

BILL ANALYSIS

Senate Research Center

S.B. 943
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many legal notices are required to be printed in the local newspapers of record. Today local newspapers are still vital sources of information for communities across Texas. While physical copies of newspapers are widely read by many Texans, newspapers across the state continue to innovate in how to reach their broader readership.

S.B. 943 will require a newspaper that publishes a legal notice to publish that notice on the newspaper's public Internet website and require that notice to also be published in a database maintained by the Texas Press Association (association). The association website would be accessible to the public at no additional cost, be constantly updated, and be searchable by subject matter and location. The website must also offer notifications to which a person may electronically subscribe.

The association and newspapers across the state are supportive of the legislation. There is no known opposition.

S.B. 943 amends current law relating to publication of notices by a governmental entity on the Internet websites of a newspaper and the Texas Press Association.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 2051, Government Code, by adding Section 2051.054, as follows:

Sec. 2051.054. INTERNET PUBLICATION OF NOTICES. (a) Provides that Subsections (b)(2) and (c) apply only if the Texas Press Association (association) maintains an Internet website as a statewide repository of notices.

(b) Requires that a newspaper that publishes a notice, at no additional cost to the governmental entity placing the notice:

(1) publish the notice on one or more webpages on the newspaper's Internet website, if the newspaper maintains a website, that are:

(A) clearly designated for notices; and

(B) accessible to the public at no cost; and

(2) deliver the notice to the association for the association to publish on the association's Internet website described by Subsection (a).

(c) Requires the association to publish each notice it receives from a newspaper under Subsection (b)(2) on the association's Internet website described by Subsection (a). Requires the association to ensure that the website:

(1) is accessible to the public at no cost;

(2) is updated as notices are received;

(3) is searchable and sortable by subject matter, location, and both subject matter and location; and

(4) offers an e-mail notification service to which a person may electronically subscribe to receive notifications that a notice has been published on the website and that allows the subscriber to limit the notifications by subject matter, location, or both subject matter and location.

(d) Requires a person required to publish a notice on an Internet website under this section to archive the notice on the website in its entirety, including the date the notice is published.

(e) Provides that the validity of a notice printed in a newspaper and published on an Internet website under this section is not affected if:

(1) there is an error in the notice published on the website; or

(2) publication of the notice on the website is temporarily prevented as the result of a technical issue with the website.

SECTION 2. Provides that the changes in law made by this Act apply only to a notice published on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2023.