

ASSEMBLY BILL

No. 642

Introduced by Assembly Member Rendon

February 20, 2013

An act to add Section 6009 to the Government Code, relating to notice by publication.

LEGISLATIVE COUNSEL'S DIGEST

AB 642, as introduced, Rendon. Publication: newspaper of general circulation: Internet Web site.

Existing law requires that various types of notices are provided in a newspaper of general circulation. Existing law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication.

This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6009 is added to the Government Code,
- 2 to read:
- 3 6009. (a) Notwithstanding any other law, a newspaper that is
- 4 available on an Internet Web site is a “newspaper of general
- 5 circulation” if it meets the following criteria:

- 1 (1) It provides local, national, or international news and
2 intelligence of a general character on its Internet Web site.
- 3 (2) It has been established and updated at regular intervals of
4 not less than weekly for at least one year prior to the date of
5 adjudication.
- 6 (3) It has a substantial regular readership in the city, district, or
7 judicial district in which the newspaper is seeking adjudication
8 pursuant to subdivision (b).
- 9 (4) It maintains editorial or reporting staff within the city,
10 district, or judicial district in which the newspaper is seeking
11 adjudication pursuant to subdivision (b).
- 12 (5) It has maintained a minimum coverage of local, national, or
13 international news and intelligence of a general character on at
14 least 25 percent of the space available on the homepage of the
15 Internet Web site of the newspaper.
- 16 (6) It provides a link to public notices published in the
17 newspaper on the homepage of the Internet Web site of the
18 newspaper that is readily accessible to any person visiting that
19 Internet Web site; it engages in search engine optimization efforts
20 to ensure that the subject matter of the notices is searchable to
21 users of the three largest Internet search engines as measured by
22 current market share at the time notice is published and that links
23 to the notices are included in search results displayed to users of
24 Internet search engines; and that it archives public notices for a
25 period of one year after the last date on which each notice is
26 published to ensure that the notice remains accessible to readers
27 of the newspaper and searchable to users of search engines.
- 28 (b) For the purposes of Section 6020, a newspaper meeting the
29 criteria of this section, that desires to have its standing as a
30 newspaper of general circulation ascertained and established, may,
31 by its publisher, manager, editor, or attorney, file a verified petition
32 in the superior court of the county in which it is established.
- 33 (c) For purposes of this section, “established” means in existence
34 under a specified name during the whole one-year period and the
35 city, district, or judicial district where the newspaper has a
36 substantial regular readership and where it maintains editorial or
37 reporting staff. A modification of name in accordance with Section
38 6024, which does not substantially change the identity of the

1 newspaper, shall not affect the status of the newspaper for the
2 purposes of this definition.

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