

BILL ANALYSIS

S.B. 943
By: Kolkhorst
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Publishing public notice in a newspaper provides the best avenue to inform the public about important events, while also acting as a third-party check on government actions. Newspapers provide neutrality and independence in the public notice process. As newspapers increasingly move their operations online, requiring online posting of public notices ensures that the maximum number of citizens will be able to read these notices. Establishing a statewide website further expands the reach of these notices, at no additional cost to the governmental entity. Accordingly, S.B. 943 seeks to provide for the publication of notices by a governmental entity on the websites of a newspaper and the Texas Press Association.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

S.B. 943 amends the Government Code to require a newspaper that publishes a notice on behalf of a governmental entity or representative to do the following at no additional cost to the entity or representative:

- publish the notice on one or more webpages on the newspaper's website, if applicable, that are clearly designated for notices and accessible to the public at no cost; and
- deliver the notice to the Texas Press Association for the association to publish in a statewide repository of notices, if the association maintains a website that serves as such a repository.

S.B. 943 requires the association to publish each notice it receives on the association's website, if applicable, and to ensure the website, as follows:

- is accessible to the public at no cost;
- is updated as notices are received;
- is searchable and sortable by subject matter, location, and both subject matter and location; and
- offers an email 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.

S.B. 943 requires a person who is required to publish a notice on a website under the bill's provisions to archive the notice on the website in its entirety, including the date the notice is published. The bill specifies that the validity of a notice printed in a newspaper and published on a website is not affected if there is an error in the notice published on the website or the publication of the notice on the website is temporarily prevented as the result of a technical issue with the website.

S.B. 943 applies only to a notice published on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.