

Regular Session, 2012

HOUSE BILL NO. 943

BY REPRESENTATIVE GAROFALO

OFFICIAL JOURNALS: Provides relative to the official journal in certain political subdivisions

1 AN ACT

2 To amend and reenact R.S. 43:140(3), relative to official journals of political subdivisions;
3 to provide for a revised definition of newspaper; to provide for requirements; to
4 provide an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 43:140(3) is hereby amended and reenacted to read as follows:

7 §140. Definitions

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

10 * * *

11 (3)(a) "Newspaper" shall mean a publication that during each year of the
12 five-year period prior to the first publication of any legal or official notice therein:

13 ~~(a)~~ (i) Has been published at regular intervals of not less than weekly.

14 ~~(b)~~ (ii) Has been originated and published for the dissemination of current
15 news and intelligence of varied, broad, and general public interest, including regular
16 news coverage of local public meetings and events, and is not devoted to the interests
17 of, or published for the entertainment or instruction of, or has a circulation restricted
18 to, any particular sect, denomination, labor or fraternal organization, or other special
19 group or class of citizens.

- (1) Has been published for 5 consecutive years prior to being selected as the official journal.
- (2) Has been published at regularly and at least weekly.
- (3) Its purpose is to cover news and intelligence of "varied, broad, and general public interest" and is not published merely for entertainment or published for a selective audience.
- (4) Has not been published primarily for advertising purposes and has not contained more than seventy-five percent advertising in more than one-half of its issues.
- (5) Has maintained a general paid circulation to bona fide paying subscribers within the parish, municipality, or school board district boundaries.

Proposed law that in any parish having a population between 35,700 persons and 39,000 persons according to the latest federal decennial census, the term "newspaper" as used in present law shall also mean a paper that meets the following criteria:

- (1) Has been published for at least 6 months (instead of the 5 years required in present law).
- (2) Has been published at regularly and at least weekly.
- (3) Its purpose is to cover news and intelligence of "varied, broad, and general public interest" and is not published merely for entertainment or published for a selective audience.
- (4) Has not been published primarily for advertising purposes and has not contained more than seventy-five percent advertising in more than one-half of its issues.
- (5) Is not required to have a periodical permit issued by a U.S. Post Office in the parish.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 43:140(3))