§ 146. Publication of certain public notices. 1. The department of state shall publish, pursuant to the schedule in section one hundred forty-seven of this article, and post on its internet website a publication to be known as the state register, in which shall be published and posted from time to time as received by such department:

(a) rules, orders, designations, and notices submitted by the chief administrator of the courts;

(b) notices and advertisements required by state statute or federal law, rule or regulation to be published by an agency in a newspaper;

(c) notices required by statute to be published in newspapers in actions against foreign corporations;

(d) notices and job impact statements required by the state administrative procedure act to be published in the state register; and

(e) any other matter required by statute to be published in the state register.

2. The secretary of state may, at his or her discretion, publish and post in the state register any notice or information which is not otherwise required by statute to be submitted to him or her by an agency or public corporation for publication in the state register, in instances where such publication and posting will serve the public interest.

3. With regard to rule making notices required to be published and posted in the state register pursuant to article two of the state administrative procedure act, the secretary of state may, at his or her discretion, publish and post the complete text of a proposed or adopted rule, which is not otherwise required to be published and posted in the state register, in instances where such publication and posting will serve the public interest. The secretary of state shall accept from a state agency all rulemaking notices, statements and analyses as required by the state administrative procedure act, data, rules, and regulations as provided for by article three of the state technology law.

4. With regard to a notice of adoption published in the state register pursuant to article two of the state administrative procedure act, for which the corresponding notice of proposed rule making published and

posted in the state register included the complete text of the rule, the secretary of state may, at his or her discretion, include only the changes in such text in the notice of adoption.

4-a. Notice of the availability of any state or federal funding which is to be distributed by any agency upon application by any municipality, school board, school district, not-for-profit organization or any other individual or organization entitled to apply for such funding pursuant to any law, rule or regulation governing the distribution of such funds shall be published and posted in the state register. Such notice shall appear in the register no later than forty-five days prior to the last day for receipt of applications for such funding. Such notice shall not be required: (i) whenever a notice has been published in the procurement opportunities newsletter pursuant to article four-C of the economic development law; (ii) for state or federal transportation funding; and (iii) in those instances where an entity has been specifically designated by law or legislative resolution to receive funding. Failure to publish the notice in a timely manner shall not be a basis for setting aside an award or challenging a contract or other legal claim.

5. The publication and posting of notices and advertisements in the state register shall be additional to their publication in newspapers, whenever publication in newspapers is required by statute.

6. The secretary of state shall promulgate rules establishing procedure, forms, font and style for submission of material by any person, agency or public corporation for publication and posting in the state register.