

HOUSE BILL REPORT

HB 1552

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to broadcast of legal notices.

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

Sponsors: Representatives McDermott, Wood, Hunt, Green, Ormsby, Appleton and Miloscia.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/9/07, 2/20/07 [DPS].

Brief Summary of Substitute Bill

- Removes the 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 affidavit requirement.
- Repeals the section requiring that a station retain for public inspection the text of a legal notice for six months after the broadcast.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

Staff: Alison Hellberg (786-7152).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The traditional method of legal publication is in newspapers. A state or local official may supplement publication with a radio or television broadcast if that official finds that the public interest would be served by doing so.

Legal notices broadcast on radio or television must be either read or shown. They may not reference a person who is a candidate for public 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 Substitute Bill:

The requirement that radio or television broadcasts of legal notices must only be made by station personnel is removed. Affidavits from station personnel are no longer required. 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.

Substitute Bill Compared to Original Bill:

Notices by political subdivisions may be made only by stations whose signals are received within the county of origin of the legal notice.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill has passed the House many times, but dies in the Senate. Essentially this bill makes the statute conform to current practice. This law has been in existence for over 40 years and has not changed since 1961. The requirement that notices by political subdivisions may be made only by stations situated within the county of origin of the legal notice should also be removed. It is antiquated and does not reflect the current practice.

(Opposed) None.

Persons Testifying: (In support) Representative McDermott, prime sponsor; and Becky Bogard, Washington State Association of Broadcasters.

Persons Signed In To Testify But Not Testifying: None.