

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1876 Session of  
2009

INTRODUCED BY HORNAMAN, McILVAINE SMITH, CALTAGIRONE, CURRY,  
MIRABITO, BRENNAN, D. COSTA AND HALUSKA, JULY 20, 2009

REFERRED TO COMMITTEE ON JUDICIARY, JULY 20, 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  
17 advertising;

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

1 \* \* \*

2 "Community paper of mass dissemination."

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

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

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

28 (i) Distribute through the United States mail to  
29 entire local zip codes.

30 (ii) Distribute by carriers to the majority of

1 established addresses, or be widely available at  
2 numerous, widely visited public locations within the  
3 political subdivision effecting the advertising and have  
4 the distribution independently verified by an accredited  
5 auditor of circulations.

6 \* \* \*

7 Section 2. Title 45 is amended by adding a section to read:

8 § 311. Use of community papers of mass dissemination.

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

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

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