

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 305 (Senator Eckardt)
Education, Health, and Environmental Affairs

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

This bill expands the definition of “newspaper” or “newspaper in general circulation,” as they generally apply to statutory or other requirements to publish a legal advertisement or legal notice, to include publications that are offered either in print format or through a dedicated website.

Fiscal Summary

State Effect: The bill does not materially affect governmental operations or finances.

Local Effect: The bill does not materially affect local government operations or finances. Local governments may, however, have increased options for publishing legal notices under the bill.

Small Business Effect: Minimal.

Analysis

Current Law: Unless otherwise provided, words such as “newspaper” or “newspaper in general circulation” as they are used in the context of publishing a legal advertisement or legal notice mean a publication that:

- has at least four pages;

- habitually contains news items, reports of current events, editorial comments, advertising matter, and other miscellaneous information that is of public interest and is found generally in an ordinary newspaper;
- has been published and distributed, by sale, from an established place of business at least once a week for six months or more before publication of the advertisement or notice;
- has general circulation throughout the community where the publication is published; and
- qualifies for periodicals rates for mailing through the U.S. Postal Service.

In Prince George's County, "newspaper in general circulation" includes (1) a newspaper that is designated by the county council as a newspaper of record or (2) a newspaper that otherwise meets the above definition and is published by a small business as defined in the State Finance and Procurement Article.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 79 (Dorchester County Delegation) - Health and Government Operations.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Comptroller's Office; Secretary of State; Judiciary (Administrative Office of the Courts); Register of Wills; Public School Construction Program; Maryland Department of the Environment; Department of General Services; Maryland Department of Health; Department of Human Services; Maryland Department of Labor; Department of Natural Resources; Maryland Department of Transportation; Baltimore, Garrett, Howard, and Montgomery counties; City of Laurel; Maryland Association of Counties; Maryland Municipal League; Department of Legislative Services

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