

ACT No. 178

HOUSE BILL NO. 650 (Substitute for House Bill No. 507 by Representative Edmonds)

BY REPRESENTATIVE EDMONDS

1 AN ACT

2 To amend and reenact R.S. 43:140(3)(introductory paragraph) and 147(A) and (B), to enact
3 R.S. 43:141.1, 143.1, 147.1, and 147.2, and to repeal R.S. 43:147 and 147.2, relative
4 to official journals of parishes, municipalities, and school boards; to provide relative
5 to the publication of public notices and proceedings of such political subdivisions;
6 to provide with respect to compensation for printing; to provide relative to billing
7 and verification with respect to publication; to require that official journals have
8 websites and post proceedings and public notices on those websites; to require
9 publication of proceedings and notices on a collective website; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 43:140(3)(introductory paragraph) and 147(A) and (B) and hereby
13 amended and reenacted and R.S. 43:141.1, 143.1, 147.1, and 147.2 are hereby enacted to
14 read as follows:

15 §140. Definitions

16 As used in this Chapter, the following terms shall have the meanings ascribed
17 to them in this Section:

18 * * *

19 (3) "Newspaper" shall mean a publication that complies with the requirement
20 of R.S. 43:141.1(A) and during each year of the five-year period prior to the first
21 publication of any legal or official notice therein:

22 * * *

1 §141.1. Requirement for website

2 A. Every official journal selected pursuant to this Part shall have a website
3 and shall post all official proceedings and public notices that it publishes on that
4 website and on a collective website in which a majority of the state's official journals
5 participate.

6 B. Parish and municipal governing authorities and school boards may
7 publish on their respective websites a copy of the official proceedings and public
8 notices that they are required to publish in their official journals.

9 * * *

10 §143.1. Publications; errors and omissions; billing; retention period

11 A. Except where constitutionally infirm, any fault in the publication of any
12 official proceeding or public notice to be published in the official journal that is not
13 due to the negligence of the public body shall not affect the validity of the
14 publication of the proceeding or notice.

15 B.(1) An official journal that publishes official proceedings and public
16 notices shall, within thirty days after such a publication, submit a bill for the
17 publication with a copy of the original published proceeding or notice and a verified
18 statement that does both of the following:

19 (a) States the rate charged to the political subdivision for the publication.

20 (b) Certifies the number and dates of publication.

21 (2) No compensation for such publishing is payable unless the bill is
22 accompanied by the verified statement required in this Subsection.

23 C.(1) Official proceedings and public notices shall be retained by the
24 Louisiana Public Notice program promulgated by the Louisiana Press Association
25 for a minimum period of three years.

26 (2) Official proceedings and public notices shall be retained by the political
27 subdivision in accordance with R.S. 44:36.

28 * * *

1 §147. Compensation for printing

2 A. ~~The police juries, municipal corporations, and school boards throughout~~
3 ~~the state, may, at their option, have their official proceedings and public notices~~
4 ~~published by contract, which contract may not provide for a cost in excess of the~~
5 ~~maximum amounts hereinafter provided for. Payment may be made monthly or~~
6 ~~quarterly at the option of the police jury, municipal corporation, or school board,~~
7 ~~unless otherwise provided in any contract entered into for the publication of official~~
8 ~~proceedings. The parish and municipal governing authorities and school boards of~~
9 ~~this state may have their official proceedings and public notices published by~~
10 ~~contract, compensation for which shall not exceed the amounts provided by this~~
11 ~~Section unless agreed by both parties in writing. Payment may be made monthly or~~
12 ~~quarterly at the option of the governing authority or school board.~~

13 B. ~~When the publication of proceedings is not done by contract providing for~~
14 ~~a lesser amount, the cost of advertisement in all parishes which do not contain a city~~
15 ~~of over one hundred thousand population shall not exceed the rate of six dollars per~~
16 ~~square of one hundred words or a fraction thereof. When the insertion contains~~
17 ~~material to be set in tabular form, the tabulated matter shall be computed on the basis~~
18 ~~of the number of words of straight matter which would occupy identical space.~~

19 * * *

20 §147.1. Compensation for printing; per character

21 A. The parish and municipal governing authorities and school boards of this
22 state may have their official proceedings and public notices published by contract,
23 compensation for which shall not exceed the amounts provided by this Section unless
24 agreed to by both parties in writing. Payment may be made monthly or quarterly at
25 the option of the governing authority or school board.

26 B.(1) In all parishes that do not contain a city with a population of more than
27 one hundred thousand, the cost of publishing official proceedings and public notices
28 shall not exceed the rate of one and one-half cents per character. When the insertion
29 contains material to be set in tabular form or is submitted prebuilt, the rate will be
30 computed at two dollars seventy-six cents per square inch based on six-point type

1 and six-point font. If the notice is set in larger type or font, the rate shall be prorated.
 2 Regardless of the size of type the notice is set in, the rates specified in this Paragraph
 3 are based on a printable space of one-inch-high and one-inch-wide column. If the
 4 page width is either wider or narrower for a single column, the rate per column shall
 5 be prorated.

6 (2) In all parishes that contain a city with a population of more than one
 7 hundred thousand, the cost of publishing official proceedings and public notices shall
 8 not exceed the rate of two cents per character. When the insertion contains material
 9 to be set in tabular form or is submitted prebuilt, the rate will be computed at three
 10 dollars ninety-six cents per square inch based on six-point type and six-point font.
 11 If the notice is set in larger type or font, the rate shall be prorated. Regardless of the
 12 size of type the notice is set in, the rates specified in this Paragraph are based on a
 13 printable space of one-inch-high and one-inch-wide column. If the page width is
 14 either wider or narrower for a single column, the rate per column shall be prorated.

15 (3) For purposes of this Subsection, "character" means an alphanumeric
 16 character and any punctuation or other character, all of which have been requested
 17 by the public body, and shall not include letting, kerning, or spacing unless
 18 additional letting, kerning, or spacing is ordered by the public body at a cost agreed
 19 to in writing.

20 C. The charge for publication of official proceedings and public notices on
 21 the website of either the official journal or a public notice website in which official
 22 journals participate shall be subsumed within the applicable publication rate.

23 §147.2. Compensation for printing; January 1, 2024, through December 31, 2026

24 A. Notwithstanding the provisions of R.S. 43:147.1, from January 1, 2024,
 25 through December 31, 2026, any qualified newspaper may submit a bid using the
 26 provisions of R.S. 43:147 or the provisions of R.S. 43:147.1, or both, at the
 27 newspaper's option, and any such bid may be accepted by the governing authority.

28 B. Notwithstanding any other provision to the contrary, beginning January 1,
 29 2027, qualified newspapers shall submit to parish and municipal governing
 30 authorities and school boards, upon the request of any such body, bids for official

1 proceeding and public notice by online publication pursuant to R.S. 43:147.1, unless
2 the governing body requests otherwise.

3 C. Any online publication pursuant to this Section shall include, at no
4 additional charge unless agreed by the parties, a printed advertisement that describes
5 the subject matter of the publication by the parish or municipal governing authority
6 or school board and directs readers to the location of the full online publication on
7 the website of the official journal or on a public notice internet website in which a
8 majority of the state's official journals participate.

9 Section 2. R.S. 43:147 and 147.2 are hereby repealed in their entirety.

10 Section 3. The provisions of R.S. 43:141.1 as enacted by this Act shall be
11 implemented not later than January 1, 2024.

12 Section 4.(A) Sections 1 and 3 and this Section of this Act shall become effective
13 on August 1, 2023.

14 (B) Section 2 of this Act shall become effective on July 1, 2027.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____