

SENATE BILL 581

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6lr0999
CF HB 666

By: **Senators King, Feldman, Lee, Madaleno, and Manno**

Introduced and read first time: February 4, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Local Governments – Legal Notice Requirements**

3 FOR the purpose of authorizing a county or municipality to satisfy a requirement to publish
4 legal notices in a newspaper of general circulation by posting the notices on its Web
5 site; requiring notices posted on a county or municipality Web site to be displayed
6 conspicuously and be easily accessible; requiring a county or municipality that
7 chooses to post notices on the Internet to publish certain advance notice in a
8 newspaper of general circulation in the county or municipality; requiring a county or
9 municipality to maintain paper copies of notices posted on its Web site and to make
10 the copies available to the public; requiring a county or municipality to maintain an
11 affidavit stating certain information about the posting of a notice on its Web site;
12 providing that the affidavit is not required to be notarized; and generally relating to
13 publication of legal notices by counties and municipalities.

14 BY adding to
15 Article – Local Government
16 Section 1–1312
17 Annotated Code of Maryland
18 (2013 Volume and 2015 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Local Government**

22 **1–1312.**

23 **(A) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A COUNTY OR**
24 **MUNICIPALITY MAY SATISFY A REQUIREMENT IN THE CODE TO PUBLISH LEGAL**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION BY POSTING THE LEGAL
2 NOTICE ON THE WEB SITE OF THE COUNTY OR MUNICIPALITY.

3 (2) LEGAL NOTICES POSTED ON THE WEB SITE OF A COUNTY OR
4 MUNICIPALITY SHALL BE DISPLAYED CONSPICUOUSLY AND BE EASILY ACCESSIBLE
5 TO THE GENERAL PUBLIC.

6 (B) A COUNTY OR MUNICIPALITY THAT CHOOSES TO BEGIN SATISFYING A
7 PUBLICATION REQUIREMENT BY POSTING LEGAL NOTICES ON THE INTERNET
8 SHALL:

9 (1) AT LEAST 1 MONTH BEFORE THE FIRST INTERNET POSTING,
10 PUBLISH A NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OR
11 MUNICIPALITY TO:

12 (I) INFORM THE PUBLIC OF THE INTENT TO POST LEGAL
13 NOTICES ON ITS WEB SITE; AND

14 (II) SPECIFY WHICH TYPES OF LEGAL NOTICES WILL BE POSTED
15 ON ITS WEB SITE INSTEAD OF IN A NEWSPAPER OF GENERAL CIRCULATION; AND

16 (2) ANNUALLY PUBLISH A NOTICE IN A NEWSPAPER OF GENERAL
17 CIRCULATION IN THE COUNTY OR MUNICIPALITY TO INFORM THE PUBLIC OF:

18 (I) THE TYPES OF LEGAL NOTICES THAT ARE AVAILABLE ON
19 THE WEB SITE OF A COUNTY OR MUNICIPALITY; AND

20 (II) THE ADDRESS OF THE WEB SITE OF THE COUNTY OR
21 MUNICIPALITY WHERE THE LEGAL NOTICES ARE POSTED.

22 (C) A COUNTY OR MUNICIPALITY THAT PUBLISHES SOME OR ALL OF ITS
23 LEGAL NOTICES ON ITS WEB SITE IN ACCORDANCE WITH THIS SECTION SHALL:

24 (1) MAINTAIN PAPER COPIES OF THE LEGAL NOTICES UNDER THE
25 RECORDS RETENTION AND DOCUMENT DISPOSAL SCHEDULE OF THE COUNTY OR
26 MUNICIPALITY; AND

27 (2) MAKE THE COPIES AVAILABLE TO THE GENERAL PUBLIC IN
28 ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.

29 (D) (1) FOR A LEGAL NOTICE POSTED ON THE WEB SITE OF A COUNTY OR
30 MUNICIPALITY, THE COUNTY OR MUNICIPALITY SHALL MAINTAIN AN AFFIDAVIT

1 THAT STATES THE INITIAL DATE THROUGH THE LAST DATE THAT A NOTICE WAS
2 PUBLISHED ON THE WEB SITE OF THE COUNTY OR MUNICIPALITY.

3 (2) THE AFFIDAVIT REQUIRED UNDER PARAGRAPH (1) OF THIS
4 SUBSECTION IS NOT REQUIRED TO BE NOTARIZED.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2016.