

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6912
BILL NUMBER: SB 283

NOTE PREPARED: Jan 3, 2022
BILL AMENDED:

SUBJECT: Electronic Publication of Notices.

FIRST AUTHOR: Sen. Buck
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill allows a political subdivision or local public official to publish notices on the political subdivision's official web site instead of in a newspaper. It allows the Department of Natural Resources (DNR) to publish a notice regarding a bond release for a surface coal mining and reclamation operation on the official web site of a county where the operation is located instead of in the newspaper. It resolves conflicts between two versions of a statute passed in P.L.22-2021 and P.L.152-2021 by repealing both versions of the statute and adding new statutes. It makes various stylistic changes.

Effective Date: July 1, 2022.

Explanation of State Expenditures: The bill allows the director of the DNR to publish a notice regarding a bond release for a surface coal mining and reclamation operation on the official web site of a county where the operation is located instead of in the newspaper, which could reduce expenditures. (See *Explanation of Local Expenditures.*)

Explanation of State Revenues:

Explanation of Local Expenditures: The bill extends the option of publishing notices on an official web site to entities which previously did not have that option. It also allows political subdivisions to publish all legal notices (not just subsequent publications) on an official web site. These provisions could reduce the number of legal advertisements published in the newspaper. If the political subdivision has the capacity to maintain the legal advertisements without additional staff or website updates, overall expenditures for legal notice advertising could be reduced. The bill requires that one day prior to the publication of any notice on the web site, a political subdivision must publish information in the newspaper(s), including their web

address for their home page, a statement that the political subdivision publishes notices on their web site, and a statement that a link displayed on their home page provides access to their notices.

Additional Information - A political subdivision includes all local units and bodies created or established under law. Generally, there are three types of legal advertising required by state statute for political subdivisions:

- (1) Annual, such as annual financial reports.
- (2) Specific, such as a court notice or notices of foreclosed property sales.
- (3) Event-based, such as public meetings in a merger of governments.

A 2013 Legislative Services Agency study of budget advertisements (subsequently repealed) found the average cost for a taxing unit to publish its budget was \$167. Using the maximum statutorily allowed increase in advertising of 2.75% per year, the estimated cost of similar advertising would be \$213.18 in 2021. Comparison of advertising cost between the budget and other currently required publications is unknown. Current law allows an additional charge for the publication of tables.

Explanation of Local Revenues:

State Agencies Affected: Department of Natural Resources.

Local Agencies Affected: Political subdivisions.

Information Sources:

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