

The Senate Committee on State and Local Governmental Operations offered the following substitute to SB 406:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties, municipal corporations, and other governmental
3 entities, so as to provide an additional manner of publishing certain legal notices by counties
4 and municipalities; to provide for a definition; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general
9 provisions applicable to counties, municipal corporations, and other governmental entities,
10 is amended by adding a new Code section to read as follows:

11 "36-80-29.

12 (a) As used in this Code section, the term 'website' shall mean:

13 (1) A website maintained by a county or municipal legal organ;

14 (2) A website maintained by a newspaper of general circulation that is not a designated
15 legal organ;

16 (3) The Georgia Public Notice website or any other website maintained by an
17 organization or collection of two or more legal organs; or

18 (4) A website maintained by a county or municipal government.

19 (b) Except as otherwise provided in subsection (a) of Code Section 28-1-14, in any case
20 where a county or municipality is required to publish a legal notice in the county or
21 municipal legal organ or other newspaper of general circulation, such notice may
22 additionally be published by posting such notice on one or more websites.

23 (c) In the event that the legal organ or other newspaper of general circulation fails to
24 publish the notice despite such notice being properly submitted to such legal organ or
25 newspaper, the date of first posting on the website shall serve as the publication date;

26 provided, however, that such publication date shall not be prior to the date on which such
27 notice should have been published by such legal organ or newspaper.
28 (d) Postings on the website shall remain in place until the conclusion of the event or action
29 being advertised, provided that no website as defined in paragraphs (1) through (3) of
30 subsection (a) of this Code section shall be required to maintain such posting for a period
31 in excess of one year.
32 (e) In any case where the legal organ or other newspaper of general circulation fails to
33 publish the notice, postings on the website shall satisfy any and all legal requirements of
34 adequate notice to the public."

35 **SECTION 2.**

36 All laws and parts of laws in conflict with this Act are repealed.