

1 S.97

2 Introduced by Senators Pollina and White

3 Referred to Committee on

4 Date:

5 Subject: Notice by publication; newspapers of record; electronic news media

6 Statement of purpose of bill as introduced: This bill proposes to allow the  
7 State and its political subdivisions to publish public notices on electronic news  
8 media designated as newspapers of record by the Secretary of State.

9 An act relating to the publication of State, county, and municipal notice on  
10 electronic news media

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 1 V.S.A. § 174 is amended to read:

13 § 174. NOTICE BY PUBLICATION

14 (a) When a notice is required to be given by publication in a newspaper, it  
15 shall mean a newspaper published in the county where the subject matter is  
16 situated, pending, or to be heard, or a newspaper published within the State  
17 ~~which~~ that has a general circulation. In ~~any case,~~ in its discretion, the court  
18 may cause such notice to be further published in a newspaper ~~which~~ that  
19 circulates in the neighborhood of the persons interested.

1       **(b)** Whenever a notice of any kind is required to be given by publication in  
2       a newspaper prior to a certain date for a certain number of weeks successively,  
3       it may be given by an insertion prior to such date once a week, for the number  
4       of successive weeks required, ~~either~~ in a daily, semiweekly, or weekly  
5       newspaper. If such publication is in a daily or semiweekly newspaper, such  
6       notice shall be inserted on the same day of each successive week.

7       **(c)** Whenever the State or its political subdivisions are required to publish  
8       notice in a newspaper, the State or political subdivision may publish the notice  
9       on electronic news media, as defined in 3 V.S.A. § 119. However, any notice  
10      affecting interests in property shall also be published in a conventional  
11      newspaper of record.

12      Sec. 2. 3 V.S.A. § 119 is added to read:

13      **§ 119. ELECTRONIC NEWS MEDIA; NOTICE BY PUBLICATION**

14      **(a)** “Electronic news media” means an Internet website dedicated to  
15      Vermont news that is regularly accessed and used by the people of Vermont.

16      Electronic news media shall meet the following criteria:

17              **(1)** The website publishes the majority of its content in the English  
18      language;

19              **(2)** The website must be accessible to not less than a majority of  
20      residents in each county where the notice is directed;

21              **(3)** The website is able to accept and publish official and other notices;

1           (4) The website regularly publishes information of a public character of  
2           interest to Vermont residents, property owners, or the general public.

3           (b)(1) An electronic news media website publishing public notice shall  
4           maintain a separate, clearly labeled area for current and active notices.

5           (2) An electronic news media website publishing public notice shall  
6           maintain a searchable database of stored notices. Stored notices shall be  
7           searchable by keyword, date, subject, and publishing governmental entity.

8           (c) The State and its political subdivisions shall keep records of notices  
9           published on electronic news media in the same manner that records of  
10          publication in a newspaper of record are kept. Notices published on electronic  
11          news media pursuant to this section shall also be kept in a physical form  
12          available for public inspection.

13          Sec. 3. EFFECTIVE DATE

14          This act shall take effect on January 1, 2018.