

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 231 Session of 2023

INTRODUCED BY DiSANTO, PHILLIPS-HILL, L. WILLIAMS, BARTOLOTTA,  
 COLEMAN, GEBHARD, PENNYCUICK, ROTHMAN, VOGEL AND YAW,  
 JANUARY 31, 2023

REFERRED TO LOCAL GOVERNMENT, JANUARY 31, 2023

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, when 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 as defined in section 101 (relating to  
 15 definitions), printed or circulated generally in the county  
 16 in which the local government unit is located;

17 (2) the local government unit's publicly accessible  
 18 Internet website using hypertext markup language (HTML)

1 format or an equivalent language format; or

2 (3) the publicly accessible Internet website of a  
3 newspaper listed in paragraph (1) or any other publicly  
4 accessible Internet website that has the primary purpose of  
5 posting advertisements or notices using HTML format or an  
6 equivalent language format.

7 (b) Legal journal requirement.--Use by a local government  
8 unit of a method specified in subsection (a) to satisfy the  
9 requirement to publish an advertisement or notice required by  
10 law, rule or regulation does not relieve the local government  
11 unit of the duty to publish in a legal journal if otherwise  
12 required to by section 308 (relating to additional publication  
13 in legal journals) or other provision of law.

14 (c) Requirements for advertisements.--Use by a local  
15 government unit of a method specified in subsection (a) (2) or  
16 (3) to satisfy the requirement to publish an advertisement or  
17 notice required by law, rule or regulation shall also require a  
18 local government unit to do the following:

19 (1) Post a copy of each advertisement or notice  
20 prominently at the principal office of the local government  
21 unit or at the public building in which the local government  
22 unit meets. If an advertisement or notice is unable to be  
23 posted at the principal office of the local government unit  
24 or at the public building in which the local government unit  
25 meets, the county in which the local government unit is  
26 located shall provide space for the postings where the local  
27 government unit is responsible for posting its advertisements  
28 or notices.

29 (2) Adopt a resolution declaring the local government  
30 unit's intent to use one or more of the methods in subsection

1 (a) (2) or (3) to satisfy the requirement to publish an  
2 advertisement or notice required by law, rule or regulation  
3 prior to utilizing one of those methods. If the methods of  
4 advertising are revised or updated, the local government unit  
5 shall declare its intent by a new resolution and specifically  
6 identify the new methods of advertising. Following adoption  
7 of a resolution under this paragraph and prior to publishing  
8 an advertisement or notice using the methods specified in  
9 subsection (a) (2) or (3), the local government unit shall  
10 publish notice in all methods of advertising utilized  
11 immediately prior to adopting the resolution, announcing that  
12 advertisements and notices shall be made public using the  
13 alternative methods selected by the local government unit.

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

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