

**House County and Municipal Government Engrossed
Substitute for HB106**



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A BILL
TO BE ENTITLED
AN ACT

Relating to counties and municipalities; to add Section 11-80-19 to the Code of Alabama 1975, to provide that a **local government** may satisfy a **legal** notice requirement by publishing the notice on a website maintained by the state or **local government**.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 11-80-19 is added to the Code of Alabama 1975, to read as follows:

§11-80-19

(a) For the purposes of this section, the following terms have the following meanings:

(1) GOVERNMENTAL WEBSITE. A website maintained by a ~~county or municipality~~ **local government**, a website maintained by the state for the purpose of posting legal notices, or a website maintained by a third party that has been officially designated by the ~~county or municipality~~ **local government** as a repository for the purpose of posting legal notices; provided, however, that a governmental website must be capable of storing and retrieving the legal notice, providing access to



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29 the general public without charge, and providing proof of
30 posting in a form prescribed by the local government.

31 (2) LEGAL NOTICE. Any notice, advertisement,
32 publication, statement, or other matter of whatever kind or
33 character required by state law to be published in a newspaper
34 or posted where there is no published newspaper.

35 (3) LOCAL GOVERNMENT. A county or municipality,
36 political subdivision of a county or municipality, board,
37 quasi-judicial body, agency, commission, committee appointed
38 by the governing body, or instrumentality, including, but not
39 limited to, any corporation or other instrumentality whose
40 governing board is comprised of a majority of members who are
41 appointed or elected by a county or municipality, or an
42 elected or appointed official or officer of a county or
43 municipality.

44 (b) (1) Notwithstanding any provision of state or local
45 law to the contrary, a local government may satisfy its legal
46 notice requirement by posting the legal notice on a
47 governmental website in lieu of publishing the legal notice in
48 a newspaper or posting it as otherwise prescribed by law.

49 (2) The local government that is required by law to
50 publish a legal notice shall determine the governmental
51 website upon which the notice is to be published. The notice
52 or a link to the notice shall be posted on the homepage of the
53 governmental website.

54 (c) Nothing in this section shall be construed to
55 affect specific publication requirements prescribed by the
56 state constitution.



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57 Section 2. This act shall become effective ~~on the~~
58 ~~first day of the third month~~ January 1, 2024, following its
59 passage and approval by the Governor, or its otherwise
60 becoming law.