

BILL ANALYSIS

C.S.H.B. 2898
By: Phillips
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Governmental entities are required by law in a variety of circumstances to publish notice in certain newspapers. §2051.044 outlines the requirements of a newspaper in which a notice may be published. In some rural counties, there may be no newspaper that meets these requirements. In other counties, these restrictions may force governmental entities to publish notice in newspapers that are not necessarily the most likely medium to serve notice to the greatest number of citizens.

House Bill 2898 allows a governmental entity publishing notice in certain counties more flexibility in choosing a newspaper that is most likely to reach the greatest number of citizens within that county.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. States that §2051.044, Government Code does not apply to notices to which §2051.0441 apply.

SECTION 2. Adds §2051.0441, Government Code. Applies only to notices published in counties with a population of at least 30,000 and no more than 36,000 that borders the Red River. Outlines requirements for a newspaper in which a notice may be published in these counties.

SECTION 3. Effective date.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute provides in Section 2 of CSHB 2898 applies only to notices published in counties with a population of at least 30,000 and no more than 36,000 that borders the Red River. The substitute adds that a newspaper can qualify for publication if, in addition to meeting the other requirements in §2051.0441, the newspaper is mailed or delivered to at least 51% of the residences in the county where published.