

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 811 (Senator Mautz)
Education, Energy, and the Environment

**Legal Advertisement or Legal Notice - Publication in Newspaper or Newspaper
in General Circulation - Digital Newspapers**

This bill alters the definition of “newspaper” or “newspaper in general circulation” in the General Provisions Article to mean a publication that is offered either in a print format or a digital format. If a newspaper or newspaper in general circulation is offered in print format, it must have at least four pages, in addition to other requirements as specified under current law.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Potential meaningful.

Analysis

Current Law: Unless otherwise specified, “newspaper” or “newspaper in general circulation” mean a publication that (1) has at least four pages; (2) habitually contains news items, reports of current events, editorial comments, advertising matter, and other miscellaneous information that is of public interest and is found generally in an ordinary newspaper; (3) has been published and distributed, by sale, from an established place of business at least once a week for six months or more before publication of the advertisement or notice; (4) has general circulation throughout the community where the publication is published; and (5) qualifies for Periodicals rates for mailing through the United States Postal Service.

In Prince George’s County, “newspaper in general circulation” includes a newspaper that (1) is designated by the county council as a newspaper of record, or (2) meets specified criteria with respect to the county, and (2) is published by a small business.

Broadly, legal advertisements and legal notices must be published in newspapers to give sufficient notice of specified government and public activities of interest to the general public. Legal advertisements and legal notices include, among other things, the appointment and election of government officials, specified judicial activity and judgements, business entity and real property actions, meetings and decisions of government bodies, and other specified occurrences and events as required under current law.

Small Business Effect: Any small business that operates print newspapers may experience decreased advertising revenue under the bill. Conversely, any small business that operates a newspaper in digital format may experience increased advertising revenue under the bill.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1273 of 2023; SB 1003 and HB 1475 of 2022; and HB 79 of 2021.

Designated Cross File: HB 594 (Dorchester County Delegation) - Health and Government Operations.

Information Source(s): Howard and Prince George’s counties; Maryland Association of Counties; Maryland-National Capital Park and Planning Commission; Maryland Municipal League; Comptroller’s Office; Judiciary (Administrative Office of the Courts); Maryland State Department of Education; Maryland Department of Agriculture; Maryland Department of the Environment; Department of General Services; Maryland Department of Health; Department of Housing and Community Development; Maryland Department of Labor; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Maryland Insurance Administration; Public Service Commission; Anne Arundel County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2024
js/mcr

Analysis by: Thomas S. Elder

Direct Inquiries to:
(410) 946-5510
(301) 970-5510