

2022 -- H 7311

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- MODERNIZATION OF  
PUBLICATION OF LEGAL NOTICES, ADVERTISEMENTS AND OTHER WRITTEN  
MATTERS

Introduced By: Representative Thomas E. Noret

Date Introduced: February 02, 2022

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 8.3

4 MODERNIZATION OF PUBLICATION OF LEGAL NOTICES, ADVERTISEMENTS AND

5 OTHER WRITTEN MATTERS

6 **42-8.3-1. Purpose.**

7 The purpose of this chapter is to modernize the publication of legal notices and  
8 advertisements within the state and expand the public's access to such publications, in order that  
9 publication or posting in accordance with this chapter shall substitute and satisfy the requirements  
10 for the publication of any statutorily-required notice, advertisement, or other written matter in a  
11 newspaper.

12 **42-8.3-2. Definitions.**

13 As used in this chapter:

14 (1) "Official website" means the official Internet website that is maintained by the secretary  
15 of state and established in accordance with the rules and regulations promulgated in accordance  
16 with § 42-8.3-5.

17 (2) "Person" means any individual, corporation, partnership, association, legal entity,  
18 municipality, or public body. The term "person" shall also mean any authorized employee or agent

1 of any such individual, corporation, partnership, association, legal entity, municipality, or public  
2 body.

3 (3) "Secretary" means the secretary of state.

4 **42-8.3-3. Official website for publication of legal notice.**

5 (a) On January 1, 2023, and thereafter, notwithstanding any provision of the general or  
6 public laws to the contrary, any notice, advertisement, or other written matter required by state law  
7 to be published by a person, business, or nongovernmental entity in a newspaper shall be satisfied  
8 by publication or posting on the secretary of state's official website and publication in any local  
9 newspaper which is published and circulated weekly in the city or town in which the matter is to  
10 be acted upon and where the property, if any, subject to the notice is located.

11 (b) On January 1, 2023, and thereafter, with respect to state purchases, notwithstanding any  
12 provision of the general or public laws to the contrary, any notice, advertisement, or other written  
13 matter required by state law to be published in a newspaper shall be satisfied by publication or  
14 posting of notice on the secretary of state's official website and the website for the department of  
15 administration, to include, but not be limited to, invitations for bids for state purchases.

16 (c) On January 1, 2023, and thereafter, with respect to all state notices, including, but not  
17 limited to, unclaimed property, licenses, and property, notwithstanding any provision of the general  
18 or public laws to the contrary, any notice, advertisement, or other written matter required by state  
19 law to be published in a newspaper shall be satisfied by publication or posting on the secretary of  
20 state's official website and the website of the posting state department, division or office.

21 (d) On January 1, 2023, and thereafter, notwithstanding any provision of the general or  
22 public laws to the contrary, any notice, advertisement or other matter required by state law to be  
23 published in a newspaper by a municipality for municipal and local public hearings on any and all  
24 municipal and local matters to include, but not be limited to, zoning matters, and invitations to bid  
25 shall be satisfied by publication or posting on the secretary of state's official website, the  
26 municipality's website and by publication in any local newspaper which is published and circulated  
27 weekly in the municipality in which the matter is to be acted upon.

28 (e) On January 1, 2023, and thereafter, notwithstanding any provision of the general or  
29 public laws to the contrary, in all probate matters any notice required by newspaper publication  
30 shall be satisfied by publication or posting in compliance with subsection (d) of this section.  
31 Nothing in this section shall be construed as amending or cancelling any personal notice  
32 requirements related to any probate matter.

33 **42-8.3-4. Costs.**

34 There shall be no cost associated with the publication or posting of any notice,

1 advertisement, or other written matter on the official website.

2 **42-8.3-5. Rules and Regulations.**

3 (a) No later than one hundred twenty (120) days after the effective date of this chapter, the  
4 secretary of state shall promulgate rules and regulations to implement the provisions of this chapter.

5 (b) Such rules and regulations shall include:

6 (1) The ability to search the official website by statutory cite, keyword, and date of  
7 publication or posting;

8 (2) A mechanism by which the official website can send a subscribing person email  
9 notifications, including a choice of how often to receive such notifications and the option to  
10 terminate such notifications;

11 (3) A mechanism by which a person can submit a notice, advertisement, or other written  
12 matter for publication or posting on the official website; and

13 (4) A mechanism that prohibits the unauthorized alteration or manipulation of any original  
14 notice, advertisement, or other written matter on the official website.

15 SECTION 2. This act shall take effect upon passage; provided, however, that the notice  
16 provisions for the official website shall become operative on January 1, 2023.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would allow the publication of legal notices on the secretary of state's official  
2 website, and a corresponding local newspaper which would satisfy the requirements for the  
3 publication of any statutorily-required notice, advertisement, or other written matter in a  
4 newspaper.

5           This act would take effect upon passage; provided, however, that the notice provisions for  
6 the official website would become operative on January 1, 2023.

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