

HOUSE BILL REPORT

SSB 5720

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to broadcast of legal notices.

Brief Description: Conforming legal notice broadcast requirements to current practice.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senator Marr).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 3/21/07, 3/23/07 [DP].

Brief Summary of Substitute Bill

- Removes the requirement that broadcasts of legal notices be made only by station personnel.
- Requires the station making the broadcast to provide written documentation of proof of publication and removes the affidavit requirement.
- Repeals the section requiring that a station retain for public inspection the text of a legal notice for six months after the broadcast.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

Staff: Alison Hellberg (786-7152).

Background:

The traditional method of legal publication is in newspapers. A state or local official may supplement publication with a radio or television broadcast if that official finds that the public interest would be served by doing so.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Legal notices broadcast on radio or television must be either read or shown. They may not reference a person who is a candidate for public office at the time of the notice. Broadcasts of notices may only be made by personnel of the radio or television station. Notices by political subdivisions may be made only by stations situated within the county of origin of the legal notice.

Any radio or television station broadcasting a legal notice must provide proof of publication by an affidavit from the station's manager, assistant manager, or program director. The station must keep a copy of the text of the notice for public inspection for six months after the broadcast.

Summary of Bill:

The requirement that radio or television broadcasts of legal notices must only be made by station personnel is removed. Affidavits from station personnel are no longer required. Written proof from the station is sufficient to prove the legal notice was given. The requirement to keep a text copy of the notice for public inspection for six months after the broadcast is repealed. Notices by political subdivisions may be made only by stations whose signal is received within the county of origin of the legal notice.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This committee has heard the bill many times before. It basically conforms the law to current practice. The present law does not coincide with what is practical and what is efficient.

(Opposed) None.

Persons Testifying: Senator Marr, prime sponsor; and Mark Allen, Washington State Association of Broadcasters.

Persons Signed In To Testify But Not Testifying: None.