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H.483

SHORT FORM

Introduced by Representative Hooper of Montpelier

Referred to Committee on

Date:

Subject: Executive; public notice; electronic news media

Statement of purpose of bill as introduced: This bill proposes to allow the State and its political subdivisions to publish public notices on electronic news media in a manner designed to ensure that the people of Vermont are adequately and efficiently apprised of government activities. More specifically, this bill would:

(1) Amend current requirements for publication of notice in “newspapers of record” to allow the State and its political subdivisions to post public notice on electronic news media.

(2) Define “electronic news media” to reflect industry standards for journalism, establish trustworthiness, and provide free, convenient, and open access to public notices. The definition would limit electronic news media to those that are commonly used by Vermonters.

(3) Set standards for accessibility and security that an electronic news media site must meet in order to be considered a “newspaper of record.” These standards would include the ease of searching for notices, the permanent

1 retention of notices, and measures to secure notices from alteration or
2 tampering.

3 (4) Require the State or any of its political subdivisions to keep a
4 certified, physical record of each notice published on electronic news media.
5 Records would be certified by the State and its political subdivisions, and
6 would be kept available for public inspection.

7 (5) Ensure that amendments and additions to current law comport with
8 procedural due process requirements of the U.S. Constitution and the Vermont
9 Constitution. This bill would require that public notice on electronic news
10 media be reasonably structured to assure that the person to whom it is directed
11 may receive it.

12 (6) Require that the Secretary of State adopt rules to determine which
13 electronic news media shall be considered “newspapers of record” for the
14 purpose of publishing notice in each county. In determining whether
15 electronic news media will be considered a “newspaper of record” for a given
16 county, the Secretary would be required to consider the number of residents
17 without adequate Internet access.

18 (7) Provide that Vermont residents without access to an adequate
19 Internet connection still receive notice by publication in a conventional
20 “newspaper of record.”

