
**State Government Operations &
Accountability Committee**

HB 1717

Brief Description: Conforming legal notice broadcast requirements to current practice.

Sponsors: Representatives McDermott and Nixon.

Brief Summary of Bill

- Removes a requirement that radio and television broadcasts of legal notices be made only by radio and television station personnel.
- Requires the radio or television station making the broadcast to provide written documentation of proof of publication, and removes the requirement for an affidavit.

Hearing Date: 2/15/05

Staff: Hannah Lidman (786-7291).

Background:

Radio or television may be used as a form of legal notice publication if a state or local official finds that the public interest would be served by doing so. This form of publication is supplementary to the traditional method of legal publication, in newspapers.

Legal notices broadcast on television or radio are required to be only read or shown. They may contain the time, place and nature of the notice. They may not reference any person by name if that person is a candidate for political office at the time of the notice. Broadcasts of notices may only be made by personnel of the radio or television station.

Any radio or television station broadcasting a legal notice must provide proof of publication by an affidavit from the station's manager, assistant manager, or program director. The station must keep a copy of the text of the notice for public inspection for six months after the broadcast.

Summary of Bill:

The requirement that radio or television broadcasts of legal notices must be made only by television and radio station personnel is removed.

Affidavits from station personnel are no longer required as proof of publication. Written proof from the station is sufficient to prove the legal notice was given. The requirement to keep a text copy of the notice for public inspection for six months after the broadcast is repealed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.