

HOUSE BILL 74

L6

5lr0731

(PRE-FILED)

By: ~~Delegate Foley~~ **Delegates Foley, Conaway, Phillips, and Stinnett**

Requested: September 3, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2025

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of establishing certain requirements for the publication of certain
5 advertisements and notices in counties and municipalities in the State; requiring
6 certain digital publications to maintain a certain archive in a certain manner and
7 employ a certain employee; and generally relating to the publication of legal
8 advertisements and legal notices in counties and municipalities in the State.

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 2024 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) Unless otherwise provided, in a law, resolution, or court order,
2 judgment, or decree that refers to publishing a legal advertisement or legal notice, words
3 such as “newspaper” or “newspaper in general circulation” mean a publication that:

4 [(1)] (I) has at least four pages;

5 [(2)] (II) habitually contains news items, reports of current events,
6 editorial comments, advertising matter, and other miscellaneous information that is of
7 public interest and is found generally in an ordinary newspaper;

8 [(3)] (III) has been published and distributed, by sale, from an established
9 place of business at least once a week for 6 months or more before publication of the
10 advertisement or notice;

11 [(4)] (IV) has general circulation throughout the community where the
12 publication is published; and

13 [(5)] (V) qualifies for Periodicals rates for mailing through the United
14 States Postal Service.

15 (2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION AND FOR
16 PURPOSES OF THE PUBLIC GENERAL LAWS OF THE STATE, IF A LAW, RESOLUTION,
17 OR COURT ORDER, JUDGMENT, OR DECREE REQUIRES A COUNTY OR MUNICIPAL
18 CORPORATION TO PUBLISH A LEGAL ADVERTISEMENT OR LEGAL NOTICE:

19 (I) ANY REQUIRED ADVERTISEMENT OR NOTICE SHALL BE
20 PUBLISHED AND DISTRIBUTED THROUGH PRINT ~~OR~~ AND DIGITAL FORMAT;

21 (II) THE TIME PERIOD REQUIRED FOR PUBLICATION STARTS
22 ONCE THE FIRST ADVERTISEMENT OR NOTICE APPEARS IN PRINT ~~OR~~ AND DIGITAL
23 FORMAT; AND

24 (III) IF THERE ARE NO PRINT AND DIGITAL PUBLICATIONS THAT
25 MEET ALL OF THE QUALIFICATIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION,
26 THE ADVERTISEMENT OR NOTICE MAY BE PLACED IN ANY DIGITAL PUBLICATION
27 THAT CAN BE ACCESSED IN THE COUNTY OR MUNICIPAL CORPORATION AND THAT
28 REGULARLY CONTAINS LOCAL NEWS AND INFORMATION FOR THE COUNTY OR
29 MUNICIPAL CORPORATION.

30 (3) ANY DIGITAL PUBLICATION THAT PUBLISHES A LEGAL
31 ADVERTISEMENT OR LEGAL NOTICE UNDER PARAGRAPH (2)(III) OF THIS
32 SUBSECTION SHALL:

1 **(I) MAINTAIN AN ARCHIVE OF ALL PUBLISHED LEGAL**
2 **ADVERTISEMENTS AND LEGAL NOTICES THAT SHALL BE AVAILABLE TO THE PUBLIC;**
3 **AND**

4 **(II) EMPLOY AT LEAST ONE EMPLOYEE WHOSE DUTIES INCLUDE**
5 **REPORTING, WRITING, OR EDITING LOCAL NEWS AND INFORMATION.**

6 (b) Subject to subsection [(a)] **(A)(1)** of this section and for purposes of the public
7 general laws of the State, in Prince George’s County, “newspaper in general circulation”
8 includes a newspaper that:

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

10 (2) (i) qualifies under subsection [(a)] **(A)(1)** of this section with respect
11 to Prince George’s County; and

12 (ii) is published by a small business as defined in § 14–201 of the
13 State Finance and Procurement Article.

14 [(c) Subject to subsection (a) of this section and for purposes of the public general
15 laws of the State, in Dorchester County, if a law, resolution, or court order, judgment, or
16 decree requires the county to publish a legal advertisement or legal notice:

17 (1) any required advertisement or notice shall be published and distributed
18 through print and digital format;

19 (2) the time period required for publication starts once the first
20 advertisement or notice appears in print or digital format; and

21 (3) if there is no print and digital publication that meets all of the
22 qualifications under subsection (a) of this section, the advertisement or notice may be
23 placed in any digital publication that can be accessed in Dorchester County and that
24 regularly contains local news and information for Dorchester County.]

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2025.