Maryland | Delaware | DC Press Association
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To: Health & Government Operations Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: February 26,2020

Re: SB 192 SUPPORT with Amendments

The Maryland | Delaware | DC Press Association objects to the portion of this bill (page 5, line 13 through page 7, line 19) that would repeal the current requirement that the Comptroller publish a list of abandoned properties in newspapers. SB 192 would require the abandoned property list be maintained on a state web site and encourage the use of the website through referral ads in newspapers. The state should not end the historic requirement to publish this vital information in the format that is most secure, and is most likely to be seen and read by the greatest number of citizens.

For more than 200 years, newspapers have served as the independent third party that verifies that the government has followed the law in communicating legally required information to its citizens. Public notices printed in newspapers prove that the notice was correct and was given in a timely fashion. Printed notices cannot be changed after the fact; they cannot be altered; they cannot be ignored. They are a permanent, public record of government action. Newspapers are uniquely qualified to play this role, giving citizens assurance that the process is conducted openly and above board.

Citizens are accustomed to finding legal notices in newspapers, and the abandoned property list enjoys wide readership around the state. Notices on government websites would be seen by far fewer people, primarily by those who monitor government web sites. And while Internet use is widespread, it is far from universal. Among senior citizens, the poor and minorities, the Internet is not available in a majority of households. It is unlikely public notices would ever be seen by those people, the very families most likely to have inadvertently abandoned their property. When the list is published in newspapers, friends and family have an opportunity to help find property owners, since many people scan the listings for their own or familiar names.

The apparent rationale for the bill is to save costs, which we fully appreciate. However, those short-term cost savings could translate into big expense if the state is embroiled in litigation over the adequacy of notices that affect property rights of citizens.

Finally, the security of websites is a vexing issue, for both private industry and governments. If the state were to post this notice only on its own website, it could become a target for hackers. Even minor alterations could have major unforeseen consequences, potentially dragging the government into costly and wasteful litigation. Printed notices, with independent verification of accuracy, make that outcome far less likely.

Although newspapers have a financial interest in keeping the current requirements for public notice advertising, we strongly oppose the bill on the grounds of independence and ability to draw audience. But we also oppose the bill for reasons of sound public policy. Eliminating public notice advertising in newspapers might save the state some money in the short term, but the cost could high in the long term, both in dollars and public confidence.

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