

By: Bettencourt

S.B. No. 2006

A BILL TO BE ENTITLED

AN ACT

relating to publication and posting of notice by certain governmental entities and representatives.

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

SECTION 1. The heading to Subchapter C, Chapter 2051, Government Code, is amended to read as follows:

SUBCHAPTER C. NOTICE BY PUBLICATION IN NEWSPAPER; REQUIRED INTERNET ALTERNATIVE

SECTION 2. Section 2051.042(a), Government Code, is amended to read as follows:

(a) This subchapter applies only to notice that is required or authorized by law other than this subchapter to be published in a newspaper. The newspaper requirements of this subchapter apply only to the extent that the other [~~general or special~~] law requiring or authorizing the publication of a notice in a newspaper [~~by a governmental entity or representative~~] does not specify the manner of the publication, including the number of times that the notice is required to be published and the period during which the notice is required to be published.

SECTION 3. Subchapter C, Chapter 2051, Government Code, is amended by adding Section 2051.0421 to read as follows:

Sec. 2051.0421. REQUIRED INTERNET POSTING ALTERNATIVE FOR NOTICE REQUIRED TO BE PUBLISHED IN NEWSPAPER. (a) This section applies only to a governmental entity that is a political

1 subdivision and a representative of a political subdivision. This
2 section does not apply to:

- 3 (1) a county with a population of less than 10,000;
4 (2) a municipality with a population of less than
5 5,000 located in a county with a population of less than 25,000; or
6 (3) another type of political subdivision with a
7 population of less than 5,000 in the subdivision's boundaries that
8 is located in a county with a population of less than 25,000.

9 (b) Notwithstanding any other law and except as provided by
10 Section 2051.042(b), a governmental entity or representative
11 required by other law to provide notice by publication in a
12 newspaper shall satisfy that requirement by posting the notice:

- 13 (1) on the governmental entity's or representative's
14 Internet website, if applicable; and
15 (2) on the Internet website of a newspaper that meets
16 the requirements of the law requiring notice.

17 (c) Internet website notice posted as required by this
18 section:

- 19 (1) to the extent possible, must meet requirements
20 provided by law for the publication of the newspaper notice that can
21 be applied to an Internet website posting, including requirements
22 related to the timing, duration, content, and appearance of the
23 notice; and
24 (2) is not required to meet requirements provided by
25 law for the publication of the newspaper notice that by their nature
26 cannot be applied to an Internet website posting, including
27 requirements relating to circulation.

1 (d) This subchapter may not be construed to require a
2 governmental entity or representative that is required to post
3 Internet notice under this section to also publish notice in a
4 newspaper.

5 SECTION 4. This Act takes effect September 1, 2021.