

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE

House Bill 311  
Judiciary

(Delegate Rosenberg)

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Legal Advertisement or Legal Notice - Newspaper

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This bill eliminates the requirement that a newspaper or similar publication must be for sale and eligible for entry as second-class matter in the U.S. mail in order to meet the requirements for legal advertisement or notice in a newspaper or similar publication.

The bill only applies prospectively to legal advertisements or notices published in a newspaper or similar publication after the bill's October 1, 2008 effective date.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** None.

**Small Business Effect:** Potentially meaningful for newspapers or similar publications that could publish a legal advertisement or legal notice as a result of the bill.

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Analysis

**Current Law:** In order to meet the requirements for publishing a legal advertisement or legal notice in a newspaper or similar publication, the publication must (1) have at least four pages; (2) routinely contain news items, reports of current events, editorial comments, advertising, etc. that is of public interest and generally found in an ordinary newspaper; (3) have been published and distributed, by sale, from an established place of business at least once a week for six months or more prior to publication of the notice or advertisement; (4) have general circulation throughout the community where the

publication is published; and (5) be entitled to be entered as second-class matter in the United States mail.

**Background:** According to the Maryland-Delaware-DC Press Service, there are currently 87 free weekly community news newspapers in Maryland in addition to one free daily newspaper.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 337 (Senator Raskin) – Judicial Proceedings.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 18, 2008  
ncs/jr

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