

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2103 Session of
2024

INTRODUCED BY ORTITAY, VENKAT, KINSEY, MALAGARI, DALEY AND
CIRESI, MARCH 15, 2024

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 15, 2024

AN ACT

1 Amending Title 45 (Legal Notices) of the Pennsylvania
2 Consolidated Statutes, in legal advertising, providing for
3 methods for advertising.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 45 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 311. Methods for advertising.

9 (a) General rule.--Notwithstanding the provisions of this
10 title or any law or regulation to the contrary, whenever an
11 advertisement or notice is required by law, rule or regulation,
12 a local government unit shall satisfy the requirement by using
13 one of the following methods:

14 (1) a newspaper of general circulation as defined in
15 section 101 (relating to definitions), printed in the county
16 in which the local government unit is located;

17 (2) a newspaper printed in the local government unit, if
18 such newspaper exists;

1 (3) a newspaper circulating generally in the local
2 government unit;

3 (4) a legal newspaper designated by the rules of court
4 of the county in which the local government unit is located
5 for the publication of legal notices and advertisements;

6 (5) the local government unit's publicly accessible
7 Internet website using hypertext markup language (HTML)
8 format or an equivalent language format;

9 (6) the publicly accessible Internet website of a
10 newspaper listed in paragraph (1), (2), (3) or (4), using
11 HTML format or an equivalent language format; or

12 (7) a locally circulated printed publication that is at
13 least four pages long, is issued on at least a weekly basis
14 and is distributed by audited carriers to all known addresses
15 within the local government unit.

16 (b) Legal journal requirement.--Use by a local government
17 unit of a method specified in subsection (a) to satisfy the
18 requirement to publish an advertisement or notice required by
19 law, rule or regulation does not relieve the local government
20 unit of the duty to publish in a legal journal if otherwise
21 required to by section 308 (relating to additional publication
22 in legal journals) or other provision of law.

23 (c) Requirements for advertisements.--Use by a local
24 government unit of a method specified in subsection (a) (2)
25 through (7) to satisfy the requirement to publish an
26 advertisement or notice required by law, rule or regulation
27 shall also require a local government unit to do the following:

28 (1) Post a copy of each advertisement or notice
29 prominently at the principal office of the local government
30 unit or at the public building in which the local government

1 unit meets. In circumstances where advertisements or notices
2 are unable to be posted at the principal office of the local
3 government unit or at the public building in which the local
4 government unit meets, the county in which the local
5 government unit is located shall provide space for the
6 postings where the local government unit is responsible for
7 posting its advertisements or notices.

8 (2) Adopt a resolution declaring the local government
9 unit's intent to use one or more of the methods in subsection
10 (a) (2) through (7) to satisfy the requirement to publish an
11 advertisement or notice required by law, rule or regulation
12 prior to utilizing one of those methods. Should the methods
13 of advertising be revised or updated, the local government
14 unit shall declare its intent by a new resolution and
15 specifically identify the new methods of advertising.
16 Following adoption of a resolution under this paragraph, and
17 prior to publishing an advertisement or notice using the
18 methods specified in subsection (a) (2) through (7), the local
19 government unit shall publish notice in one or more
20 newspapers of general circulation within the jurisdiction of
21 the local government unit, announcing that advertisements and
22 notices will be made public using the alternative methods
23 selected by the local government unit.

24 (3) Retain a copy of the advertisement or notice for no
25 less than three years.

26 Section 2. This act shall take effect in 60 days.