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FISCAL IMPACT REPORT

SPONSOR: Godbey DATE TYPED: 3/16/03 HB 667/aHJC

SHORT TITLE: Electronic Posting of Legal Notices SB _____

ANALYST: Maloy

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From
Office of the Attorney General

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee has amended House Bill 667 to provide that a failure to electronically post does not constitute grounds for challenging or otherwise delaying a proceeding if the proceeding had been properly noticed and advertised pursuant to the non-electronic notice requirements.

This amendment affirms the intent of electronic posting as a means of convenience, and not the primary means of providing notice.

Synopsis of Original Bill

House Bill 667 requires state agencies and political subdivisions to post and index legal notices and advertisements on their websites.

With regard to political subdivisions, the requirement is to be imposed only if the subdivision has a website.

Significant Issues

1. Electronic posting is intended as an additional manner of posting, not a substitute for required publication of legal notices and advertisements.
2. The bill assumes all state agencies have web sites. Are there any agencies that do not?
3. The term “legal notices and advertisements” should be clarified or defined.

Unless the term “legal notices and announcements” is intended to cover only notices required and regulated by law, the term should likely be defined in the bill to clarify it is to include all announcements of interest to the public regardless of whether they are required by law.

4. The electronic posting is not to be in lieu of other currently existing posting requirements, such as in the newspaper or the State’s Records and Archives publications.

FISCAL IMPLICATIONS

Any fiscal or administrative impact from complying with HB 667 would be minuscule.

SJM/njw:yr