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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 955 Session of  
2021

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INTRODUCED BY ORTITAY, SMITH, ROTHMAN, HILL-EVANS, KEEFER,  
SCHLOSSBERG, R. BROWN, ZIMMERMAN, MUSTELLO, THOMAS, MERCURI,  
PISCIOTTANO, HICKERNELL, STRUZZI AND INNAMORATO,  
MARCH 17, 2021

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 17, 2021

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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

1 such newspaper exists;

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

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

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

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

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

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

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

29 (1) Post a copy of each advertisement or notice  
30 prominently at the principal office of the local government

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

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

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

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