
DIGEST

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Cromer

HB No. 699

Abstract: Relative to criteria for selection of a newspaper as the official journal of a political subdivision or for publication of legal advertisements and notices, removes requirements relative to paid circulation and periodical permits for such newspapers.

Official Journal

Present law establishes criteria that newspapers must meet in order to be eligible to be selected as an official journal of a political subdivision.

Present law (R.S. 43:140) defines terms for the law providing for selection of an official journal of a parish, municipality, or school board.

Defines "newspaper" as a publication that during each year of the preceeding five-year period prior to selection as official journal met all of the following criteria:

- (1) Was published at least weekly.
- (2) Originated and was published for the purpose of delivering news of general public interest and is not devoted to the interests or entertainment of any one particular group or class.
- (3) In more than half of its issues, contained less than 75% advertising.
- (4) Maintained a general paid circulation to paying subscribers within the publication area required.

Proposed law removes the requirements of paid circulation and paying subscribers. Further repeals definitions related to such paid circulations and paying subscriber requirements.

Present law (R.S. 43:171) provides that only a newspaper that meets the following criteria may be selected as an official journal by other political subdivisions:

- (1) Must have been published in an office physically located in the political subdivision for at least five years prior to its selection.
- (2) During that five-year period, may not have missed three or more consecutive issues

unless caused by fire, flood, strike, or natural disaster.

- (3) Must have maintained a general paid circulation in the political subdivision for five consecutive years prior to the selection.
- (4) Must have possessed a valid periodical permit from the U.S. Postal Service for a period of five consecutive years prior to selection.

Proposed law removes the requirement that the general circulation be paid. Further removes the requirement that the newspaper possess a valid periodical permit.

Judicial Advertisements and Legal Notices

Present law (R.S. 43:200, et. seq) requires parishes to select a newspaper to run judicial advertisements and legal notices.

Present law establishes definitions for the provisions relating to selection of such newspaper. Provides an identical definition of "newspaper" as that used for selection of an official journal. Proposed law removes the requirements of paid circulation and paying subscribers. Further repeals definitions related to such paid circulations and paying subscriber requirements.

Present law provides that the definition of "newspaper" applies to all parishes. Proposed law retains present law.

Present law relative to all parishes except Orleans (R.S. 43:201) provides that only a newspaper that meets the following criteria may be selected to run judicial advertisements and legal notices:

- (1) Must have been published in an office physically located in the parish for at least five years prior to its selection.
- (2) During that five-year period, may not have missed three or more consecutive issues unless caused by fire, flood, strike, or natural disaster.
- (3) Must have maintained a general paid circulation in the parish for five consecutive years prior to the selection.
- (4) Must have possessed a valid periodical permit from the U.S. Postal Service for a period of five consecutive years prior to selection.

Proposed law removes the requirement that the general circulation be paid. Further removes the requirement that the newspaper possess a valid periodical permit.

Present law relative to Orleans parish (R.S. 43:202) provides that only a newspaper that meets the following criteria may be selected:

- (1) Must be published in an office physically located in Orleans Parish.

- (2) Must be published in English.
- (3) Must have been published as a daily paper for at least five years prior to selection.
- (4) Must have possessed a valid periodical permit from the U.S. Postal Service for a period of five consecutive years prior to selection.

Proposed law removes the requirement that the newspaper possess a valid periodical permit.

(Amends R.S. 43:140(3)(d), 142(A), 171(A)(2), 200(3)(d), 201(B), and 202(A); Repeals R.S. 43:140(1), (2), and (4) and 200(1), (2), and (4))