

## The current status of proposals to change public notices in Southern states:

- **Alabama:** In 2007, a Global Notice bill failed to make it out of a legislative committee. No new legislation has been proposed since, but the bill spurred newspapers to get all of the state's public notices online through their own site.
- **Arkansas:** No measures have passed changing public notice print requirements, though a pending bill would allow schools to post performance reports on their own Web sites, possibly paving the way for similar changes to public notices in the future.
- **Florida:** In the current session, S.B. 2292 and a companion bill in the Florida House would virtually eliminate the print requirement for any public notices. The bills are pending, and the session is scheduled to end May 1.
- **Georgia:** In 2008, the legislature considered a proposal to allow some public notices to be published online, which could have greased the skids for more wholesale changes to print requirements. The bill did not pass. No new legislation was presented in 2009.
- **Kentucky:** No laws adversely affecting public notices in newspapers have been proposed since 2006. In 2005, the legislature was close to passing a law that would have sent notices to local government Web sites. The state's newspapers compromised to decrease the size of notices from 9-point to 7-point type and to tie the rate for publishing notices to the lowest individual classified display rate each newspaper offered. The costs of printed notices were reduced.
- **Louisiana:** The state legislature convenes later this year, but no harmful bills are expected. The state press has won a few skirmishes in past years, but has not had a proposal to take notices out of newspapers.
- **Mississippi:** Three bills that would have moved public notices online never made it out of committee. A Senate bill and a companion House bill would have allowed third-party companies to bid for the right to publish notices. The other bill would have allowed cities and counties to publish notices on their own Web sites.
- **North Carolina:** The state has become a big battleground. Two local bills would allow local governments to put their notices on their own Web sites. Another would take notices out of paid circulation newspapers and into free circulation papers. The most threatening bill is H.B. 193, which would allow local governments to run meeting and hearing notices on their own sites instead of in newspapers.
- **Oklahoma:** One proposal this year would allow counties with Web sites to publish their proceedings on their own sites. Counties without Web sites would have to publish notices in newspapers. "But the state association of counties would have quickly set up a site for each county (off of their site) so that would have been the end of county legal notices in newspapers," said Oklahoma Press Association Executive Vice President Mark Thomas.
- **South Carolina:** South Carolina had one bill introduced this year that would have let county governments set up Web sites and charge \$10 to publish legal ads that would have been published in newspapers, according to Bill Rogers, executive director of the South Carolina Press Association. The bill was shelved in subcommittee. Two years ago, an attempt by Global Notice to set up a for-profit independent legal site failed.
- **Tennessee:** Republicans took over control of the state legislature in 2009, and proposals affecting public notice and sunshine laws were brought to the forefront during the first half of the legislative session. (The second half is in 2010.) A bill that would remove a requirement for print notice of proposed constitutional amendments appeared to be stalled for this year, but could come back up again next year to pave the way for more extensive changes to public notice laws.
- **Texas:** Several bills in the Texas legislature would offer the choice of Internet or print publication of public notices in limited instances. Among them, H.B. 45 would give cities the option to post Web notice as an alternative to notice in a newspaper for certain municipal zoning actions. S.B. 1019 allows notice of the time and place of bid openings to be published in the manner the department determines is "the most effective method."

- **Virginia:** Several bills in 2009, all defeated, attempted to take public notices out of newspapers. The scope was extremely broad, said Ginger Stanley, executive director of the Virginia Press Association, affecting all newspapers and most notices that localities must have published.
- **West Virginia:** No new proposals have emerged this year, but two years ago, a proposal from the state auditor's office showing how posting public notices on a government-run Web site could save the state money was introduced. It was quickly squashed.

SNPA eBulletin 4-2-09