

HB106 INTRODUCED



1 DGS3TH-1
2 By Representative Almond
3 RFD: County and Municipal Government
4 First Read: 07-Mar-23
5



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Under existing law, political subdivisions of counties and municipalities are often required to publish or advertise notices in the newspaper.

This bill would provide that a county, municipality, or political subdivision of a county or municipality may satisfy a notice requirement by publishing the notice on a website maintained by the county or municipal governing body or the state.

A BILL
TO BE ENTITLED
AN ACT

Relating to counties and municipalities; to add Section 11-80-19 to the Code of Alabama 1975, to provide that a county, municipality, or political subdivision of a county or municipality may satisfy a notice requirement by publishing the notice on a website maintained by the state or county or municipal governing body.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 11-80-19 is added to the Code of Alabama 1975, to read as follows:

§11-80-19



HB106 INTRODUCED

29 (a) For the purposes of this section, the following
30 terms have the following meanings:

31 (1) GOVERNMENTAL WEBSITE. A website maintained by a
32 county or municipality, a website maintained by the state for
33 the purpose of posting legal notices, or a website maintained
34 by a third party that has been officially designated by the
35 county or municipality as a repository for the purpose of
36 posting legal notices; provided, however, that a governmental
37 website must be capable of storing and retrieving the legal
38 notice, providing access to the general public without charge,
39 and providing proof of posting in a form prescribed by the
40 local government.

41 (2) LEGAL NOTICE. Any notice, advertisement,
42 publication, statement, or other matter of whatever kind or
43 character required by state law to be published in a newspaper
44 or posted where there is no published newspaper.

45 (3) LOCAL GOVERNMENT. A county or municipality,
46 political subdivision of a county or municipality, board,
47 quasi-judicial body, agency, commission, committee appointed
48 by the governing body, or instrumentality, including, but not
49 limited to, any corporation or other instrumentality whose
50 governing board is comprised of a majority of members who are
51 appointed or elected by a county or municipality, or an
52 elected or appointed official or officer of a county or
53 municipality.

54 (b) Notwithstanding any provision of state or local law
55 to the contrary, a local government may satisfy its legal
56 notice requirement by posting the legal notice on a



HB106 INTRODUCED

57 governmental website in lieu of publishing the legal notice in
58 a newspaper or posting it as otherwise prescribed by law.

59 (c) Nothing in this section shall be construed to
60 affect specific publication requirements prescribed by the
61 state constitution.

62 Section 2. This act shall become effective on the first
63 day of the third month following its passage and approval by
64 the Governor, or its otherwise becoming law.