

ACT No. 197

HOUSE BILL NO. 787

BY REPRESENTATIVES ARNOLD, ABRAMSON, ADAMS, BADON, BILLIOT, WESLEY BISHOP, BROSSETT, BURRELL, DOVE, FOIL, GAROFALO, HAZEL, HENRY, JOHNSON, KLECKLEY, LEOPOLD, LOPINTO, LORUSSO, MACK, MORENO, PIERRE, STOKES, TALBOT, WILLMOTT, AND WOODRUFF

1 AN ACT

2 To amend and reenact R.S. 43:142(B), 171(B), 200(3), and 201(D), to enact R.S. 43:202(D),
3 and to repeal R.S. 43:201(E), relative to the publication of official proceedings, legal
4 notices, and advertisements in Jefferson and Orleans parishes; to provide relative to
5 qualifications of newspapers for such publication; to provide for definitions; to
6 provide for an effective date; and to provide for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 43:142(B), 171(B), 200(3), and 201(D) are hereby amended and
12 reenacted and R.S. 43:202(D) is hereby enacted to read as follows:

13 §142. Qualifications of newspaper

14 * * *

15 B. The provisions of this Section relating to the five-year requirement shall
16 not contravene any contract existing between any governing body and a newspaper
17 on and prior to May 11, 1970; nor shall the five-year requirement herein be applied
18 in assessing the qualifications of a newspaper which was in existence on May 11,
19 1970; nor shall any provision of this Chapter prohibit a publication from becoming
20 an official journal in Jefferson Parish ~~when~~ if the publication is qualified to publish
21 judicial advertisements and legal notices in Jefferson or Orleans Parish or has
22 actually published official proceedings within one year prior to June 1, 1986, of any

1 municipal corporation, parish council, police jury, or school board within Jefferson
2 Parish.

3 * * *

4 §171. Selection of newspaper

5 * * *

6 B. The provisions of this Section relating to the five-year requirement shall
7 not contravene any contract existing between any governing body and a newspaper
8 on and prior to May 11, 1970; nor shall the five-year requirement herein be applied
9 in assessing the qualifications of a newspaper which was in existence on May 11,
10 1970; nor shall any provision of this Chapter prohibit a publication from becoming
11 an official journal in Jefferson or Orleans Parish ~~when~~ if the publication is qualified
12 to publish judicial advertisements and legal notices in Jefferson or Orleans Parish or
13 has actually published official proceedings within one year prior to June 1, 1986, of
14 any municipal corporation, parish council, police jury, or school board within
15 Jefferson or Orleans Parish.

16 * * *

17 §200. Definitions

18 As used in this Chapter, the following terms shall have the meanings ascribed
19 to them in this Section:

20 * * *

21 (3)(a) "Newspaper" means a publication that during each year of the five
22 year period prior to the first publication of any legal or official notice therein:

23 ~~(a)~~(i) Has been published at regular intervals of not less than weekly.

24 ~~(b)~~(ii) Has been originated and published for the dissemination of current
25 news and intelligence of varied, broad, and general public interest, including regular
26 news coverage of local public meetings and events, and is not devoted to the interests
27 of, or published for the entertainment or instruction of, or has a circulation restricted
28 to, any particular sect, denomination, labor or fraternal organization, or other special
29 group or class of citizens.

1 parish, and shall be submitted as an attachment to any proposal by a publication or
2 newspaper to publish judicial advertisements and legal notices in Jefferson Parish.

3 * * *

4 §202. Judicial advertisements in parish of Orleans

5 * * *

6 D. Notwithstanding any provision of this Section, in Orleans Parish a daily
7 newspaper with a general paid circulation may be selected to publish judicial
8 advertisements and legal notices if such newspaper has maintained a public business
9 office in Orleans Parish for eight consecutive months prior to January 1, 2014.

10 Section 2. R.S. 43:201(E) is hereby repealed in its entirety.

11 Section 3. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
15 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____