

1 S.174

2 Introduced by Senator 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 and defines “electronic news media” for purposes of notice by
9 publication.

10 An act relating to publication of State, county, and municipal notices on
11 electronic news media

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

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

14 § 174. NOTICE BY PUBLICATION

15 (a) When a notice is required to be given by publication in a newspaper, it
16 shall mean a newspaper published in the county where the subject matter is
17 situated, pending or to be heard, or a newspaper published within the State
18 ~~which~~ that has a general circulation. In ~~any case,~~ in its discretion, the court
19 may cause ~~such~~ the notice to be further published in a newspaper ~~which~~ that
20 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~~ that date once a week, for the
4 number 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)** As used in this section, “electronic news media” means an Internet
15 website dedicated to Vermont news that is regularly accessed and used by the
16 people of Vermont. 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.

1 (3) For municipal notices, the website must be regularly accessed and
2 trafficked by a number of persons from that municipality representing not less
3 than 50 percent of the municipality's population.

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

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

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

11 (c) The State and its political subdivisions shall maintain records of notices
12 published on electronic news media in the same manner as records of notices
13 published in a newspaper of record.

14 Sec. 3. EFFECTIVE DATE

15 This act shall take effect on July 1, 2022.