

SENATE BILL NO. 709

BY SENATOR WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 43:19, 19.1, 24(B) and (C), 81, 82, and 89, and to enact R.S.  
3 43:24(D), and to repeal R.S. 43:87, relative to the publication of acts of the  
4 legislature; to provide relative to the Official Journal of the State; to provide relative  
5 to printing contracts; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 43:19, 19.1, 24(B) and (C), 81, 82, and 89 are hereby amended and  
8 reenacted and R.S. 43:24(D) is hereby enacted to read as follows:

9 §19. Laws to be printed in book form; style of printing; number of copies

10 The acts of the legislature shall be published in book form, in the English  
11 language, with a list of the acts, the dates of their promulgation and an index thereto.  
12 Below each act shall be printed the date of approval by the governor, if approved, or  
13 by the legislature in the case of vetoed bills becoming law upon reconsideration by  
14 the legislature, ~~and also the date of the publication thereof in the official journal of~~  
15 ~~the state.~~ The number of copies printed shall be at the discretion of the secretary of  
16 state but shall not exceed one thousand five hundred copies. The copies shall be  
17 delivered to the secretary of state as soon as possible after the adjournment of the  
18 legislature.

19 §19.1. Legislative web site

20 Any legislative or governmental instrument, journal, index, order, report, or  
21 other official document of the state which has previously been published in the  
22 official journal of the state as provided for in ~~this Title~~ **R.S. 43:81(A)** may be made  
23 accessible on the official Internet web site or portal of the Louisiana State  
24 Legislature.

25 \* \* \*

26 §24. Acts; numbering; **printing**; publication

27 \* \* \*

1 B. The secretary of state shall, upon request, deliver copies of the acts, in  
 2 numerical order by act number, to the person, firm, or corporation to whom the  
 3 contract for printing acts was awarded. ~~He shall also deliver copies of the acts in the~~  
 4 ~~same order to the state printer of the Official Journal of the State for publication in~~  
 5 ~~the official journal.~~ The acts shall be published in numerical order by act number.  
 6 The secretary of state shall endorse in the register required in Subsection A ~~above of~~  
 7 **this Section** the date and time of delivery of the acts ~~for publication in the official~~  
 8 ~~journal and for printing of the acts.~~

9 C. The secretary of state shall take all necessary actions to cause the acts and  
 10 joint resolutions of the legislature to be ~~printed in~~ **made accessible on the Internet**  
 11 **website or portal of** the Official Journal of the State within the time limits  
 12 established by R.S. 43:87 ~~43:81~~. ~~He shall also take all necessary actions to cause the~~  
 13 ~~date of such publication in the official journal to be printed below each act in the acts~~  
 14 ~~published as provided in R.S. 43:19.~~

15 **D. (1) Within sixty days following the final adjournment of a regular,**  
 16 **extraordinary, or emergency session of the legislature, the secretary of state**  
 17 **shall cause a notice to be published once in the official journal of each parish,**  
 18 **informing the public where the full text of the acts of the legislature may be**  
 19 **viewed. Requirements for the notice shall include:**

20 **(a) The notice shall appear in a box format with a bolded outline in a size**  
 21 **of not less than three columns by ten and one half inches or a comparable size.**

22 **(b) Appropriately-sized headline typeface shall be used.**

23 **(c) The language of the notice shall be prepared by the secretary of state**  
 24 **and shall include the website address for the Official Journal of the State.**

25 **(2) The cost of each notice required by Paragraph (1) of this Subsection**  
 26 **shall be a maximum of ninety percent of the commercial display advertising**  
 27 **rate charged by the official journal of each parish for a similar volume of**  
 28 **business.**

29 \* \* \*

30 §81. Official journal of state

1            A. The printing of advertisements, public notices, proclamations ~~and the~~  
 2            ~~promulgation of all laws and joint resolutions of the legislature~~, and all public  
 3            notices and advertising to be done by the legislature, or the executive or other  
 4            departments and institutions of the state government, shall be published in a daily  
 5            newspaper to be known and designated as the "Official Journal of the State", which  
 6            newspaper shall have and possess the following qualifications, ~~viz:~~

7                    (1) It shall possess the ~~second~~ **periodicals** class mailing privilege.

8                    (2) It shall be published in the city of Baton Rouge, Louisiana.

9                    (3) It shall have been so published for at least six days per week for a period  
 10            of not less than two years prior to the time that it is awarded the contract as the  
 11            Official Journal of the State, as provided herein.

12                    (4) It shall have an audited paid daily circulation of not less than ten  
 13            thousand for at least one year prior to the time it is awarded the contract.

14                    ~~(5) The publisher thereof shall possess the capability and shall agree to~~  
 15            ~~publish all acts and joint resolutions of the legislature within the time limits~~  
 16            ~~established by R.S. 43:87.~~

17                    **B.(1) For the purposes of Article III, Section 19 of the Constitution of**  
 18            **Louisiana, the Official Journal of the State shall be the Internet website or**  
 19            **portal of the Official Journal of the State.**

20                    **(2) All laws and joint resolutions shall be accessible through the Official**  
 21            **Journal of the State as defined in this Subsection prior to the sixtieth day after**  
 22            **final adjournment of the session in which they were enacted and shall remain**  
 23            **accessible for at least one year. Any act that contains an effective date prior to**  
 24            **the sixtieth day after final adjournment shall be accessible prior to the effective**  
 25            **date contained therein, if possible, or if not possible, as soon as possible after**  
 26            **such effective date.**

27            §82. Contract to be let by bids; duration of contract

28                    The contract for printing by the "State Printer of the Official Journal of the  
 29            State" shall be let to the lowest bidder possessing the qualifications enumerated in  
 30            R.S. 43:81 ~~(A) hereof~~, and shall run for a period of two years beginning July first and

1 ending June thirtieth; provided, that the first contract which shall be awarded under  
 2 the provisions of this Chapter shall be effective on July 1, 1956.

3 \* \* \*

4 §89. Cancellation of contract for non-performance; letting of contract for unexpired  
 5 term; publication of notices or advertisements continued

6 A. Should the state printer of the official journal of the state fail to comply  
 7 with the provisions of the contract under the terms of which it or he was designated  
 8 as ~~such~~ state printer and ~~said contract be~~ **the contract is** cancelled for such failure  
 9 or ~~non-compliance~~ **noncompliance**, after two days' notice in writing to such state  
 10 printer and his failure to immediately resume his duties and obligations under ~~said~~  
 11 ~~such~~ contract, the ~~Division of Administration, Office of the Governor,~~ **division of**  
 12 **administration** shall give notice of the letting of the contract for the unexpired  
 13 portion of the ~~two-year~~ **two-year** term thereof by having an invitation for bids  
 14 inserted in three or more of the leading newspapers published in the state for three  
 15 weeks prior thereto, and all printing as provided for in this Chapter for ~~said~~ **the**  
 16 unexpired term shall be let in one contract; provided that if there is no other  
 17 newspaper published in the city of Baton Rouge, except one with the same principal  
 18 ownership, which meets the qualifications required by R.S. 43:81(~~A~~), ~~such contract~~  
 19 ~~for such~~ **the contract for the** unexpired term shall be made with a newspaper  
 20 published in the city of New Orleans possessing all the other qualifications required  
 21 by ~~said~~ R.S. 43:81(~~A~~) except that of domicile.

22 B. As soon as practicable after any such default in or cancellation of the  
 23 contract of the state printer, as hereinabove described, the ~~Division of~~  
 24 ~~Administration, Office of the Governor,~~ **division of administration** shall negotiate  
 25 with any other qualified newspaper published in the city of Baton Rouge, other than  
 26 one under the same principal ownership of the newspaper which is in default, or if  
 27 there be no other such qualified newspaper published in the city of Baton Rouge then  
 28 to negotiate with one published in the city of New Orleans for the publication under  
 29 the best possible terms of all printing required to be published in the official journal  
 30 of the state until such time as a new contract can be let for the unexpired portion of

1           ~~said two-year~~ **the two-year** term.

2                   C. Should any of the matter required to be printed under R.S. 43:81(A) have  
3           been published in the official journal of the state prior to the state printer's default  
4           under any contract under which it or he was designated as such state printer, the  
5           publishing of the same matter by the newspaper employed as state printer until such  
6           time as a new contract can be let for the unexpired portion of ~~said two-year~~ **the two-**  
7           **year** term, as provided in this Section, for the remaining number of times prescribed  
8           by law shall serve as a complete publication, without the necessity of ~~re-publishing~~  
9           **republishing** such matter for the number of times theretofore published by the state  
10          printer who has defaulted under any such contract. Should any of the matter required  
11          to be printed under R.S. 43:81(A) have been published in the newspaper employed  
12          as state printer until such time as a new contract can be let for the unexpired portion  
13          of ~~said two-year~~ **the two-year** term, as provided in this Section, the publishing of the  
14          same matter by the newspaper awarded the contract for the unexpired portion of ~~said~~  
15          ~~two-year~~ **the two-year** term for the remaining number of times prescribed by law  
16          shall serve as a complete publication, without the necessity of republishing such  
17          matter for the number of times theretofore published by the newspaper employed as  
18          state printer, as aforesaid.

19          Section 2. R.S. 43:87 is hereby repealed.

20          Section 3. This Act shall become effective on January 1, 2011.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_