

By: Goldman

H.B. No. 3410

A BILL TO BE ENTITLED

AN ACT

relating to publication and posting of notice by 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; 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. If a governmental entity or representative does not choose to post notice on an Internet website under Section 2051.0421, this subchapter applies 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. INTERNET POSTING ALTERNATIVE FOR NOTICE

1 REQUIRED TO BE PUBLISHED IN NEWSPAPER. (a) Notwithstanding any
2 other law and except as provided by Section 2051.042(b), a
3 governmental entity or representative required by other law to
4 provide notice by publication in a newspaper may, as an
5 alternative, satisfy that requirement by posting the notice on the
6 governmental entity's or representative's Internet website.

7 (b) Internet website notice posted as an alternative to
8 required publication of notice in a newspaper as authorized by this
9 section:

10 (1) to the extent possible, must meet requirements
11 provided by law for the publication of the newspaper notice that can
12 be applied to an Internet website posting, including requirements
13 related to the timing, duration, content, and appearance of the
14 notice; and

15 (2) is not required to meet requirements provided by
16 law for the publication of the newspaper notice that by their nature
17 cannot be applied to an Internet website posting, including
18 requirements relating to circulation.

19 (c) This subchapter may not be construed to require a
20 governmental entity or representative that chooses the alternative
21 Internet posting under this section to also publish notice in a
22 newspaper.

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