

HOUSE BILL NO. 729
INTRODUCED BY RASER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ADVERTISING AND PUBLICATION REQUIREMENTS FOR BOARDS OF COUNTY COMMISSIONERS; PROVIDING THAT A NEWSLETTER OR OTHER PUBLICATION PRODUCED BY A LOCAL GOVERNMENT IS NOT CONSIDERED A NEWSPAPER FOR COUNTY ADVERTISING PURPOSES; AND AMENDING SECTION 7-5-2411, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-5-2411, MCA, is amended to read:

"7-5-2411. County printing contract. (1) The county commissioners shall contract for all advertising required by law and all printed forms required by the county. The advertising required by law must be awarded to a newspaper that:

- (a) is published in the county;
- (b) has general ~~bona fide and paid~~ circulation ~~with the second-class mailing privilege; and~~
- (c) has been published continuously at least once a week in the county for the 12 months preceding the awarding of the contract;

(D) HAS BETWEEN SEPTEMBER 1 AND DECEMBER 31 OF EACH YEAR PUBLISHED A SWORN UNITED STATES POSTAL SERVICE PERIODICALS-CLASS STATEMENT OF OWNERSHIP AND CIRCULATION OR A STATEMENT OF OWNERSHIP AND CIRCULATION VERIFIED BY A RECOGNIZED, INDEPENDENT CIRCULATION AUDITING AGENCY COVERING A PERIOD OF AT LEAST 1 YEAR ENDING NO EARLIER THAN JUNE 30 PRECEDING THE PUBLICATION DEADLINE; AND

(E) HAS SUBMITTED TO THE COUNTY CLERK AND RECORDER, SUBSEQUENT TO FILING THE SWORN STATEMENT REQUIRED UNDER SUBSECTION (1)(D), A FILING CONTAINING THE NEWSPAPER'S NAME, ADDRESS OF ITS KNOWN OFFICE OF ISSUE, AND TELEPHONE NUMBER AND A STATEMENT THAT IT HAS COMPLIED WITH THE REQUIREMENTS OF THIS SECTION. THE CLERK AND RECORDER SHALL MAKE THE LIST OF NEWSPAPERS THAT HAVE FILED AVAILABLE FOR PUBLIC INSPECTION.

(2) A newsletter or other document produced or published by the local government unit is not considered a newspaper that has general circulation as provided in subsection (1).

~~(2)~~(3) Contracts for printed forms and materials may be awarded on an annual basis or may be awarded for a specific printing job.

~~(3)~~(4) (a) The county clerk and recorder shall maintain a list of willing bidders for county printing and shall

notify the printing establishments on the list of any call for bids.

(b) A printing establishment must be added to the county clerk and recorder's list when the clerk and recorder receives a written request from the printing establishment.

(c) The county clerk and recorder may delete the name of any printing establishment from the list if it has not submitted a bid during the previous 365 days."

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