

1 SB448
2 117831-5
3 By Senators Holtzclaw, Beasley, Sanford and Marsh
4 RFD: Judiciary
5 First Read: 26-APR-11

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8 SYNOPSIS: Under existing law, legal notices are
9 published in a newspaper or posted at a particular
10 location.

11 This bill would authorize any legal notice
12 published in a county or municipality to be
13 published on an Internet website.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 To authorize the electronic publication of legal
20 notices.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. As used in this act, the following terms
23 shall have the following meanings:

24 (1) LEGAL NOTICE. A notice, advertisement,
25 publication, statement, or report or an abstract of a notice,
26 advertisement, publication, statement, or report required by
27 law or rule to be published in a newspaper.

1 (2) NOTICE WEBSITE. An Internet website, or
2 successor technology, maintained by a nongovernmental entity,
3 that the judge of probate or city clerk, as the case may be,
4 determines, based on usage, familiarity in the community, and
5 availability, will provide adequate notice to the intended
6 audience.

7 Section 2. Notwithstanding any other provision of
8 law, a legal notice required by law or rule to be published in
9 a county or within a municipality in the county may be
10 published on a notice website and is not required to be
11 published in a newspaper. A legal notice published by a county
12 or a municipality must also be posted at the principal office
13 of the county or municipality.

14 Section 3. Notices shall remain available on the
15 notice website at least until the last posting date required
16 by law has expired.

17 Section 4. The notice website shall contain a
18 listing of all current legal notices with a search function
19 that provides public accessibility to such notices.

20 Section 5. All laws or parts of laws which conflict
21 with this act are repealed.

22 Section 6. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.