

2015 Regular Session

SENATE BILL NO. 179

BY SENATORS AMEDEE AND WALSWORTH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC PRINTING. Creates a statewide website for the publication of statutorily required notices. (8/1/15)

AN ACT

To enact R.S. 43:111(E), relative to state advertisements; to provide for a statewide website; to require electronic publication of statutorily required notices; to provide for the archiving of electronically published notices; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 43:111(E) is hereby enacted to read as follows:

§111. Advertising; when prohibited and when authorized

* * *

E. Whenever notice by print publication is required under applicable state law, the newspaper or statutorily-eligible publication under Chapters 3, 4, and 5 of Title 43 of the Louisiana Revised Statutes of 1950 that is publishing such notice shall, at no additional cost to government, place the notice on a website established and maintained as a statewide joint venture of a majority of Louisiana newspapers as a repository for such notices, subject to the following provisions:

(1) The newspaper or publication shall post the notice contemporaneously with the notice's first print publication. The notice shall

1 remain archived on the statewide website for not less than one year. Any
2 newspaper or publication subject to the requirements of this Subsection shall
3 have access to the statewide website at no charge.

4 (2) Any notice posted online as required by this Subsection shall be
5 posted and archived in its entirety, including maps and other exhibits, and shall
6 include the publication date.

7 (3) Any error in a notice placed on a website pursuant to this Subsection,
8 or any temporary website outage or service interruption prohibiting the posting
9 or display of such notice, shall be considered harmless error and proper legal
10 notice requirements shall be considered met if the printed notice published in
11 the newspaper or statutorily-eligible publication is correct.

12 (4) Every newspaper or publication that publishes public notices shall
13 include on its website homepage, if available, a link to its public notice section
14 and shall include on its public notice homepage a link to the statewide public
15 notice website described herein.

16 (5) All notices published on a website pursuant to this Subsection shall
17 be accessible to the public at no charge.

18 (6) Nothing in this Subsection shall be construed as changing any
19 requirement in Chapters 3, 4, and 5 of Title 43 of the Louisiana Revised Statutes
20 of 1950.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ashley E. Menou.

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Proposed law creates a statewide website to be established and maintained by the majority of Louisiana newspapers to be a repository for all statutorily required public notices in addition to its obligation to publish via print publication as provided by present law.

Proposed law requires all notices be posted at the same time as the first publication and remain on the statewide website for not less than one year.

Proposed law requires a newspaper or other publication publishing public notices to have a link to the public notice section on the homepage of its website and to archive all notices in their entirety.

Proposed law provides that the statewide website be free to the public and to any newspaper or publication subject to the requirements of proposed law.

Effective August 1, 2015.

(Adds R.S. 43:111(E))