

HOUSE BILL 74

L6

5lr0731

(PRE-FILED)

By: **Delegate Foley**

Requested: September 3, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

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.

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

21 **[(1)] (1)** has at least four pages;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

9 **[(5)] (V)** qualifies for Periodicals rates for mailing through the United
10 States Postal Service.

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

15 **(I) ANY REQUIRED ADVERTISEMENT OR NOTICE SHALL BE**
16 **PUBLISHED AND DISTRIBUTED THROUGH PRINT OR DIGITAL FORMAT;**

17 **(II) THE TIME PERIOD REQUIRED FOR PUBLICATION STARTS**
18 **ONCE THE FIRST ADVERTISEMENT OR NOTICE APPEARS IN PRINT OR DIGITAL**
19 **FORMAT; AND**

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

26 **(3) ANY DIGITAL PUBLICATION THAT PUBLISHES A LEGAL**
27 **ADVERTISEMENT OR LEGAL NOTICE UNDER PARAGRAPH (2)(III) OF THIS**
28 **SUBSECTION SHALL:**

29 **(I) MAINTAIN AN ARCHIVE OF ALL PUBLISHED LEGAL**
30 **ADVERTISEMENTS AND LEGAL NOTICES THAT SHALL BE AVAILABLE TO THE PUBLIC;**
31 **AND**

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

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

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

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

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

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

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

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

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

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