

HOUSE BILL NO. HB0242

Statewide official notices website.

Sponsored by: Representative(s) Loucks and Senator(s) Nethercott

A BILL

for

1 AN ACT relating to publication of legal notices; creating the
2 statewide official notices website; requiring publication of
3 legal notices on the official notices website rather than in
4 a newspaper; providing for rulemaking; requiring reports;
5 providing an appropriation; and providing for effective
6 dates.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 9-2-1038 and 9-2-1039 are created to
11 read:

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13 **9-2-1038. Statewide official notices website.**

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1 (a) The secretary of state shall create and administer
2 a website for the publication of legal notices. The website
3 shall be known and may be cited as the "statewide official
4 notices website."

5

6 (b) The statewide official notices website shall:

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8 (i) Allow a person who has internet access to use
9 the website without paying a fee;

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11 (ii) Accept from any person official notice
12 postings as required by law or regulation:

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14 (A) Using a form prescribed by the secretary
15 of state that collects information to enable posting in
16 conformation with statutory notice requirements;

17

18 (B) Without paying a fee.

19

20 (iii) Allow for notice publishing categories that
21 include sections for statewide and individual counties,
22 municipalities and political subdivisions as required by law
23 or regulation;

1

2 (iv) Allow for reposting of a notice on the dates
3 or frequency required by law or regulation to ensure that
4 notices continue to be displayed for not less than the length
5 of time required by the relevant provision of law or
6 regulation;

7

8 (v) Allow viewing of notices by date and enable
9 sorting of notices statewide or by county, municipality,
10 political subdivision or other region;

11

12 (vi) Enable notices, both current and archived, to
13 be accessed by key word, party name, case number, county or
14 other useful identifiers;

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16 (vii) Have a unique and simplified website
17 address;

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19 (viii) Be directly accessible via a link from the
20 main page of the official state website;

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1 (ix) Include other links, features or functions
2 that will assist a person in submitting, sorting and viewing
3 notices.

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5 (c) The secretary of state shall:

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7 (i) Establish and maintain the website, including
8 providing equipment, resources and personnel as necessary;

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10 (ii) Coordinate and process the receipt and
11 posting of official public notices;

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13 (iii) Maintain an archive of all information
14 posted to the statewide official notices website;

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16 (iv) Cause the website to be indexed by one (1) or
17 more search engines.

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19 (d) Not later than July 1, 2020, the statewide official
20 notices website shall be operational.

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22 (e) Not later than August 1, 2020 and not later than
23 August 1 each year beginning in 2021 through 2025, the

1 secretary of state shall provide an annual report to the joint
2 judiciary interim committee and joint appropriations
3 committee on implementation and operation of the statewide
4 official notices website.

5

6 (f) For purposes of the statewide official notices
7 website, references used in the statutes to:

8

9 (i) "Advertise" means the same as publishing or
10 posting a notice;

11

12 (ii) "Publish" or "post," or their grammatical
13 derivatives, mean to cause to be displayed on the website;

14

15 (iii) Publish or post on the statewide official
16 notices website "in the county," or in another location, means
17 for the notice to appear on the website in the category sorted
18 by county or other location section.

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20 **9-2-1039. Rulemaking.**

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22 (a) The secretary of state shall adopt rules to
23 establish procedures for obtaining, submitting, reporting,

1 storing and providing official notices on the statewide
2 official notices website.

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4 (b) All court, state, county, municipality and other
5 political subdivision rules and regulations shall specify
6 that notice by publication means publishing on the statewide
7 official notices website created by W.S. 9-2-1038(a) for not
8 less than the length of time required by the law or regulation
9 that requires the notice.

10

11 **Section 2.** W.S. 8-1-110 is created to read:

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13 **8-1-110. Recognition of legal notices published on the**
14 **statewide official notices website.**

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16 If newspaper publication of legal notices is allowed or
17 required by law or regulation, posting the notice on the
18 statewide official notices website created by W.S.
19 9-2-1038(a) satisfies the law or regulation.

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21 **Section 3.** W.S. 1-6-201 through 1-6-203 are amended to
22 read:

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1 **1-6-201. Manner of publishing generally.**

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3 All notices by law directed, authorized or permitted to be
4 made by publication ~~may shall~~ be published on the statewide
5 official notices website created by W.S. 9-2-1038(a) once and
6 reposted each week during the period of time for which the
7 notice is required by law to be published. All such weekly
8 publications may also be made in a newspaper. If the newspaper
9 is issued more than once each week the notice shall be
10 published in the same issue in each succeeding week for the
11 required publication period.

12

13 **1-6-202. Notice for certain number of days.**

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15 Whenever the law requires or permits the publication of a
16 notice for a certain number of days ~~prior to before~~ any
17 action, unless otherwise provided by law the publication ~~may~~
18 shall be made on the statewide official notices website
19 created by W.S. 9-2-1038(a) and reposted weekly as provided
20 in W.S. 1-6-201, and as often as such weekly publication can
21 be made during the period of time for which such publication
22 is required by law to be made, the first publication to be

1 made as many days ~~prior to such~~ before the action as the law
2 requires.

3

4 **1-6-203. Notice for specified number of weeks.**

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6 In all cases where under the laws a notice is required or
7 permitted to be published for a specified number of weeks, it
8 is sufficient that the publication be made on the statewide
9 official notices website created by W.S. 9-2-1038(a) once
10 each week for the number of ~~issues~~ weeks corresponding to the
11 number of weeks for which such publication is required to be
12 made, provided that not more than twenty (20) days shall
13 intervene between the date of the last publication and the
14 time set for the intended action. In no case shall the notice
15 given for a longer time than required by law be held defective
16 for that reason.

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18 **Section 4.** Before the beginning of the 2020 legislative
19 session the joint judiciary interim committee shall review
20 publication requirements for legal notices in the Wyoming
21 statutes and recommend statutory changes to provide that
22 posting on the statewide official notices website created by

1 W.S. 9-2-1038(a) is the exclusive means of publication for
2 specified notices.

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4 **Section 5.** There is appropriated fourteen thousand five
5 hundred dollars (\$14,500.00) from the general fund to the
6 secretary of state. This appropriation shall be for the period
7 beginning with the effective date of this act and ending June
8 30, 2020. This appropriation shall only be expended for the
9 purposes of carrying out the provisions of W.S. 9-2-1038 and
10 9-2-1039, as created in this act.

11

12 **Section 6.**

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14 (a) Sections 1, 4 and 5 of this act are effective
15 immediately upon completion of all acts necessary for a bill
16 to become law as provided by Article 4, Section 8 of the
17 Wyoming Constitution.

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19 (b) Sections 2 and 3 of this act are effective July 1,
20 2020.

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22

(END)