
HOUSE COMMITTEE AMENDMENTS

2024 Regular Session

Substitute for Original House Bill No. 680 by Representative Carlson as proposed by the House Committee on House and Governmental Affairs

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact R.S. 43:81(A)(introductory paragraph), 141(A), 143, 171(A)(1), and 201(A) and to enact R.S. 43:82.1, 141.2, 171.1, and 201.2, relative to public printing; to authorize the use of specific websites as the official journal of the state and of political subdivisions and for publishing legal advertising; to provide relative to contracts for such services; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 43:81(A)(introductory paragraph), 141(A), 143, 171(A)(1), and 201(A) are hereby amended and reenacted and R.S. 43:82.1, 141.2, 171.1, and 201.2 are hereby enacted to read as follows:

§81. Official journal of state

A. The printing of advertisements, public notices, proclamations, and all public notices and advertising to be done by the legislature, or the executive or other departments and institutions of the state government, shall be published on a publicly available website designated by the state register or in a daily newspaper, which is to be known and designated as the "Official Journal of the State",~~which~~ . If the official journal of the state is a newspaper, the newspaper shall have and possess the following qualifications:

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§82.1. Contract with the state register

A. In lieu of selecting a newspaper as its official journal of the state, the commissioner of administration may use the state register's website or a website designated by the state register as the state's official journal.

(2) If selected, the state register shall provide a unique location on a publicly available website for meeting all publication requirements provided by law for state entities.

B. During the term of any such contract, the provisions of this Chapter that pertain specifically to newspapers are not applicable to the official journal of the state.

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§141. Official journal to be selected by police juries, city and parish councils, municipal corporations, and school boards

A. The police juries, city and parish councils, municipal corporations, and school boards in all the parishes, the parish of Orleans excepted, at their first meeting in June of each year, shall select a newspaper as official journal for their respective parishes, towns, or cities for a term of one year. Alternatively, a parish or municipal governing authority, the parish of Orleans included, or a school board shall enter a contract, as authorized by R.S. 42:141.2, with the clerk of court's office in the respective parish for the use of the clerk of court's website as the official journal of the parish, municipality, or school board

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§141.2. Alternate official journal

A. In lieu of selecting a newspaper as its official journal, a parish, municipality, or school board may use a website designated by the clerk of court of the parish where the political subdivision is located as its official journal, subject to the following:

(1) The political subdivision shall enter a contract for official journal publishing services with the clerk of court. The duration of such a contract shall be July first of any year to June thirtieth of the following year.

(2) The clerk of court shall provide a unique location on a publicly available website for publishing the official proceedings and public notices of each entity with which it enters such a contract.

B. During the term of any such contract, the political subdivision is exempt from any provision of this Part that pertains specifically to newspapers.

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§143. Newspaper selected to be known as official journal; duties

The newspaper selected or the website designated by the clerk of court, as applicable, shall be known as the official journal of the parish, town, city or school board, and it shall publish all minutes, ordinances, resolutions, budgets and other official proceedings of the police jury, town or city councils, or the school board.

* * *

§171. Selection of newspaper

A.(1) Levee, drainage, subdrainage, road, subroad, navigation, and sewerage districts, or other political subdivisions of the state and parishes, shall have ~~the~~ their proceedings ~~of their board~~ and such financial statements required by and furnished to the legislative auditor published in a newspaper or on a publicly available website designated as provided in R.S. 43:171.1. The newspaper or website shall be selected at their first meeting in June of each year for a term of one year.

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§171.1. Alternate official journal

A. In lieu of selecting a newspaper as its official journal, a political subdivision may use a website designated by the clerk of court of the parish where the political subdivision is located as its official journal, subject to the following:

(1) The political subdivision shall enter a contract for official journal publishing services with the clerk of court. The duration of such a contract shall be July first of any year to June thirtieth of the following year.

(2) The clerk of court shall provide a unique location on a publicly available website for publishing the official proceedings and public notices of each entity with which it enters such a contract.

B. During the term of any such contract, the political subdivision is exempt from any provision of this Part that pertains specifically to newspapers.

C. If a political subdivision is comprised of territory in more than one parish, the clerk of court in the most populous parish lying wholly or partially within the jurisdiction of the subdivision is the one who may contract with the political subdivision for official journal publishing services.

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§201. Judicial advertisements and legal notices; parishes outside parish of Orleans

A.(1) All parishes of the state, outside of the parish of Orleans, when advertisements or publication of notices are required to be made in relation to judicial proceedings, or in the sale of property under judicial process, or in any other legal proceedings of any kind, shall publish them in an English language newspaper published in an office physically located in the parish in which the proceedings are carried on or on a website as provided in R.S. 43:201.2.

(2) The newspaper or website shall be selected by the sheriff, constable, clerk, or other officer, as the case may be, who is charged with the conduct of the sale or proceeding. The official whose responsibility it is to select a newspaper shall make his selection in June of each year for a term of one year.

(3) If there is no newspaper published in the parish and the entity has not opted to use a website as authorized by R.S. 43:201.2, all advertisements or notices shall be made by posting them at or near the front door of the courthouse, or the place used as such, and at two other public places in different parts of the parish.

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§201.2 Alternate publication

A. In lieu of selecting a newspaper for such purpose, a sheriff, constable, clerk, or other officer, as the case may be, who is responsible for publishing judicial advertisements and legal notices may use a website designated by the clerk of court of the parish where the entity is located for publishing judicial advertisements and legal notices, subject to the following:

(1) The respective entity shall enter a contract for legal publishing services with the clerk of court. The duration of such a contract shall be July first of any year to June thirtieth of the following year.

(2) The clerk of court shall provide a unique location on a publicly available website for publishing the such information of each entity with which it enters such a contract.

B. During the term of any such contract, the entity is exempt from any provision of this Chapter that pertains specifically to newspapers.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB Draft

2024 Regular Session

Abstract: Provides relative to an alternate official journal for certain purposes.

Present law requires each parish, municipality, and school board to select a newspaper as its official journal and to publish its minutes, ordinances, resolutions, budgets, and other official proceedings in the official journal. Also applies to other political subdivisions.

Present law requires that advertisements in relation to judicial or legal proceedings be published in a newspaper meeting specified criteria.

Proposed law authorizes the use of a website designated by the clerk of court's office in the respective parish for such publishing purposes.

Proposed law requires the political subdivision or other entity to enter a contract for official journal publishing services with the clerk of court. Requires the clerk of court to provide a unique location on a publicly available website for publishing the official proceedings, public notices, and legal advertisements of each entity with which it enters such a contract.

Present law requires the state to select a newspaper as its official journal and to publish its minutes, ordinances, resolutions, budgets, and other official proceedings in the official journal.

Proposed law authorizes the state to use the state register's website or a website designated by the state register as its official journal. Requires the state register to provide a unique location on a publicly available website for publishing materials pursuant to present law.

(Amends R.S. 43:81(A)(intro. para.), 141(A), 143, 171(A)(1), and 201(A); Adds R.S. 43:82.1, 141.2, 171.1, and 201.2)