

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1291 Session of
2025

INTRODUCED BY FREEMAN, KUZMA, MADDEN, GIRAL, HILL-EVANS,
SANCHEZ, HADDOCK, NEILSON, KINKEAD, DAVIDSON, ZIMMERMAN,
MALAGARI, BIZZARRO, RYNCAVAGE, GILLEN, MADSEN, BOROWSKI,
VENKAT, PROBST, CEPEDA-FREYTIZ, HANBIDGE AND WAXMAN,
APRIL 23, 2025

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 23, 2025

AN ACT

1 Amending Title 45 (Legal Notices) of the Pennsylvania
2 Consolidated Statutes, in general provisions, further
3 providing for definitions; in legal advertising, further
4 providing for level of advertising rates and for no
5 unauthorized advertisements to be published and providing for
6 publication in newspapers of general circulation; and making
7 editorial changes.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The title heading, section 101(a), Chapter 3
11 heading and sections 303 and 310 of Title 45 of the Pennsylvania
12 Consolidated Statutes are amended to read:

13 TITLE 45

14 LEGAL NOTICES AND PUBLIC NOTICES

15 § 101. Definitions.

16 (a) Definitions applicable to printing or newspaper
17 advertising laws.--Subject to additional definitions contained
18 in subsequent provisions of this title which are applicable to
19 specific provisions of this title, the following words and

1 phrases when used in:

2 (1) this title; or

3 (2) any other law relating to printing or newspaper
4 advertising;

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

7 "Advertisement." A [printed] legal notice or public notice,
8 relating to any matter, authorized by any person, which is
9 published for a valuable consideration in a publication, and
10 which may be required by law, rule, order, or decree of court,
11 or resolution of any corporation, or unincorporated association,
12 or by action of any government unit.

13 "Advertiser." Any person who orders and directs a notice or
14 advertisement to be [printed or] published in a publication.

15 ["Advertising rule." The line between, or which separates,
16 any two advertisements or notices.

17 "Agate." A type 5 1/2 type points in depth or height.

18 "Bourgeois." A type 9 type points in depth or height.

19 "Brevier." A type 8 type points in depth or height.]

20 "Carrier." A person engaged for hire in the delivery of
21 publications.

22 "Circulation." The number of copies printed, issued, sold,
23 or subscribed for, by the day, week, month, or year, at a
24 particular price for each [copy] issue, or for a series of
25 issues over a definite period by any publication, but the term
26 does not include [copies] issues exchanged for other
27 publications or copies or issues circulated gratuitously.

28 "Classified advertising." Intelligence or notices, published
29 [and printed in small or inconspicuous type,] as advertising,
30 classed with similar notices of advertising, and for which

1 compensation is intended to be charged.

2 "Class magazine" or "class newspaper." A [printed] paper or
3 publication containing class, professional, trade, commercial,
4 technical, scientific, educational, religious, financial, legal
5 or other matter and intelligence, intended to be disseminated
6 exclusively among subscribers or readers concerned or interested
7 in the subject matters published.

8 ["Column." A single unit or upright section, of the total
9 height of the type printed page, as separated from the remainder
10 of the page by a line, rule, or space, and not less than ten ems
11 pica in width.

12 "Column rule." The printed line between, or which separates,
13 the printed columns of any type page.]

14 "Continuous publication." A publication that is accomplished
15 on a regular basis according to the respective requirements
16 established for a digital newspaper, free newspaper, online-only
17 newspaper and printed newspaper. The term shall not be deemed
18 interrupted by any involuntary suspension of publication
19 resulting from the loss, destruction, failure or unavailability
20 of operating facilities, software, hardware, equipment or
21 personnel from whatever cause, and any newspaper so affected
22 shall not be disqualified to publish legal notices and public
23 notices in the event that publication is resumed within one week
24 after it again becomes possible.

25 "Court." A court or tribunal of record, established for the
26 public administration of justice under the provisions of the
27 Constitution of Pennsylvania or any statute.

28 "Daily newspaper." A newspaper regularly published at least
29 [five] two days in the week[, either including or excluding
30 Sundays and legal holidays].

1 "Decree." A decision, judgment, order or sentence of any
2 court.

3 "Digital newspaper." A newspaper delivered in an electronic
4 form on an Internet website that:

5 (1) is formatted similarly to a printed newspaper and
6 produced in an archivable format;

7 (2) maintains an active news gathering in the
8 publication area;

9 (3) is a continuous publication, has been actively
10 publishing for at least six months and is updated at least
11 weekly;

12 (4) has as its primary purpose regularly reporting on
13 matters of importance to the public relating to local and
14 community issues in the publication area;

15 (5) is easily accessible to the public through common
16 Internet search engines or other Internet search means;

17 (6) contains conspicuous links or a heading on its
18 landing page that direct members of the public to legal
19 notices and public notices; and

20 (7) one of the following:

21 (i) distributes, or has ownership interest in,
22 another entity that distributes, newspapers printed in
23 this Commonwealth;

24 (ii) is capable of circulating printed newspapers
25 throughout the publication area; or

26 (iii) is the digital descendant of a printed
27 newspaper product.

28 ["Display advertising." Intelligence made conspicuous, and
29 designated by either reading matter, printed from various sizes,
30 kinds and styles of types or illustrations, and printed or

1 published for a compensation, demanded or intended to be
2 received from those interested in, affected or served by, the
3 subject matter published.

4 "Em." A square of a type, or a space equal to the square of
5 the depth or height of a particular type, as measured by the
6 number of points in height of the type.]

7 "Free newspaper." A printed newspaper:

8 (1) offered gratuitously and principally devoted to the
9 dissemination of local or general news and other editorial
10 content, which shall not constitute less than 25% of overall
11 content, does not primarily serve as a platform for promoting
12 the interests of a special interest group, individual or
13 cause and follows ethics and standards of print journalism;
14 and

15 (2) is a continuous publication and has been published
16 at not less than weekly intervals in the same community and
17 has been published for at least two years.

18 "Issue." A single regular publication of a journal,
19 magazine, daily newspaper, digital newspaper, free newspaper,
20 online-only newspaper, newsletter, printed newspaper or trade
21 publication.

22 "Journal." A newspaper, class newspaper, periodical, or
23 magazine.

24 "Law." A statute, a home rule charter, or an enactment
25 entitled an ordinance, resolution, rule or regulation of any
26 government unit.

27 "Legal advertisement." A notice, advertisement, publication,
28 statement, or abstract of a notice, advertisement, publication,
29 or statement, required by resolution of a corporation,
30 unincorporated association, or government unit, or ordinance of

1 a political subdivision, or by law, or by rule, order, or decree
2 of court, to be published, for a valuable consideration, in
3 either a newspaper of general circulation, a legal newspaper or
4 an official newspaper.

5 "Legal newspaper." A newspaper which is a "legal
6 periodical," "official legal newspaper," or "official legal
7 periodical," publishing legal intelligence, as designated by
8 general rule or rule of court for the publication of legal
9 advertisements and notices required by law, rule, order, or
10 decree of court, to be published in a legal newspaper, legal
11 periodical, official legal newspaper, or official legal
12 periodical, so designated by general rule or rule of court.

13 "Legal notice." When required to be printed or published,
14 either a legal advertisement, a legal notice, an official
15 advertisement, or an official legal notice.

16 ["Liners." Advertisements, published as reading notices,
17 intelligence, or announcements for which compensation is
18 intended to be charged to those interested in the publication
19 thereof.

20 "Long primer." A type 10 type points in depth or height.]

21 "Magazine." Partakes of the nature of a periodical.

22 ["Minion." A type 7 type points in depth or height.]

23 "News." Narrative, or recent intelligence, disseminating
24 current information as to local, general, or world-wide
25 happenings, concerning any person or persons, matters of private
26 or public interest, or concerning any matters affecting the
27 public welfare.

28 ["Newspaper."

29 (1) A printed paper or publication, bearing a title or
30 name, and conveying reading or pictorial intelligence of

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

28 (2) A printed paper or publication, regardless of size,
29 contents, or time of issue, or number of copies issued,
30 distributed and circulated gratuitously, is not a newspaper.

1 (3) A printed paper or publication, not entitled to be
2 entered, or which has been denied entry, as second class
3 matter in the United States mails under the Postal Rules and
4 Regulations of the United States is not a newspaper.]

5 "Newspaper of general circulation." As follows:

6 (1) A printed newspaper that:

7 (i) is issued daily, or not less than once a week,
8 intended for general distribution and circulation, and
9 sold at fixed prices per [copy] issue per week, per
10 month, or per annum, to subscribers and readers without
11 regard to business, trade, profession or class[.]; and

12 (ii) has a website and posts all legal notices and
13 public notices published in print on the website and on
14 the Statewide public notice website both at no additional
15 cost.

16 (2) If no printed newspaper that satisfies paragraph (1)
17 exists, a digital newspaper that posts all legal notices and
18 public notices on its website and on the Statewide public
19 notice website at no additional cost.

20 (3) If no newspaper that satisfies either paragraph (1)
21 or (2) exists, and until such time as one does exist, a free
22 newspaper or an online-only newspaper. A free newspaper must
23 have a website and post all legal notices and public notices
24 thereon and on the Statewide public notice website at no
25 additional cost. An online-only newspaper shall post all
26 legal notices and public notices on the Statewide public
27 notice website at no additional cost.

28 "Newspaper website." An Internet website maintained and
29 administered by a printed newspaper, digital newspaper, online-
30 only newspaper or free newspaper on which the printed newspaper,

digital newspaper, online-only newspaper or free newspaper posts
news stories and items of public interest.

["Nonpareil." A type 6 type points in depth or height.]

"Notice." A formal printed announcement, transmitting
intelligence, information, or warning, to a particular person,
or generally to all persons who may read such notice.

"Official advertisement." A notice, advertisement,
publication, or statement, or an abstract of a notice,
advertisement, publication, or statement, required to be made by
law, rule, order, or decree of court, by any person, or in the
conduct of the business of a private or public corporation, or
on the order of any government unit, or in the performance of
any official duty imposed by law, rule, order, or decree of
court, resolution or ordinance.

"Official advertising and legal advertising." Any
advertisement, notice, statement, report, resolution, ordinance,
or abstract of the same, required by law, rule, order or decree
of court, by resolution of any board of directors, shareholders
or officers of any corporation or unincorporated association, or
any government unit to be printed and published for a valuable
consideration in a newspaper.

"Official newspaper." A newspaper designated by a government
unit for the publication of notices and statements required by
rule, order, resolution, or ordinance of such unit.

"Online-only newspaper." A newspaper that:

(1) is available to the general public exclusively
online or digitally;

(2) is a continuous publication and:

(i) has been actively and continuously publishing
for at least one year;

1 (ii) contains content that must be updated daily;
2 and
3 (iii) is registered as a business with the
4 Department of State of the Commonwealth;
5 (3) is principally devoted to the dissemination of local
6 or general news and other editorial content that must
7 constitute not less than 25% of overall content;
8 (4) follows the ethics and standards of print
9 journalism;
10 (5) has its own registered domain name;
11 (6) does not serve as a platform promoting the interests
12 or opinions of a special interest group, individual or cause;
13 (7) is easily accessible to the public through common
14 Internet search engines or other Internet search means;
15 (8) contains conspicuous links or a heading on its
16 landing page that direct members of the public to legal
17 notices and public notices; and
18 (9) is produced in an archivable format and content must
19 be archived on a server or website.

20 "Ordinance." A municipal rule or regulation, adopted in the
21 manner required by statute or home rule charter, by the lawfully
22 constituted officers of any political subdivision or municipal
23 or other local authority.

24 "Periodical." A printed paper or publication, issued in
25 pamphlet or book form, regardless of page size or number of
26 pages, at stated or regular intervals of more than one day
27 between each issue, containing either general, class, trade,
28 technical, scientific, serial articles, or other reading matter,
29 advertising, et cetera, and entitled to be entered as second
30 class matter in the United States mails under the Postal Rules

1 and Regulations of the United States.

2 ["Pica." A type 12 type points in depth or height.

3 "Point." A unit of measurement for determining the height of
4 a type, letter, figure, or other character, or the width of a
5 rule, as heretofore generally known and fixed by general
6 agreement of certain type founders and manufacturers, at 0.0138
7 inch in length.]

8 "Printed newspaper." As follows:

9 (1) A printed paper or publication that:

10 (i) bears a title or name and conveys reading or
11 pictorial intelligence of passing events, local or
12 general happenings, including regular or sporadic
13 editorial comment, announcements, miscellaneous reading
14 matter, commercial advertising, classified advertising,
15 legal advertising and other notices;

16 (ii) is a continuous publication and:

17 (A) is issued in numbers of four or more pages
18 at short intervals, either daily, twice or more often
19 each week or weekly; and

20 (B) is published continuously during a period of
21 at least six months, or as the successor of such a
22 printed paper or publication issued during an
23 immediately prior period of at least six months.

24 (iii) is circulated and distributed from an
25 established place of business to subscribers or readers
26 without regard to number, for a definite price or
27 consideration, either entered or entitled to be entered
28 under the Postal Rules and Regulations as second class
29 matter in the United States mail, and subscribed for by
30 readers at a fixed price for each issue, or at a price

1 fixed per annum; and

2 (iv) may be a daily newspaper, weekly newspaper,
3 newspaper of general circulation, official newspaper or a
4 legal newspaper.

5 (2) The term does not include:

6 (i) a printed paper or publication, regardless of
7 size, contents or time of issue, or number of copies
8 issued, distributed and circulated gratuitously; and

9 (ii) a printed paper or publication, not entitled to
10 be entered, or which has been denied entry, as second
11 class matter in the United States mail under the Postal
12 Rules and Regulations of the United States.

13 "Proof of publication." A printed or written statement,
14 declaring the name of a newspaper of general circulation, a
15 legal newspaper or an official newspaper, as defined in this
16 section, its place of business, when the same was established,
17 the date or dates, and issue or issues, in which a [printed]
18 legal notice, public notice or publication appeared[, and to
19 which is securely attached,] exactly as [printed or] published,
20 a copy of the official advertisement, official notice, legal
21 notice, public notice or legal advertisement, verified with a
22 statement of the owner, publisher, or the designated agent of
23 the owner or publisher, of such publication in which the
24 official or legal advertisement or notice was published, duly
25 sworn to before a person authorized to administer oaths, and
26 also declaring that the affiant is not interested in the subject
27 matter of the notice or advertising, and that all of the
28 allegations of the statement as to the time, place, and
29 character of publication are true.

30 "Publication."

1 [(1)] The act of printing or posting online a legal
2 notice or public notice[, advertisement, or proclamation,]
3 for the purpose of disseminating information to individuals
4 or the [people] public at large.

5 [(2) A journal, magazine, newspaper, class newspaper or
6 periodical.]

7 "Public notice." When required to be printed or published,
8 an official advertisement.

9 "Rate." The price or sum fixed for [printing and] publishing
10 [either official, legal, or commercial advertising, and may be
11 either a price or sum fixed for a single reading line in a
12 single column, or for a space of the depth of one inch in a
13 single column, or it may mean the particular stated sums or
14 prices fixed for printing and publishing official or legal
15 advertising, where the style and form does not vary except for
16 the names and addresses of the interested parties, such as
17 notices of applications for charters of incorporation,
18 shareholders' meetings, executors', administrators' or auditors'
19 notices, register of wills' audit notices, obituary or death
20 notices, et cetera.] legal notices or public notices.

21 ["Reading matter." News or other printed matter, intended to
22 be read, as distinguished from intelligence notices,
23 announcements, display advertising, or advertising published for
24 a compensation.]

25 "Resolution." A formal agreement or consent to do or not to
26 do a certain thing, which has been recorded upon the minutes or
27 records of a government unit, or by either the shareholders,
28 board of directors or other body of a corporation, or by the
29 members, directors, managers, or trustees of an unincorporated
30 association or society of individuals.

1 "Rule." Any formal order or direction made by a tribunal or
2 other government unit.

3 ["Sample copy." A copy of a publication distributed without
4 charge or expense to prospective subscribers or advertisers, in
5 numbers limited by the United States Postal Rules and
6 Regulations governing second class mail matter.

7 "Small pica." A type 11 type points in depth or height.

8 "Space." The length and breadth of a printed type page, or
9 any subdivision thereof, intended to be used for either news or
10 advertising matter of any kind.]

11 "Statewide association representing print and digital news
12 media organizations." A Pennsylvania nonprofit organization:

13 (1) approved by the Internal Revenue Service as a
14 section 501(c)(6) trade association representing the
15 interests of print and digital news media organizations in
16 this Commonwealth through advocacy, education and information
17 sharing;

18 (2) headquartered in Harrisburg;

19 (3) which includes as members a majority of newspapers
20 of general circulation serving this Commonwealth; and

21 (4) that has been in existence continuously for at least
22 50 years.

23 "Statewide public notice website." A website:

24 (1) maintained and administered by a Statewide
25 association representing print and digital news media
26 organizations;

27 (2) on which all newspapers of general circulation in
28 this Commonwealth post their legal notices and public
29 notices;

30 (3) that is available for viewing and searching by the

1 public, free of charge; and

2 (4) that accepts legal notices and public notice
3 postings from any newspaper of general circulation in this
4 Commonwealth.

5 "Subscriber." A person who buys or orders verbally or by
6 written or online subscription[, or accepts upon delivery from
7 the United States mails or a carrier, issues or copies of any
8 publication].

9 ["Type." A piece of metal or wood from which either a
10 letter, figure, or other character is impressed with ink upon
11 paper, or an image of such a character.]

12 "Weekly newspaper." A newspaper issued at least once a week.

13 * * *

14 CHAPTER 3

15 LEGAL NOTICE AND PUBLIC NOTICE ADVERTISING

16 § 303. Level of advertising rates.

17 (a) General rule.--All official and legal advertising shall
18 be charged for at an established or declared rate [or price per
19 single column, line of reading matter measured in depth by the
20 point system, or at a rate or price per inch single column].

21 When such official and legal advertising is not classified and
22 is not published according to prescribed or recognized forms,
23 and no rate has been established or declared, such rate for
24 official and legal advertising shall not be in excess of the
25 rates usually charged or received by the publication publishing
26 such official and legal advertising for commercial, general, or
27 other advertising.

28 [(b) Exception.--Where official and legal advertising is
29 usually and ordinarily published according to recognized or
30 prescribed forms, or particular matters are itemized and

classified under general headings, subsection (a) shall not prohibit the fixing of definite prices or sums for publishing official and legal advertising, regardless of the number of single column lines or space required for each item, notice, or advertisement published in any separate matter or proceeding, and regardless of rates established, fixed, charged or received for commercial, general or other advertising. The purpose of this subsection is to enable newspapers to take into consideration, as elements, when fixing advertising rates or charges, location of the advertisement in the newspaper, the purpose to be served, the character of the advertising, and that a newspaper is entitled to compensation for its readiness at all times to render an advertising service.]

§ 310. No unauthorized advertisements to be published.

No advertisement shall be published by any court or other government unit, which is not duly authorized by law[, nor in more papers than so authorized].

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

§ 311. Publication in newspapers of general circulation.

(a) Limitation.--Legal notices and public notices may only be published in newspapers of general circulation.

(b) Website operator duties.--When publishing a legal notice or public notice on a newspaper's website, on the Statewide public notice website or in a digital newspaper or in an online-only newspaper, the operator of the website shall:

(1) ensure access to the website at all times, other than during website maintenance or due to causes beyond the operator's control;

(2) make the full text of the legal notice or public notice available in a searchable format for the period of

1 time that the legal notice or public notice is required to be
2 posted;

3 (3) provide access to view legal notices or public
4 notices on the website and perform searches for legal notices
5 or public notices on the website, for no fee, provided that
6 the operator may charge a fee for enhanced search and
7 customized content delivery features;

8 (4) maintain an archive of legal notices or public
9 notices that are no longer displayed on the website for at
10 least one year from the date of publication; and

11 (5) charge no additional fee for a publication on the
12 Statewide public notice website and a printed newspaper and
13 free newspaper may not charge an additional fee for
14 publication of printed legal notices or public notices on
15 their websites.

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