

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 555 (Delegate Reznik, *et al.*)
Environmental Matters

Political Subdivisions - Electronic Legal Notices Option

This bill authorizes a county or municipality to satisfy a requirement to publish specified legal notices in a newspaper of general circulation by posting the legal notice on its web site.

Fiscal Summary

State Effect: None.

Local Effect: Potential minimal effect on local government expenditures. Local revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: A county or municipality may use the Internet posting option authorized by the bill for any action, including: (1) an annexation; (2) a charter amendment; (3) the repeal of a municipal charter; (4) a constant yield tax rate hearing; (5) the creation or an amendment of a comprehensive plan; and (6) the creation or an amendment of a zoning regulation.

If a county or municipality chooses to post notices on the Internet, the county or municipality must (1) publish a notice in a newspaper of general circulation at least one month before the first posting to inform the public of its intent to post notices on its web site and specify which types of notices will be posted; and (2) offer a mail subscription service to provide paper copies of the legal notices to residents. The county

or municipality must pay for the subscription service for the first year, after which the county or municipality may charge a fee to cover the cost of copying and postage.

Current Law: Generally, counties and municipalities are required to post a legal notice in a newspaper of general circulation in the jurisdiction to notify the public of a public hearing on a variety of issues, including: (1) an annexation; (2) a charter amendment; (3) the repeal of a municipal charter; (4) a constant yield tax rate hearing; (5) the creation or an amendment of a comprehensive plan; (6) the creation or an amendment of a zoning regulation; and (7) tax sale auctions.

Local Fiscal Effect: Local government expenditures may decrease to the extent that posting legal notices on a web site is more cost effective than newspaper advertising of legal notices. The amount of any decrease depends on the number of legal notices posted in the newspaper and the cost of each.

However, in the first year of Internet posting, expenditures may increase as a result of the subscription service required by the bill. Any increase in expenditures depends on the number of people using the subscription service and the cost of mailing notices out. After the first year of Internet posting, local governments may charge a fee to cover subscription service costs.

Montgomery County advises that expenditures associated with advertising tax sale auctions would decrease.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2010
ncs/hlb

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