

By: Shaheen

H.B. No. 1030

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the publication of required notice by a political  
3 subdivision by alternative media.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 2051, Government Code, is amended by  
6 adding Subchapter G to read as follows:

7 SUBCHAPTER G. NOTICE BY PUBLICATION IN MEDIA OTHER THAN NEWSPAPER

8 Sec. 2051.251. NOTICE BY ALTERNATIVE MEDIA. (a) A  
9 political subdivision may satisfy a requirement in any other law to  
10 provide notice by publication in a newspaper by publishing the  
11 notice:

12 (1) by media described by Subsection (c) that the  
13 political subdivision determines has greater circulation than the  
14 newspaper with the greatest circulation in the political  
15 subdivision; and

16 (2) on the Internet websites maintained by:

17 (A) the political subdivision; and

18 (B) the comptroller.

19 (b) Before providing notice by an alternative method under  
20 Subsection (a), a political subdivision must hold a public meeting  
21 about the alternative notice method. During the meeting, the  
22 political subdivision must demonstrate that the circulation of the  
23 alternative media will be greater than the circulation of the  
24 newspaper with the greatest circulation in the political

1 subdivision.

2 (c) The following forms of media are authorized for  
3 providing notice under Subsection (a)(1):

4 (1) social media;

5 (2) free newspapers;

6 (3) school newspapers;

7 (4) a homeowners' association newsletter or magazine;

8 (5) utility bills;

9 (6) direct mailings; and

10 (7) any other form of media authorized by the  
11 comptroller.

12 (d) A political subdivision that provides notice using  
13 alternative media under this section shall submit notice to the  
14 comptroller describing the alternative notice method that  
15 includes:

16 (1) the number of subscribers within the political  
17 subdivision of the newspaper with the greatest circulation in the  
18 political subdivision;

19 (2) a description of the alternative media used for  
20 the notice; and

21 (3) the circulation of the alternative media used for  
22 the notice.

23 (e) After receipt of the notice under Subsection (d), the  
24 comptroller shall promptly publish on the comptroller's Internet  
25 website notice as described by Subsection (a)(2), unless the  
26 comptroller requires notice by newspaper under Subsection (f) or  
27 waives the requirement under Subsection (g).

1       (f) The comptroller may require a political subdivision to  
2 provide notice by newspaper if the comptroller:

3           (1) determines the alternative media used by the  
4 political subdivision to provide notice under Subsection (a) does  
5 not have a greater circulation than the newspaper with the greatest  
6 circulation in the political subdivision; and

7           (2) provides written notice to the political  
8 subdivision of the comptroller's determination under Subdivision  
9 (1).

10       (g) A political subdivision may request from the  
11 comptroller, and the comptroller may grant, a waiver from the  
12 requirements of Subsection (a)(2) if the political subdivision  
13 provides sufficient proof that Internet access is limited in the  
14 political subdivision. If the comptroller grants the waiver, the  
15 political subdivision must provide additional notice on a public  
16 agenda board within the political subdivision.

17       (h) Notice published under Subsection (a)(2) must be made  
18 available for the period of time required by law for which the  
19 publication of the notice is required in a newspaper.

20       Sec. 2051.252. COMPTROLLER ALTERNATIVE NOTICE REPORT. (a)  
21 The comptroller shall prepare a report that identifies and compares  
22 the effectiveness of different methods of notice publication used  
23 by political subdivisions. The report must include all types of  
24 notice that are used under this chapter and laws that require the  
25 publication of a notice in a newspaper by a political subdivision.

26       (b) Not later than December 31 of each even-numbered year,  
27 the comptroller shall submit the report described by Subsection (a)

1 to the governor, lieutenant governor, and speaker of the house of  
2 representatives.

3 (c) This section expires January 1, 2025.

4 Sec. 2051.253. RULEMAKING AUTHORITY. The comptroller may  
5 adopt rules necessary to administer this subchapter.

6 SECTION 2. This Act takes effect September 1, 2021.