

By: Shaheen

H.B. No. 2808

A BILL TO BE ENTITLED

AN ACT

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

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

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

SUBCHAPTER E. NOTICE BY PUBLICATION IN MEDIA OTHER THAN NEWSPAPER

Sec. 2051.151. NOTICE BY PUBLICATION ON INTERNET. (a) In addition to any law requiring notice be published by newspaper and subject to Subsection (b), a political subdivision shall provide notice:

(1) on an Internet website maintained by the comptroller; and

(2) on the political subdivision's Internet website.

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

(c) Notice published under this section must be made available for the period required by law for which the publication of the notice is required in a newspaper.

1 Sec. 2051.152. NOTICE BY ALTERNATIVE MEDIA. (a) A
2 political subdivision may satisfy a requirement in any other law to
3 provide notice by publication in a newspaper by publishing the
4 notice by media described by Subsection (b) that the political
5 subdivision determines has greater circulation than the newspaper
6 with the greatest circulation in the political subdivision.

7 (b) The following forms of media are authorized for
8 providing notice under Subsection (a):

- 9 (1) social media;
10 (2) free newspapers;
11 (3) school newspapers;
12 (4) a homeowners' association newsletter or magazine;
13 (5) utility bills;
14 (6) direct mailings; and
15 (7) any other form of media authorized by the
16 comptroller.

17 (c) A political subdivision that provides notice using
18 alternative media under this section shall submit notice to the
19 comptroller describing the alternative notice method that
20 includes:

21 (1) the number of subscribers within the political
22 subdivision of the newspaper with the greatest circulation in the
23 political subdivision;

24 (2) a description of the alternative media used for
25 the notice; and

26 (3) the circulation of the alternative media used for
27 the notice.

1 Sec. 2051.153. COMPTROLLER ALTERNATIVE NOTICE REPORT. (a)

2 The comptroller shall prepare a report that identifies and compares
3 the effectiveness of different methods of notice publication used
4 by political subdivisions. The report must include all types of
5 notice that are used under this chapter and laws that require the
6 publication of a notice in a newspaper.

7 (b) Not later than December 31 of each even-numbered year,
8 the comptroller shall submit the report described by Subsection (a)
9 to the governor, lieutenant governor, and speaker of the house of
10 representatives.

11 (c) This section expires January 1, 2023.

12 Sec. 2051.154. RULEMAKING AUTHORITY. The comptroller may
13 adopt rules necessary to administer this chapter.

14 SECTION 2. This Act takes effect September 1, 2019.