

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2490 Session of
1976

INTRODUCED BY A. C. FOSTER JR. AND ANDERSON, JUNE 8, 1976

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, JUNE 8, 1976

AN ACT

1 Amending the act of May 16, 1929 (P.L.1784, No.587), entitled
2 "An act concerning newspapers; creating uniformity in the
3 publication of legal notices and advertisements; defining the
4 newspapers in which official and legal advertising shall be
5 published; prescribing methods for computing the charges
6 therefor, and providing that the expenses for publishing
7 legal advertising or notices shall be taxable and collectible
8 as court costs are now taxed and collected in all matters and
9 proceedings," further defining "newspaper" and "circulation."

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Clauses (1) and (15) of section 3, act of May 16,
13 1929 (P.L.1784, No.587), known as the "Newspaper Advertising
14 Act," clause (1) amended July 5, 1947 (P.L.1297, No.520), are
15 amended to read:

16 Section 3. The following words, wherever used in the acts of
17 Assembly of this Commonwealth now in force or hereafter enacted,
18 shall have the following meanings:

19 (1) "Newspaper" means a printed paper or publication, bearing
20 a title or name, and conveying reading or pictorial intelligence
21 of passing events, local or general happenings, printing
22 regularly or irregularly editorial comment, announcements,

1 miscellaneous reading matter, commercial advertising, classified
2 advertising, legal advertising, and other notices, and which has
3 been issued in numbers of four or more pages at short intervals,
4 either daily, twice or oftener each week, or weekly,
5 continuously during a period of at least six months, or as the
6 successor of such a printed paper or publication issued during
7 an immediate prior period of at least six months, and which has
8 been circulated and distributed from an established place of
9 business to subscribers or readers without regard to number,
10 [for a definite price or consideration,] either entered or
11 entitled to be entered under the Postal Rules and Regulations as
12 second class matter in the United States mails, and subscribed
13 for by readers [at a fixed price for each copy, or at a price
14 fixed per annum]: Provided, A newspaper may be either a daily
15 newspaper, weekly newspaper, newspaper of general circulation,
16 official newspaper, or a legal newspaper, as defined by this
17 act: And provided further, That continuous publication within
18 the meaning of this section shall not be deemed interrupted by
19 any involuntary suspension of publication resulting from loss,
20 destruction, failure or unavailability of operating facilities,
21 equipment or personnel from whatever cause, and any newspaper so
22 affected shall not be disqualified to publish legal and official
23 advertising in the event that publication is resumed within one
24 week after it again becomes possible.

25 * * *

26 (15) "Circulation" means the number of copies printed,
27 issued, sold, or subscribed for, by the day, week, month, or
28 year, at a particular price for each copy, or for a series of
29 issues over a definite period, or, if no price is charged, the
30 number of copies distributed to subscribers by the day, week,

1 month or year, but does not include excepting copies exchanged
2 for other newspapers or publications, copies or issues
3 circulated gratuitously among the people by any newspaper,
4 official newspaper, legal newspaper, official legal newspaper,
5 journal, magazine, or periodical.

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