

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 677 Session of
2009

INTRODUCED BY SCAVELLO, CALTAGIRONE, PEIFER, SIPTROTH, BAKER,
BARRAR, BOYD, COHEN, CREIGHTON, DENLINGER, D. EVANS, EVERETT,
GEIST, GIBBONS, GOODMAN, HALUSKA, HENNESSEY, HICKERNELL,
HORNAMAN, JOSEPHS, KAUFFMAN, M. KELLER, KORTZ, MAJOR, MENSCH,
MILLARD, MILLER, MURT, OBERLANDER, O'NEILL, REICHLEY, ROHRER,
SANTONI, SONNEY, STERN, STEVENSON, SWANGER, TRUE AND WALKO,
MARCH 3, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 3, 2009

AN ACT

1 Amending Title 45 (Legal Notices) of the Pennsylvania
2 Consolidated Statutes, adding a definition of "community
3 paper of mass dissemination"; and further providing for legal
4 advertising.

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

7 Section 1. Section 101(a) of Title 45 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 101. Definitions.

10 (a) Definitions applicable to printing or newspaper
11 advertising laws.--Subject to additional definitions contained
12 in subsequent provisions of this title which are applicable to
13 specific provisions of this title, the following words and
14 phrases when used in:

15 (1) this title; or

16 (2) any other law relating to printing or newspaper

advertising;
shall have, unless the context clearly indicates otherwise, the
meanings given to them in this subsection:

* * *

"Community paper of mass dissemination."

(1) A printed paper or publication, bearing a title or name, and conveying reading or pictorial intelligence of passing events, local or general happenings, printing regularly or irregularly editorial comment, announcements, miscellaneous reading matter, commercial advertising, classified advertising, legal advertising and other notices, and which has been issued in numbers of four or more pages at short intervals, either daily, twice or more often each week, or weekly, continuously during a period of at least six months, or as the successor of such a printed paper or publication issued during an immediate prior period of at least six months, and which has been circulated and distributed from an established place of business to the community at large.

(2) For purposes of this definition, continuous publication shall not be deemed interrupted by any involuntary suspension of publication resulting from loss, destruction, failure or unavailability of operating facilities, equipment or personnel from whatever cause, and any community paper of mass distribution so affected shall not be disqualified to publish official and legal advertising in the event that publication is resumed within one week after it again becomes possible.

(3) A community paper of mass dissemination shall do one of the following:

1 (i) Distribute through the United States mail to
2 entire local zip codes.

3 (ii) Distribute by carriers to the majority of
4 established addresses, or be widely available at
5 numerous, widely visited public locations within the
6 political subdivision effecting the advertising and have
7 the distribution independently verified by an accredited
8 auditor of circulations.

9 * * *

10 Section 2. Title 45 is amended by adding a section to read:
11 § 311. Use of community papers of mass dissemination.

12 (a) General rule.--Any government unit may, at its
13 discretion, authorize publication in a community paper of mass
14 dissemination in substitution of publication in a newspaper of
15 general circulation.

16 (b) Construction.--Nothing in this section alters or affects
17 the obligation to publish a legal notice in a legal newspaper.

18 Section 3. This act shall take effect in 60 days.