S T A T E O F N E W Y O R K

4433

2011-2012 Regular Sessions

I N S E N A T E

April 5, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general construction law, in relation to allowing for online publication of public notices

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general construction law is amended by adding a new section 40-a to read as follows:

S 40-A. PUBLIC NOTICES AND PUBLICATIONS. 1. SUBJECT TO THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION AND NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, IN ANY CASE IN WHICH NOTICE OF ANY FACT IS REQUIRED BY LAW TO BE PUBLISHED OR ADVERTISED IN A NEWSPAPER, IN ADDITION SUCH REQUIREMENT SHALL BE SATISFIED BY PUBLICATION OF THE NOTICE IN AN ONLINE NEWS PUBLICATION THAT:

A. PROVIDES GENERAL INTEREST NEWS ON A DAILY BASIS TO A DEFINED GEOGRAPHIC LOCATION; AND

B. HAS BEEN CONTINUOUSLY PUBLISHED FOR AT LEAST ONE YEAR PRIOR TO THE DATE OF PUBLICATION OF THE NOTICE.

2. ANY PUBLICATION MADE PURSUANT TO THE TERMS OF THIS SECTION SHALL BE SUBJECT TO ALL REQUIREMENTS AND STIPULATIONS OF PUBLICATION IMPOSED BY LAW OR BY ORDER OF A COURT OF COMPETENT JURISDICTION WITH REGARD TO THE NOTICE WITH THE EXCEPTION OF A REQUIREMENT THAT THE NOTICE BE PUBLISHED IN A NEWSPAPER.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD09096-02-1