

BILL ANALYSIS

C.S.H.B. 3759
By: Nevárez
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the costs incurred by small communities for publishing notices in certain large newspapers in order to comply with law. C.S.H.B. 3759 seeks to give such communities the flexibility to choose a newspaper that will reach the greatest number of affected citizens at an affordable cost.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3759 amends the Government Code to specify that, for purposes of the type of newspaper required for publication of a notice by a governmental entity or representative, the applicable newspaper may be a newspaper that has a mailed or delivered circulation to residences in the county where published as an alternative to being entered as second-class postal matter in that county. The bill removes from the characteristics of such an applicable newspaper in certain counties the specification that the newspaper's mailed or delivered circulation, if used as a qualifying characteristic, must be to at least 51 percent of the residences in the county.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3759 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include an authorization for a governmental entity or representative in certain municipalities and counties to satisfy a requirement of any other law to provide notice by publication in a newspaper by posting the notice in any newspaper that is circulated in the governmental entity's jurisdiction. The substitute does not include provisions making related changes to the applicability of newspaper requirements for purposes of required notice publication in certain counties.

The substitute includes provisions establishing that the type of newspaper required for publication of a notice by a governmental entity or representative may be a newspaper that has a mailed or delivered circulation to residences in the county where published as an alternative to being a certain postal classification, among other requirements.