

Public Notice Law

& Upload Instructions

for Tennessee Newspapers

Important to comply with law

By GREG SHERRILL

During the 2013 legislative session, the Tennessee Press Association was successful in advancing and passing legislation that will require all public notices to run on newspapers' own websites and on our TPA-maintained statewide aggregate site beginning April 1, 2014.

TPA wants to make it as easy as possible for newspapers to comply with the new law. We have put together this special pull-out tab that you can keep for reference.

The importance of public notice cannot be overstated. It is a vital communication link between our elected government and is one of the primary ways citizens can monitor what their government is doing and spending. It helps to ensure that government business is conducted openly and fairly.

If your newspaper is among the few that do not already upload your notices to the statewide public notice site, you should begin today by sharing this special section with the person at your paper who is in charge of public notices.

This section contains important information about how to comply with the law, as well as detailed instructions on uploading all of your public notices to www.tnpublicnotice.com as is required by T.C.A. 1-3-120.

Please take time to review the information herein. If you have questions or need help, we're only a call away.

Thank you for helping us keep public notice in the public eye.

Help your readers find public notices

By FRANK GIBSON

Tennessee newspapers have been responsible for the task of delivering a wide range of public notices for government and legal notices for business and the judiciary for decades. That trust and responsibility will grow larger in less than two months.

By April 1, every newspaper printing a notice also must post the "complete notice" – text and any map or graphic element -- on

its local website and upload the same to www.tnpublicnotice.com.

The new law also requires newspapers to make

their online public notices more visible by adding a link to the public notice page on the local website's home page and another link on the public notices page to the statewide website which is searchable. Those requirements will make it easier and quicker to locate notices.

Many TPA members have voluntarily put notices on their websites without charge in recent years and uploaded them to the statewide site. Now, state law will require it.

"Our leadership realized that an increasing number of readers choose to receive their news and information from newspaper websites, which are consistently among the most-trafficked sites within any given community," TPA Executive Director Greg

Sherrill said. "By making sure that notices are also available on these sites, newspapers can make public notices accessible to the widest audience possible through print and online channels."

Sherrill noted that under the new law the printed version of the notices remains the official notice.

"While online notices are convenient for many readers," Sherrill said, "they

lack the security, durability, and ability for archival that the printed notices provide. The new law ensures the best of both worlds. Our

goal is to make public notice advertisements as accessible to as many Tennesseans as possible."

TPA provides tools to help accomplish the goals. "Public Notice" buttons are available to be placed on newspaper websites.

Every requirement in the new law was included for a specific purpose and addressed particular concerns used to argue for moving notices to government websites in recent years.

To help TPA members fully comply, here are other provisions of T.C.A. 1-3-120:

Newspapers cannot charge extra for the website postings. It must be "for the same price."

► A notice shall be published on the websites "contemporaneously with the notice's first print publica-

tion and remain on the web site(s) for at least as long as the notice appears in the newspaper."

► Website versions "shall include the date on which it was first printed in the newspaper." That ties them to the print version.

► The law states: "An error in a notice placed on the newspaper web site or statewide web site, or temporary web site outages or service interruptions prohibiting the posting or display of such notice shall be considered harmless error and proper legal notice requirements shall be considered met if the notice published in the newspaper is correct."

► Notice "shall be published online in its entirety, including maps and other exhibits." The TPA site enables the exhibits to be uploaded with text.

► Public access to notices cannot be restricted by newspaper pay walls or by the statewide website operations. "Any notice published on a web site pursuant to subdivisions (a)(1) and (2) shall be accessible to the public at no charge."

► Access to the "statewide web site" shall not be restricted to TPA member newspapers. Any publication printing public notices can get access to www.tnpublicnotice.com at no charge if they publish them on the publication's website.

Other questions can be addressed to TPA Public Policy Director Frank Gibson at:

fgibson@tnpress.com
or 615-202-2685

Use "buttons" to promote public notices on your site

Tennessee Press Association is providing a free tool for member newspapers to help readers find local and Tennessee public notices.

Below you see two graphics that were created to help online viewers navigate with just one click to your public notice page, and also to the



This animated file can be placed on your home page.

statewide aggregate public notice site, www.tnpublicnotice.com.

Our goal is to create a recognizable icon that will take readers directly to public notices with just one click, no matter what Tennessee newspaper site they are searching. We noticed that different papers place public notices on different areas of



This graphic should be placed on your notices page to link to the statewide site.

their website.

And it's not always obvious to users just where to find them. In some papers, the notices appear two or more clicks away from the landing page for the paper. So, we are asking all TPA member papers to place the first (top)

– See "Buttons" on page 3 –

Files that will be manually uploaded

Most non-daily newspapers will upload their files this way

First thing: Creating & Uploading File

A notice may be published three times, why upload it three times? The answer is that someone may know a notice was in the newspaper dated May 14 and search by that date. If that was the second or third printing date and you didn't upload it, they would not be able to find it.

Use any Internet browser

Internet Explorer, Safari and Firefox on PCs, as well as Safari and Firefox on Macs should work fine.

Other browsers will probably work well, but these have been tested.

File Format

This is confusing the first time you do it, but it's not hard at all. Basically, you'll be saving your individual notices as text (.txt) files and uploading them to the site.

To make the process a little quicker when you have multiple notices you wish to upload at once, this method allows the user to place the text in one file, then use characters (the letter "m") between notices. This tells the site that one notice has ended and another is beginning.

Option 1: Individual uploads

Save individual notices as TXT files in your word processing application and upload those to the public notice site.

You will need a username and password to upload files to the site. If you do not have one, or you don't remember what it is, contact the TPA office at adunn@tnpress.com.

Option 2: Combining notices into one file

To use this method, combine all of your notices into one file in a word processing application. The trick is to insert what is called a "separating code" on a line by itself AFTER each notice (including the last notice in the file). Here are the steps to make this happen:

1. Put the notices from the newspaper's current edition in one file.
2. Save that file as text only. (On a Mac use the PC text option)
3. Put **mmm** (caps or lower case) on a line by itself after each notice (including the last one)
4. Close the file and remember where you saved it.

Always save your files as TXT files. Do not save them as any other type of files from your word processing application.

Microsoft Word, as well as other applications, allow you to save files as "Text" files when you select "Save as" from the file menu. InDesign will even allow you to export text as "Text Only" files.

Second thing: If your public notice has a map or other graphic

You will begin by using the TXT file you created using the steps on the left side of this page. While it is open in your word processor, you will add a code that looks like this: **QQQ**

Note: This section refers to three Q characters. In ALL cases, those characters must be upper case. Lower case q characters are not recognized in this procedure.

This only involves public notices that contain graphics, such as a map or other form of art.

The text-only file of all notices still is needed, with the **mmm**'s after every notice.

If a graphic is published with a notice, save it as a GIF (if it is a map) or JPG (if it is more like a picture) file, and it is best if you can control the size to be five inches or less wide.

1. In a notice with a graphic, at the location where you want the graphic to appear, enter the name of the graphic but first place **QQQ** at the beginning and end of the file name, like this: **QQQmapsite.gifQQQ**

Since your graphic will probably come at the beginning or end of a text file, this means you might have a file that looks something like this:

To all concerned

Road work beginning 10/12/2012. Applications for permits related to construction must be turned in to county commission office no later than 5:00pm EST on 09/05/12. Contact Office of DOT at 555-543-1232.

QQQroadmap017.gifQQQ
mmm

WARNING ABOUT FILE NAMES: It is required that file names of graphics have no spaces in them. Some browsers will not display a graphic if there is a space in the file name.

Wherever you enter the **QQQmapsite.gifQQQ** file name, the graphic will appear. We suggest it be on a line by itself.

2. Graphic elements must go online, too

a. When you have a graphic to upload with your notice file, you must upload the notice file first.

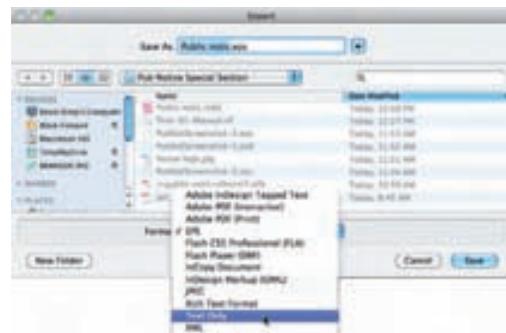
b. When our server detects a graphic file name enclosed with **QQQ**, it will present you with a link to upload the graphic(s)

If you had more than one **QQQ** name in your file, it will give you separate lines on one screen for all of them, with first labeled as **Image 1**. The others will be labeled **Image 2**, etc.

c. Click Browse and navigate to the location on your computer where the graphic file is located. Click it to select it, click **open** and click **upload**.

Then it tells you the upload was successful.

Exporting a text file from InDesign



To export a TXT file from InDesign, simply highlight all the text you wish to export, then select:

File >Export

then select:

Text Only



Next, be sure to select:

PC

as the platform, then click **Export**

Manual upload steps

After you've created your files

1. Go to:

www.publicnoticeads.com/login.asp

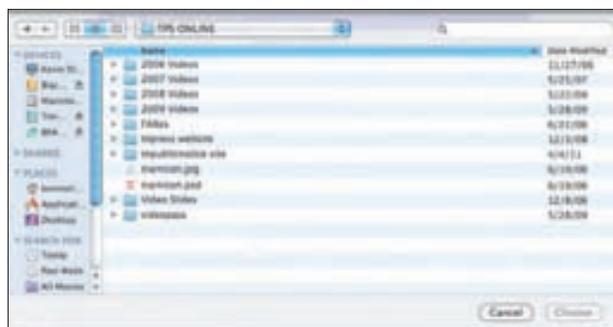
2. Each person uploading has a separate username and password, but each person can upload notices from a number of newspapers.

3. Enter the date of publication:

mm/dd/yyyy

4. Click the "Choose File" button to select the file you are going to upload.

5. Select the file you wish to upload. This looks different on a PC, but works the same.



6. Finally, click the UPLOAD button in the corner of the screen.

7. To upload another file, simply click on "Add another file."

8. If you have a PDF file, you would simply use that as a separate file.

9. Once the file has uploaded to the server, the screen will change, telling you it has accepted the file and showing the number of notices extracted from your file (if you combined more than one notice into a single file)

10. If you included code for a graphic inside the public notice text (see instructions on previous page), you will be prompted to upload the image. If you had more than one **QQQ** in your file, you will be prompted for all the files.

TPA News Upload Progress

Loading KSTEST.txt for processing ...
Checking for errors in KSTEST.txt ...
Creating HTML formatted document ...

#1,#2,

Notifying TPA News ...

[Click Here to Upload the 1 Image\(s\)](#)
[Click Here to Upload Another File](#) [Return Home](#)

Buttons

—continued from page 1—

button prominently on your landing or home page, and to link that button to wherever the public notices appear on your own site. The button is bright, resembles the Tennessee Flag, and will appear the same on all TPA member newspaper websites.

That makes the notices easy to find for the thousands of online readers who are already on your site to enjoy news and other community information. Then, please place the second (bottom) button on your newspaper's public notice page – right next to your public notices – and link it to tpublicnotice.com. That way, if the reader needs to broaden a search to other counties or regions, he/she may do so with just one click and access all of the public notices running across the state.

Buttons can be downloaded from the Public Notice area of TnPress.com.

Need help?

Our goal is to make public notice advertisements as accessible to as many Tennesseans as possible, regardless of whether they choose to receive their news and information from your print editions or online.

Should you have any questions about these buttons or how they should be linked, please contact Kevin Slimp or Greg Sherrill at TPA headquarters and we'll be happy to help.

Thank you for helping us keep public notice in the public eye.

gsherrill@tnpress.com

kslimp@tnpress.com

A lot of Americans might be surprised to know that public notices aren't unique to our nation. Here, a notice from a newspaper in Pakistan urges members to send in their updated personal information.

Automated file uploads

Used by newspapers that have a lot of public notices

File structure

The file transmitted to the website must be **text only**, and be in the following format (see bottom of page for sample text file)

Each notice can contain any number of paragraphs. Each notice starts with the date of publication, a pipe symbol, the entire notice, a pipe symbol and return.
If you use HTML for your notices, you can leave the HTML code in the notice.

mm/dd/yyyy | public notice example ONE text public notice text |

mm/dd/yyyy | public notice example TWO text public notice text |

mm/dd/yyyy | public notice example THREE text public notice text |

In the above paragraphs, there are three public notices to transmit. The mm/dd/yyyy is the publication date. The | symbol is the Pipe symbol (shift backslash on a PC). At the end of each notice there must be a pipe symbol and a hard return. (That means there are two pipe symbols in each notice.)

Naming Convention

yyyymmdd.yourpaper.ext (the file extension [for you Mac users that is the period and the newspaper acronym and the period and letters at the end of the file name] is assigned by your association headquarters and likely is an abbreviation for your association).

Where yyyymmdd is the upload date for the file; the characters after the first dot likely is an abbreviation (acronym) for your newspaper. **Please note:** that abbreviation has to be unique so if there are two similarly named newspapers in your state, one may be yourpaper1 and the other yourpaper2, depending on what is assigned by the association office. 20020821.dn1.mpa would be the name for a file for notices uploaded on August 21, 2002 for the Daily News dot (mpa) for the Michigan Press Association.

The file name for the XXXXXX is **yyyymmdd.xxxxxxxxx.tn**
When the file is created, connect via ftp to **ftp.publicnoticeads.com**
The user name and password (case sensitive) you'll need are:
Username: **autoupload2**
Password: **N3w\$p@p3r**

Once logged on, change the directory to the "Notices" directory, with the command "cd notices" "PUT" the file in that directory and log off.
Notices are picked up at the top of each hour and placed into the website database.

SAMPLE FILE

File Structure Note:
First, you may leave HTML coding in the file. It will make the notice look better.
Second, creating ASCII files apparently isn't standard. If you are using a Mac system, you may need to play with it. If a Mac lets you, choose msdos text.

AutoUpload File Example:

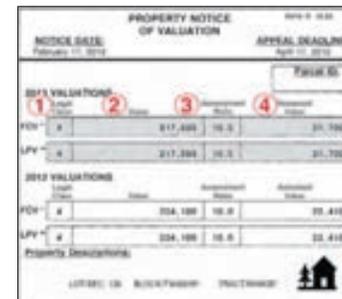
08/27/2003] NOTICE TO CREDITORS (For Publication) In the Matter of the; name TRUST U/T/A DATED SEPTEMBER 14, 1981, AS AMENDED NOTICE IS HERBY GIVEN that the undersigned is Successor Trustee of the name Trust Under Trust Agreement dated September 14, 1981, as amended. All persons having claims against the trust estate are required to present their claims within four (4) months from the date of the first publication of this notice or the claims will be forever barred. Claims must be presented to the undersigned Successor Trustee, c/o name and address, Sun City, Arizona, 85351. DATED this 15 day of August, 2003 BANK, N.A. By /s/ name V.P. Its Vice President Successor Trustee name, LLP By /s/ name Attorneys for Successor Trustee Publish: newspaper August 20, 27 & September 3, 2003/ 136676]

08/27/2003] NOTICE (for publication) ARTICLES OF ORGANIZATION HAVE BEEN FILED IN THE OFFICE OF THE ARIZONA CORPORATION COMMISSION FOR I Name), L.L.C. L-1090648-4 II The address of the registered office is: address Scottsdale, AZ 85251 The name and address of the Statutory Agent is: name and address Scottsdale, AZ 85258 III A. Management of the limited liability company is vested in a manager or managers. The names and addresses of each person who is a manager AND each member who owns a twenty percent or greater interest in the capital or profits of the limited liability company are: name Manager address Scottsdale, AZ 85258 name III Member address Chandler, AZ 85224 Publish: newspaper August 26, 27 & 28, 2003/ 141148]

A note about uploading graphics

New feature allows PDF uploads

The new Public Notice law requires that the "complete" notice be posted on the local government website and uploaded to www.tnpublicnotice.com as printed in the newspaper. Another provision of T.C.A. 1-3-120 "Any such notice shall be published online in its entirety, including maps and other exhibits," and shall include the date on which it was first printed in the newspaper.



In anticipation of those requirements, our members now have the ability to upload PDF files with their text files.

Download these public notice ads to use in your newspaper at:
tnpress.com/PublicNoticeAds.html

