

SENATE BILL 305

P3, L6

(PRE-FILED)

1r1021
CF HB 79

By: **Senator Eckardt**

Requested: October 19, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Legal Advertisement or Legal Notice – Publication in Newspaper or Newspaper**
3 **in General Circulation – Online Newspapers**

4 FOR the purpose of altering the meaning of “newspaper” or “newspaper in general
5 circulation” when referring to the publication of a certain legal advertisement or
6 legal notice to include certain publications that are offered in a print format or
7 through a dedicated website under certain circumstances; and generally relating to
8 the publication of legal advertisements and legal notices.

9 BY repealing and reenacting, with amendments,
10 Article – General Provisions
11 Section 1–113
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2020 Supplement)

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

16 **Article – General Provisions**

17 1–113.

18 (a) Unless otherwise provided, in a law, resolution, or court order, judgment, or
19 decree that refers to publishing a legal advertisement or legal notice, words such as
20 “newspaper” or “newspaper in general circulation” mean a publication **THAT IS OFFERED**
21 **EITHER IN A PRINT FORMAT OR THROUGH A DEDICATED WEBSITE** that:

22 (1) [has at least four pages;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) habitually contains news items, reports of current events, editorial
2 comments, advertising matter, and other miscellaneous information that is of public
3 interest and is found generally in an ordinary newspaper;

4 [(3)] (2) has been published and distributed **THROUGH PRINT OR ON A**
5 **DEDICATED WEBSITE**, by sale, from an established place of business at least once a week
6 for 6 months or more before publication of the advertisement or notice;

7 [(4)] (3) has general circulation throughout the community where the
8 publication is published; and

9 [(5)] (4) **IF OFFERED IN A PRINT FORMAT:**

10 (I) **HAS AT LEAST 4 PAGES; AND**

11 (II) qualifies for Periodicals rates for mailing through the United
12 States Postal Service.

13 (b) Subject to subsection (a) of this section and for purposes of the public general
14 laws of the State, in Prince George's County, "newspaper in general circulation" includes a
15 newspaper that:

16 (1) is designated by the County Council as a newspaper of record; or

17 (2) (i) qualifies under subsection (a) of this section with respect to
18 Prince George's County; and

19 (ii) is published by a small business as defined in § 14-201 of the
20 State Finance and Procurement Article.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2021.