

Testimony 64.pdf

Uploaded by: Christopher West

Position: FAV

CHRIS WEST
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Baltimore and Carroll Counties

Judicial Proceedings Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

January 22, 2026

The Maryland State Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 64 – Legal Advertisement or Legal Notice – Publication in Newspaper or Newspaper in General Circulation – Digital Newspapers

Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

I am here to introduce Senate Bill 64. This legislation would extend the current law to allow for the publication by attorneys and counties and municipalities of required legal notices in digital media, recognizing that much of local news is now accessed online. Under the current law, print media is the only media format designated to publish legal notices. Senate Bill 64 updates the law to reflect current trends.

Nationally, 148 local newspapers have closed in the last 12 months. Furthermore, the Merrill School of Journalism at the University of Maryland recently conducted a comprehensive study that provides a snapshot of the current local media landscape in Maryland. The Merrill study found that there are 176 local media outlets in Maryland, 156 of which are focused on news and journalistically supplied content. 78 of them are print-based “newspapers” that also publish websites or PDFs of their publications. 53 are digital-only publications, including the Baltimore Banner and Maryland Matters. It’s simply no longer practical or economically feasible to limit the publication of legal notices to print media. This legislation is intended to help a variety of interests.

SB64 authorizes local digital news outlets to publish legal notices, but requires that digital publications meet criteria which guarantee they are actual news organizations covering local communities before they are able to accept legal notices.

For example, for legal notices to be published in a digital publication, the publication must employ one or more persons to create original content concerning matters of public interest through various forms of reporting such as interviews, document review and the like. In addition, the digital publication must employ at least one individual full-time, working at least 30 hours per week, and must publish at least one article per week concerning matters of public interest for the county or municipality.

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Because attorneys and counties and municipalities will have more publication options once this bill is passed, it is likely that the greater competition will drive the cost of the running these legal notices down. Importantly, SB64 also mandates that any digital publication running these legal notices must have an archive accessible to the public.

I should also note that this bill is sponsored in the House by Delegate Linda Foley, a former national president of the News Guild Union, which represents journalists and other media workers. Delegate Foley spent decades working in the newspaper industry. We believe this legislation accurately speaks for the needs of the industry. It also addresses the need for our constituents to use 21st century technology to access priority information.

I appreciate the Committee's consideration of Senate Bill 64 and will be happy to answer any questions.

SB64

Uploaded by: Sarah Sample

Position: FAV



Senate Bill 64

*Legal Advertisement or Legal Notice - Publication in Newspaper or Newspaper in
General Circulation - Digital Newspapers*

MACo Position: **SUPPORT**
WITH AMENDMENT

To: Judicial Proceedings Committee

Date: January 22, 2026

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS SB 64 WITH AMENDMENTS**. This bill authorizes a county to publish required public notices in a qualifying newspaper or digital publication to maintain compliance with state law. This creates both cost savings and more flexibility for local governments in meeting this requirement.

Currently, certain legal notices and advertisements often required of local governments must be published in a "newspaper of general circulation." With fewer print outlets, local governments face challenges in publishing required notices. This bill provides counties with a practical and necessary solution to meet legal notice requirements as traditional newspapers transition to digital formats or cease operations altogether. SB 64 offers an additional option for local jurisdictions to maintain compliance if a local jurisdiction lacks an eligible print news outlet or if a digital option receives a more regular local readership than local print.

Additionally, MACo supports the reasonable and clear eligibility criteria to ensure these platforms are reliable and serve the public interest. Platforms used for public notices should demonstrate a commitment to professional standards, such as producing original content and maintaining a tangible connection to the communities they serve. These safeguards ensure residents can access timely, accurate, and meaningful information while properly allowing counties to satisfy public notice provisions in a changing media landscape.

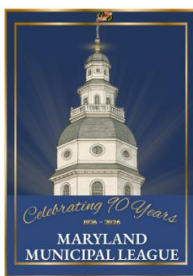
In looking to the future and how media may continue to evolve, counties would offer one clarifying amendment. The bill identifies a very specific type of digital option for publishing notices. However, there is likely to be a time in the future when the options available for publication across all jurisdictions do not meet all the criteria in the bill. To ensure that the changes to this statute will address the challenges of both today and decades to come, counties request the addition of an alternative option for digital publication in the absence of one consistent with the bill's standards.

SB 64 modernizes how county governments are required to do business and ensures local operations can continue without interruption regardless of the market shifts in news and information distribution. Accordingly, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report on SB 64.

MML - SB 64 - FWA.pdf

Uploaded by: Justin Fiore

Position: FWA



TESTIMONY

COMMITTEE: Senate Judicial Proceedings

DATE: January 22, 2026

POSITION: Favorable with Amendments

BILL: SB 64

The Maryland Municipal League (MML) supports Senate Bill 64, with amendment.

MML supports the goal of modernizing public notice requirements. For decades, our member municipalities have been tethered to increasingly expensive public notice requirements, often posted in newspapers that do not report on the area's local politics or events. SB 64 represents an overdue step toward modernization.

However, we do not believe this legislation sufficiently remedies the challenge at hand. Based on the criteria outlined for digital placement, such coverage will likely remain unavailable to many jurisdictions in the state. There are also no provisions of the bill that clearly cut costs for taxpayers.

As an example of the costs – whenever a local jurisdiction is changing its charter, four separate public notice posts are required (Md. Code, Local Govt. § 4-304). If that municipality is in Montgomery or Prince George's, the Washington Post is likely their only “newspaper of general circulation.” The Washington Post charges \$500 per public notice. So, in those areas, **merely publicizing charter amendments can cost municipal taxpayers \$2000**.

One member reports spending \$15,000 annually on public notices. Combining all municipal, county, and state required public notices, taxpayers are likely paying hundreds of thousands of dollars – if not millions – each year to place public notices in the back of newspapers that are experiencing a decline in readership.

Local governments in several states are starting to see relief. Effective March 1, 2026, government entities in New Jersey can move most legal notices to their official websites. Utah has a robust "Public Notice Website" (Utah.gov/pmnl/) which serves as the primary repository for notices. Florida allows local governments to post election and some legal notices on county websites instead of newspapers.

MML is advocating for a centralized Public Notice Portal to be housed within the Maryland State Archive. Like Utah's, it should be searchable and allow for notifications on topics of interest or jurisdictions of interest. We believe this modernization approach would save taxpayer dollars while preserving independent oversight and guaranteeing that these notices remain a permanent, unalterable part of Maryland's historical record.

For these reasons, the Maryland Municipal League requests a favorable report on SB 64 with amendments.

For more information relating to this piece of testimony, please contact:

Justin Fiore: Director, Advocacy and Public Policy, justinf@mdmunicipal.org

SB64 - MDDC UNFAVORABLE.pdf

Uploaded by: Rebecca Snyder

Position: UNF



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To: Senate Judicial Proceedings Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: January 20, 2026

Re: **SB 64 – UNFAVORABLE**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media organizations. Our membership ranges from large metro dailies such as the Washington Post and the Baltimore Sun, to hometown newspapers such as the Star Democrat and Dorchester Banner, to publications such as The Daily Record, Baltimore Jewish Times, and online-only publications such as the Baltimore Banner, Maryland Matters and Baltimore Brew. Our membership spans both for-profit and nonprofit organizations and reflects the full ecosystem of local journalism relied upon by Marylanders every day.

The Press Association opposes SB 64.

SB 64 represents a radical and unnecessary departure from long-standing public notice policy in Maryland. As written, the bill would permit all categories of public notices—governmental, judicial, and private—to be placed in either print publications or digital-only outlets. While the bill is presented as a continuation of HB 74, which was heard in this chamber last session and supported by MDDC, it is in fact a fundamentally different proposal with far broader and concerning implications.

There are well-established best practices governing public notices. To serve the public interest, notices must be **independent, accessible, verifiable, and broadly distributed** so that the greatest number of people can reasonably be informed of actions affecting their rights, property, and communities. These principles—recognized nationally and articulated by organizations such as the Public Notice Resource Center—exist to ensure transparency, accountability, and public trust. For decades, the Press Association has advocated for these standards because they reflect sound public policy and center the public’s right to know. Read more from the Public Notice Resource Center’s Policy Briefing Booklet [here](#).

SB 64 would upend these principles by fundamentally altering the definition of a “newspaper of general circulation.” The bill considered last year took a far more measured and responsible approach. HB 74 created a narrow pathway for **government notices only** to be published digitally *when no qualifying print publication exists within a jurisdiction*. That framework preserved the key virtues of printed notice—archivability, permanence, and immunity from alteration—while thoughtfully acknowledging the evolving media landscape. Importantly, it anticipated a future need without prematurely dismantling a system that continues to function effectively today. At present, **there is**



We believe a strong news media is central to a strong and open society.

no jurisdiction in Maryland that lacks a printed publication serving its community. Our members remain deeply committed to print journalism. The large majority of journalists and media professionals in Maryland work for organizations with a print component, and many publishers continue to invest significantly in printed products and printing infrastructure. Print is not disappearing from Maryland’s media ecosystem, nor should public policy assume otherwise.

The Press Association also recognizes that print deadlines and limited print schedules can create logistical challenges for time-sensitive government notices. That is precisely why last year’s bill struck an appropriate balance. It acknowledged that notices are typically published both in print and online and sensibly “started the clock” when the notice first appeared—whether digitally or in print. This approach combined the immediacy of digital publication with the reliability and permanence of print. SB 64 abandons this balanced solution.

Public notice publication requires infrastructure, institutional capacity, and long-term stability. Many digital-only outlets operate with very small staffs, limited administrative systems, and in some cases, do not accept advertising at all. While *The Baltimore Banner*—a valued and respected member of our Association—is a notable exception, it is unique. Public policy should not be reshaped to accommodate the business model of a single organization, particularly at the expense of a system that has served Maryland residents for generations.

Public notices play a critical role in the orderly operation of government, courts, real estate transactions, procurement, and development projects. Reliance on internet-only publication introduces unnecessary risk and confusion. Websites can experience outages, be hacked, or be altered without clear detection. Digital content can be modified or removed, intentionally or unintentionally. Printed notices provide a stable, immutable record that can be independently verified over time—an essential safeguard for legal and civic processes.

Print and digital publications must be held to similar standards to verify audience and circulation. Print circulation audits are mandatory, standardized, and public and include Statements of Ownership required by the USPS. Digital “circulation” measures are optional, variable, and often private. Digital-only publications **can demonstrate audience reach**, but they **do not undergo circulation audits comparable to print publications unless they voluntarily and consistently subject themselves to third-party review—and even then, the standards are not equivalent.** When notices require specific geographic distribution, for instance at the county level, digital measurement becomes even less objective and clear driven largely by the predominance of consumption on mobile devices. Digital-only publications cannot fulfill the same public notice role without weakening transparency and public confidence.

Clarity and neutrality in determining who may carry public notices is essential. The existing definition of a “newspaper of general circulation” provides an objective and time-tested standard. It establishes a neutral framework rather than allowing disputes to be resolved ad hoc or without clear authority. Under SB 64, if a disagreement arises over whether a digital-only publication qualifies to publish notices, there is no clear decision-maker or enforcement mechanism. This uncertainty invites litigation, inconsistency, and erosion of public trust.

For these reasons, the Maryland–Delaware–District of Columbia Press Association respectfully urges the committee to reject SB 64. We stand ready to work with legislators on thoughtful, balanced solutions—like last year’s HB 74—that modernize public notice practices without sacrificing transparency, accountability, or the public’s right to know.