be in the following form:

Living Will

Declaration made this day of, ...(year)..., ~~19....~~ I,, willfully and voluntarily make known my desire that my dying not be artificially prolonged under the circumstances set forth below, and I do hereby declare:

If at any time I have a terminal condition and if my attending or treating physician and another consulting physician have determined that there is no medical probability of my recovery from such condition, I direct that life-prolonging procedures be withheld or withdrawn when the application of such procedures would serve only to prolong artificially the process of dying, and that I be permitted to die naturally with only the administration of medication or the performance of any medical procedure deemed necessary to provide me with comfort care or to alleviate pain.

It is my intention that this declaration be honored by my family and physician as the final expression of my legal right to refuse medical or surgical treatment and to accept the consequences for such refusal.

In the event that I have been determined to be unable to provide express and informed consent regarding the withholding, withdrawal, or continuation of life-prolonging procedures, I wish to designate, as my surrogate to carry out the provisions of this declaration:

Name:
Address:
..... Zip Code:
Phone:.....

I understand the full import of this declaration, and I am emotionally and mentally competent to make this declaration.

Additional Instructions (optional):
.....

.....
.....

....(Signed)....
....Witness....
....Address....
....Phone....
....Witness....
....Address....
....Phone....

Section 36. Paragraph (d) of subsection (3) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

(3)

(d)1. Every judgment of guilty or not guilty of a petit theft shall be in writing, signed by the judge, and recorded by the clerk of the circuit court. The judge shall cause to be affixed to every such written judgment of guilty of petit theft, in open court and in the presence of such judge, the fingerprints of the defendant against whom such judgment is rendered. Such fingerprints shall be affixed beneath the judge’s signature to such judgment. Beneath such fingerprints shall be appended a certificate to the following effect:

“I hereby certify that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant,, and that they were placed thereon by said defendant in my presence, in open court, this the day of,(year).... 19.....”

Such certificate shall be signed by the judge, whose signature thereto shall be followed by the word “Judge.”

2. Any such written judgment of guilty of a petit theft, or a certified copy thereof, is admissible in evidence in the courts of this state as prima facie evidence that the fingerprints appearing thereon and certified by the judge are the fingerprints of the defendant against whom such judgment of guilty of a petit theft was rendered.

Section 37. Subsection (3) of section 849.38, Florida Statutes, is amended to read:

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

(3) The said citation may be in, or substantially in, the following form:

IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT, IN AND FOR
.... COUNTY, FLORIDA.

IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

(Here describe property)

THE STATE OF FLORIDA TO:

ALL PERSONS, FIRMS AND CORPORATIONS OWNING, HAVING OR CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED PROPERTY.

YOU AND EACH OF YOU are hereby notified that the above described property has been seized, under and by virtue of chapter, Laws of Florida, and is now in the possession of the sheriff of this county, and you, and each of you, are hereby further notified that a petition, under said chapter, has been filed in the Circuit Court of the Judicial Circuit, in and for County, Florida, seeking the forfeiture of the said property, and you are hereby directed and required to file your claim, if any you have, and show cause, on or before, ...(year)... 19...., if not personally served with process herein, and within 20 days from personal service if personally served with process herein, why the said property should not be forfeited pursuant to said chapter, Laws of Florida, 1955. Should you fail to file claim as herein directed judgment will be entered herein against you in due course. Persons not personally served with process may obtain a copy of the petition for forfeiture filed herein from the undersigned clerk of court.

WITNESS my hand and the seal of the above mentioned court, at Florida, this, ...(year)... 19....
(COURT SEAL)

...(Clerk of the above-mentioned Court.)...
By ...(Deputy Clerk)...

Section 38. Subsection (2) of section 921.241, Florida Statutes, is amended to read:

921.241 Felony judgments; fingerprints and social security number required in record.—

(2) Every judgment of guilty or not guilty of a felony shall be in writing, signed by the judge, and recorded by the clerk of the court. The judge shall cause to be affixed to every written judgment of guilty of a felony, in open court, in the presence of such judge, and at the time the judgment is rendered, the fingerprints of the defendant against whom such judgment is rendered. Such fingerprints shall be affixed beneath the judge's signature to such judgment. Beneath such fingerprints shall be appended a certificate to the following effect:

"I hereby certify that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant,, and that they were placed thereon by said defendant in my presence, in open court, this the day of, ...(year)... 19...."

Such certificate shall be signed by the judge, whose signature thereto shall be followed by the word "Judge."

Section 39. Subsection (1) of section 921.242, Florida Statutes, is amended to read:

921.242 Subsequent offenses under chapter 796; method of proof applicable.—

(1) Every judgment of guilty with respect to any offense governed by the provisions of chapter 796 shall be in writing, signed by the judge, and recorded by the clerk of the circuit court. The judge shall cause to be affixed to every such written judgment of guilty, in open court and in the presence of such judge, the fingerprints of the defendant against whom such judgment is rendered. Such fingerprints shall be affixed beneath the judge's signature to any such judgment. Beneath such fingerprints shall be appended a certificate to the following effect:

"I hereby certify that the above and foregoing fingerprints are of the defendant, ...(name)..., and that they were placed thereon by said defendant in my presence, in open court, this the day of, ...(year)... 19....."

Such certificate shall be signed by the judge, whose signature thereto shall be followed by the word "Judge."

Section 40. Section 932.66, Florida Statutes, is amended to read:

932.66 Suggested forms for transfer.—The petition for transfer, order of transfer, and agreement of bail bond agent to transfer bond shall be substantially as follows:

PETITION FOR TRANSFER TO COURT
PROVIDING TRIAL BY JURY
IN THE COURT, FLORIDA

I, ...(Name)..., am ...(Age)... years of age and I reside at ...(Address).... I was arrested on ...(Date)..., ...(Year)... 19.... and am charged in this court with ...(Description and number of each county or municipal ordinance).... I am presently incarcerated in the ...(Jail)... awaiting trial on the charge(s) listed above.

—OR—

I am at liberty on (surety bond) (cash bond) (my own recognizance). My bail bond agent is ...(Name)...

...(Address)...

I am due to appear in this court on ...(Date)... for ...(Type of appearance)....

My charge(s) in this court constitute a violation of the criminal laws of the state as follows:

I desire a trial by jury and seek a transfer of the following charge(s)
.....
.....

to a court of this county providing criminal trial by jury.

I agree to appear in the court to which my case is transferred on the day of, ...(Year)... 19....

...(Signature of petitioner)...

...(Attorney for petitioner)...

ORDER OF TRANSFER

This cause is hereby transferred to the court at, Florida.

DONE AND ORDERED this day

of,...(Year)... 19....
...(Judge)...

AGREEMENT OF BAIL BOND AGENT TO
TRANSFER BOND TO COURT
PROVIDING TRIAL BY JURY

I,, a duly licensed bail bond agent agree to the transfer of that certain bond to Court at, Florida.

...(Signature of bail bond agent)...

Reviser's note.—Revises references to dates reading "19...." in forms in the Florida Statutes in anticipation of the approaching millennium.

Approved by the Governor March 25, 1999.

Filed in Office Secretary of State March 25, 1999.