

2015 Regular Session

HOUSE BILL NO. 328

BY REPRESENTATIVE ST. GERMAIN

OFFICIAL JOURNALS: Provides relative to the official journal of the village of Grosse Tete

1 AN ACT

2 To amend and reenact R.S. 43:142(A)(1) and to enact R.S. 43:146.1, relative to the village  
3 of Grosse Tete; to provide relative to the official journal of the village; to provide  
4 relative to the selection of the official journal; to provide relative to qualifications of  
5 newspapers to be the official journal; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. 43:142(A)(1) is hereby amended and reenacted and R.S. 43:146.1 is  
11 hereby enacted to read as follows:

12 §142. Qualifications of newspaper

13 A. The newspaper:

14 (1)(a) Shall have been published in an office physically located in the parish  
15 in which the body is located for a period of five years preceding the selection.

16 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,  
17 in the village of Grosse Tete the newspaper shall have been published in an office  
18 physically located in the parish of Iberville or in a parish adjoining the parish of  
19 Iberville for a period of five years preceding the selection. Except as provided in this  
20 Subparagraph, the newspaper shall meet all of the requirements of this Subsection.

21 \* \* \*

1           §146.1. Official journal; village of Grosse Tete; selection  
 2                   Notwithstanding the provisions of R.S. 43:145 and 146, the village of Grosse  
 3           Tete shall select an official journal that has been published in an office physically  
 4           located in the parish of Iberville or in a parish adjoining the parish of Iberville during  
 5           each year of the five-year period prior to the first publication of any legal or official  
 6           notice for the village of Grosse Tete. The publication selected as the official journal  
 7           shall be a newspaper as defined in R.S. 43:140(3).

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 328 Original

2015 Regular Session

St. Germain

**Abstract:** Authorizes the village of Grosse Tete to select, as the official journal of the village, a newspaper that is published in a parish adjoining Iberville Parish.

Present law establishes criteria that a newspaper must meet in order to be eligible to be selected as the official journal of a political subdivision.

Present law defines "newspaper" for purposes of such laws as a publication that during each year of the five-year period prior to its selection meets all of the following criteria:

- (a) Has been published at regular intervals of not less than weekly.
- (b) Originated and was published for the purpose of delivering news of general public interest and is not devoted to the interests or entertainment of any one particular group or class.
- (c) In more than half of its issues, contained less than 75% advertising.
- (d) Maintained a general paid circulation to paying subscribers within the publication area required.

Proposed law retains present law.

Present law requires that only a newspaper that meets the following criteria may be selected as an official journal by a political subdivision:

- (1) Must have been published in an office physically located in the political subdivision for at least five years prior to its selection.
- (2) During that five-year period, may not have missed three or more consecutive issues unless caused by fire, flood, strike, or natural disaster.
- (3) Must have maintained a general paid circulation in the political subdivision for five consecutive years prior to the selection.

- (4) Must have possessed a valid periodical permit from the U.S. Postal Service for a period of five consecutive years prior to selection.

Present law provides exceptions to these requirements for the parishes of Jefferson and Orleans.

Proposed law retains present law and adds an additional exception for the village of Grosse Tete. Requires that the newspaper be published in an office physically located in Iberville Parish or in a parish adjoining Iberville Parish for a period of five years preceding the selection. Requires that the newspaper meet the present law definition of "newspaper" and all other provisions of present law.

Present law requires each municipality to select an official journal published in an office physically located within the municipal boundaries if a newspaper as defined in present law is published therein. Further requires municipalities to select a newspaper published in the parish in which the municipality is located if no qualified newspaper is published within the municipal boundaries.

Proposed law retains present law but provides an exception for the village of Grosse Tete. Requires the village, notwithstanding present law, to select an official journal that has been published in an office physically located in Iberville Parish or in an adjoining parish during each year of the five-year period prior to the first publication of any legal or official notice for the village of Grosse Tete.

(Amends R.S. 43:142(A)(1); Adds R.S. 43:146.1)