

By: Chavez

H.B. No. 4074

A BILL TO BE ENTITLED

AN ACT

relating to the requirement that governmental public notices be published in Spanish-language newspapers.

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

SECTION 1. Subtitle A, Title 5, Government Code, is amended by adding Chapter 561 to read as follows:

CHAPTER 561. PUBLICATION OF PUBLIC NOTICES IN SPANISH-LANGUAGE
NEWSPAPER

Sec. 561.001. DEFINITIONS. In this chapter:

(1) "Public notice" means any notice that must be published in a newspaper under Chapter 4, Election Code, or other law by:

(A) a state agency or a state officer or employee; or

(B) a political subdivision of this state or an officer or employee of a political subdivision.

(2) "Spanish-language newspaper" means a newspaper that is printed in Spanish.

Sec. 561.002. PUBLICATION IN SPANISH-LANGUAGE NEWSPAPER BY STATE AGENCY OR OFFICER. A state agency or a state officer or employee with responsibility for publishing a public notice shall publish the notice in Spanish in a Spanish-language newspaper of general circulation in each county in which:

(1) the agency, officer, or employee is required to

1 publish the public notice;

2 (2) more than 50 percent of the population is of
3 Hispanic origin; and

4 (3) there is a Spanish-language newspaper of general
5 circulation.

6 Sec. 561.003. PUBLICATION IN SPANISH-LANGUAGE NEWSPAPER BY
7 POLITICAL SUBDIVISION. (a) This section applies only to:

8 (1) a political subdivision, other than a county, any
9 portion of which is located in a county in which more than 50
10 percent of the population is of Hispanic origin; or

11 (2) a county in which more than 50 percent of the
12 population is of Hispanic origin.

13 (b) A political subdivision or an officer or employee of a
14 political subdivision with responsibility for publishing a public
15 notice shall publish the notice in Spanish in a Spanish-language
16 newspaper of general circulation in each county in which:

17 (1) the political subdivision is located; and

18 (2) there is a Spanish-language newspaper of general
19 circulation.

20 Sec. 561.004. NOTICE IN ADDITION TO NOTICE REQUIRED UNDER
21 OTHER LAW. Notice published under this chapter is in addition to
22 notice required by other law.

23 SECTION 2. This Act takes effect September 1, 2009.