

RÉSUMÉ DIGEST

ACT 464 (HB 977)

2024 Regular Session

Carlson

Existing law requires the state to select a newspaper as its official journal and to print advertisements, public notices, and proclamations of the legislature or the executive branch in the official journal. Requires that all laws and joint resolutions be accessible through the official journal.

Existing law provides that a newspaper shall meet specified criteria to qualify for selection as the official journal of the state. New law modifies some of those criteria as follows:

- (1) Prior law required that the newspaper be published in Baton Rouge. New law requires that the newspaper be published and have a general circulation in La.
- (2) Prior law provided that the newspaper shall have been published at least six days per week for a period of not less than two years prior to the time that it was awarded the contract as the official journal of the state. New law reduces the required publication frequency to once per week.
- (3) Prior law required an audited paid daily circulation of not less than 10,000 for at least one year prior to the time that it was awarded the contract. New law removes this requirement.

Existing law requires parishes, municipalities, school boards, and other political subdivisions to select a newspaper as an official journal and to publish various official proceedings and financial information in the official journal.

Existing law provides that a newspaper shall meet specified criteria to qualify for selection as an official journal of a political subdivision. New law modifies some of those criteria as follows:

- (1) Existing law provides that the newspaper has been published in an office physically located in the parish and maintained a general paid circulation in the parish where the political subdivision is located. Prior law provided that the newspaper shall have met both of these requirements for five years prior to selection. New law shortens this period to two years.
- (2) Existing law provides that the newspaper shall have been entered in a U.S. post office under a periodical permit. Prior law required that the newspaper had been entered under a periodical permit in the parish for five consecutive years prior to selection. New law shortens this period to two years and provides that such entry may be pursuant to a permit anywhere in the state.
- (3) Existing law, applicable to parishes, municipalities, and school boards, requires that the newspaper: has been published at regular intervals of not less than weekly, has been published for the dissemination of current news and intelligence of varied, broad, and general public interest, has not been published primarily for advertising purposes, and has maintained a general paid circulation to bona fide paying subscribers within the area the publication is required.

Prior law required that the newspaper meet these publishing requirements during each year of the five-year period prior to its first publication of a legal or official notice. New law shortens this period to two years.

- (4) New law authorizes selection of a newspaper that would be precluded from selection as an official journal solely because specific notice publication requirements require a more frequent publishing schedule than the newspaper's actual schedule *if* the newspaper can publish the notice in a time period that is not more than five days longer than the period otherwise required by law. Provides that if such a newspaper is selected, any publication that is completed within the five additional days is deemed to be in compliance with the applicable publishing requirements.

- (5) New law provides that in parishes that meet the following criteria, the period during which a newspaper shall have met certain publishing requirements to qualify as an official journal of a political subdivision is one year:
- (a) There is not a newspaper that is eligible to be selected as an official journal.
 - (b) The population of the parish is fewer than 200,000.
 - (c) If the population of the parish is greater than 100,000, it is not adjacent to a parish with a population greater than 200,000.

New law requires that each official journal, for the state or a political subdivision, include a statement of the cost charged to the state agency or subdivision for publication with any information it publishes pursuant to a legal requirement. Prohibits the official journal from charging the agency or political subdivision for printing this statement of cost.

Effective August 1, 2024.

(Amends R.S. 43:81(A), 140(3)(intro. para.), 142, and 171(A)(2) and (3); Adds R.S. 43:81.1, 140.1, 140.2, 147.3, 171.1, 171.2, and 175; Repeals R.S. 43:171(B))