L3 0lr1318 CF 0lr1678

By: Delegates Reznik, Barkley, Barve, Feldman, Gilchrist, Howard, Kaiser, Oaks, Rice, and Riley

Introduced and read first time: February 2, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

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1	AN ACT	concerning

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	Political Sub	odivisions –	Electronic	Legal 1	Notices (Option
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3 FOR the purpose of authorizing a county or municipality to satisfy a requirement to 4 publish certain legal notices in a newspaper of general circulation by posting the 5 notices on its website; requiring a county or municipality that chooses to post 6 notices on the Internet to publish a certain notice in a newspaper of general 7 circulation in the county or municipality and to offer a certain mail service to 8 provide paper copies of notices; requiring the mail service to be paid for by the 9 county or municipality for a certain period; authorizing a county or municipality 10 to charge a certain fee for the mail service after a certain period; providing that the mail subscription shall be for a certain period of time and may be renewed; 11 12 and generally relating to publication of legal notices by counties and 13 municipalities.

14 BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

16 Section 1–111

17 Annotated Code of Maryland

18 (2005 Replacement Volume and 2009 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Tax – Property

Section 6-308(b)(2) and (c)

22 Annotated Code of Maryland

23 (2007 Replacement Volume and 2009 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

25 MARYLAND, That the Laws of Maryland read as follows:

Article 24 - Political Subdivisions - Miscellaneous Provisions

- 1 1-111.
- 2 (A) (1) A COUNTY OR MUNICIPALITY MAY SATISFY A REQUIREMENT
- 3 IN THE CODE TO PUBLISH LEGAL NOTICE IN A NEWSPAPER OF GENERAL
- 4 CIRCULATION BY POSTING THE LEGAL NOTICE ON THE COUNTY'S OR
- 5 MUNICIPALITY'S WEBSITE.
- 6 (2) A COUNTY OR MUNICIPALITY MAY USE THE
- 7 INTERNET-POSTING OPTION FOR ANY ACTION, INCLUDING:
- 8 (I) AN ANNEXATION;
- 9 (II) A CHARTER AMENDMENT;
- 10 (III) THE REPEAL OF A MUNICIPAL CHARTER;
- 11 (IV) A CONSTANT YIELD TAX RATE HEARING;
- 12 (V) THE CREATION OR AMENDMENT OF A COMPREHENSIVE
- 13 PLAN; OR
- 14 (VI) THE CREATION OR AMENDMENT OF A ZONING
- 15 REGULATION.
- 16 (B) A COUNTY OR MUNICIPALITY THAT CHOOSES TO BEGIN SATISFYING
- 17 A PUBLICATION REQUIREMENT BY POSTING NOTICES ON THE INTERNET SHALL:
- 18 (1) AT LEAST 1 MONTH BEFORE THE FIRST INTERNET POSTING,
- 19 PUBLISH A NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY
- 20 OR MUNICIPALITY TO:
- 21 (I) Inform the public of the intent to post legal
- 22 NOTICES ON ITS WEBSITE; AND
- 23 (II) SPECIFY WHICH TYPES OF NOTICES THAT WILL BE
- 24 POSTED ON ITS WEBSITE INSTEAD OF IN A NEWSPAPER OF GENERAL
- 25 CIRCULATION; AND
- 26 (2) OFFER A MAIL SUBSCRIPTION SERVICE TO PROVIDE PAPER
- 27 COPIES OF THE LEGAL NOTICES TO RESIDENTS OF THE COUNTY OR
- 28 MUNICIPALITY.

- 1 (C) (1) THE COUNTY OR MUNICIPALITY SHALL EACH PAY THE COST OF THEIR MAIL SUBSCRIPTION SERVICE REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION FOR THE FIRST YEAR OF SERVICE.
- 4 (2) AFTER THE FIRST YEAR OF PROVIDING THE MAIL SUBSCRIPTION SERVICE, THE COUNTY OR MUNICIPALITY MAY CHARGE A FEE FOR THE SERVICE, NOT TO EXCEED THE COST TO THE COUNTY OR MUNICIPALITY OF POSTAGE AND COPYING.
- 8 (3) A MAIL SUBSCRIPTION SHALL BE FOR A PERIOD OF 1 YEAR 9 AND MAY BE RENEWED EACH YEAR BY THE RECIPIENT.

10 Article – Tax – Property

- 11 6–308.
- 12 (b) (2) A taxing authority does not meet the requirements of this section 13 until it provides to the Department:
- 14 (i) on or before 15 days after the date of the advertisement 15 required by this section a copy of the entire newspaper page that carried the meeting 16 notice required by this section; [or]
- 17 (ii) the evidence that the Department requires of the mailing of the notices described in subsection (c) of this section; **OR**
- (III) PRIOR TO THE DATE OF POSTING, THE LINK TO THE TAXING AUTHORITY'S WEBSITE WHERE THE NOTICE WILL BE POSTED IF THE TAXING AUTHORITY ELECTS TO POST NOTICE IN ACCORDANCE WITH SUBSECTION (C)(3) OF THIS SECTION.
- 23 (c) If a taxing authority intends to set a county or municipal corporation real property tax rate that exceeds the constant yield tax rate, it shall advertise to the public by:
- 26 (1) placing an advertisement that satisfies the Department and meets 27 the requirements of this section in a newspaper of general circulation in the 28 jurisdiction of the taxing authority; [or]
- 29 (2) mailing a notice that meets the requirements of this section to each 30 property taxpayer who resides in the jurisdiction; **OR**
- 31 (3) POSTING A NOTICE, THAT MEETS THE REQUIREMENTS OF 32 SUBSECTIONS (D)(2), (4), AND (5), AND (E) OF THIS SECTION, ON THE TAXING

- 1 AUTHORITY'S WEBSITE, IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 24,
- 2 **§ 1–111**.
- 3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 4 October 1, 2010.