

By: Shaheen

H.B. No. 622

A BILL TO BE ENTITLED

AN ACT

relating to the publication of required notice by a political subdivision by alternative media.

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

SECTION 1. Chapter 2051, Government Code, is amended by adding Subchapter C-1 to read as follows:

SUBCHAPTER C-1. NOTICE BY PUBLICATION IN MEDIA OTHER THAN
NEWSPAPER

Sec. 2051.081. NOTICE BY ALTERNATIVE MEDIA. (a) A political subdivision may satisfy a requirement in any other law to provide notice by publication in a newspaper by publishing the notice:

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

(2) on the Internet websites maintained by:

(A) the political subdivision; and

(B) the comptroller.

(b) Before providing notice by an alternative method under Subsection (a), a political subdivision must hold a public meeting about the alternative notice method. During the meeting, the political subdivision must demonstrate that the circulation of the alternative media will be greater than the circulation of the

1 newspaper with the greatest circulation in the political
2 subdivision.

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

5 (1) social media;

6 (2) free newspapers;

7 (3) school newspapers;

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

9 (5) utility bills;

10 (6) direct mailings; and

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

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

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

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

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

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

1 waives the requirement under Subsection (g).

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

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

8 (2) provides written notice to the political
9 subdivision of the comptroller's determination under Subdivision
10 (1).

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

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

21 Sec. 2051.0815. COMPTROLLER ALTERNATIVE NOTICE REPORT. (a)
22 The comptroller shall prepare a report that identifies and compares
23 the effectiveness of different methods of notice publication used
24 by political subdivisions. The report must include all types of
25 notice that are used under this chapter and laws that require the
26 publication of a notice in a newspaper by a political subdivision.

27 (b) Not later than December 31 of each even-numbered year,

1 the comptroller shall submit the report described by Subsection (a)
2 to the governor, lieutenant governor, and speaker of the house of
3 representatives.

4 (c) This section expires January 1, 2027.

5 Sec. 2051.082. RULEMAKING AUTHORITY. The comptroller may
6 adopt rules necessary to administer this subchapter.

7 SECTION 2. This Act takes effect September 1, 2023.