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Print, digital access essential for public notice

*State House bill to modernize 49-year-old law
would enhance government transparency*

By William M. Cotter

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A developer wants to rezone a public park to allow high-density housing. The local school board weighs a plan to close an elementary school. City council considers selling the sewer system to a private party.

Knowing in advance that public officials are considering matters like these gives the public an opportunity to weigh in before decisions are made. After all, it is *your* right to know the plan for how *your* hard-earned taxpayer dollars might be spent, and the ways government actions could affect you and your family's lives.

Government agencies must publish public notices about these kinds of matters in printed newspapers of general circulation as required by the Pennsylvania Newspaper Advertising Act of 1976. Newspapers and their platforms remain an easy, accessible, one-stop shop for public notices.

However, the 49-year-old Newspaper Advertising Act needs an update.

Enter state [House Bill 1291](#), which would amend the Newspaper Advertising Act to expand and modernize the definition of “newspaper of general circulation.” The law already requires that public notices be published in print; the bill would also require that they be posted on newspaper websites or, under certain circumstances, notices could be published in online-only or free newspapers.

State House Local Government Committee Chairman Robert L. Freeman (D-Northampton) is sponsor of the bipartisan legislation. The committee is expected to consider the bill in early to mid-May.

“As more newspapers expand digital platforms and many rural areas and certain demographics within the state struggle with limited internet access,” Freeman said, “this definition should be broadened to address the circumstances of all Pennsylvanians so that public notices reach as many people as possible.”

The Pennsylvania NewsMedia Association, whose member news organizations statewide have evolved to include not only print but also wide-ranging digital platforms, supports the bill.

Public notice advertisements would continue to be published in printed newspaper editions and, under the bill, they would also be required on newspaper websites in front of paywalls at no additional cost to government agencies. If a printed newspaper has gone all-digital, public notices could be published on the newspaper’s website.

The legislation would also allow notices to appear in free and digital-only newspapers if there is no printed newspaper or its digital descendent.

In addition, the bill would require public notices to be posted on the free statewide public notice website, www.publicnoticepa.com, which has been managed by the Pennsylvania NewsMedia Association for over a decade at no cost to taxpayers. While newspapers have voluntarily posted to the statewide site in the past, a new legal requirement to post public notices in this centralized location would optimize access to public notices for Pennsylvanians.

Public notices must remain in the trusted hands of local newspapers, where Pennsylvanians have found these announcements for centuries: the Declaration of Independence was published in Pennsylvania newspapers. Today, with their print and digital footprints, newspapers have never had larger audiences.

Modernizing current law to keep public notices where they've always been safeguards Pennsylvanians' ability to understand government proposals and participate in the decision-making process while ensuring the public notice process remains neutral.

Newspapers and their websites are integral parts of the communities they serve. They are also places where people are most likely to look for information about important issues, places where public notices have the greatest exposure and impact.

Keeping public notices in newspapers of general circulation ensures transparency and accountability. Newspapers keep the public informed about government actions, legal proceedings and other important community matters. Newspapers provide a platform where notices can be easily verified and reach a broad, diverse audience.

As Chairman Freeman noted, "The changes proposed in my bill are consistent with various recent public notice statutes adopted across the nation and will update our public notice law while ensuring Pennsylvanians can continue to find public notices in their trusted local newspapers, a disinterested, third party whose constitutional role is to hold government accountable."

I could not agree more.

The Pennsylvania NewsMedia Association is the official trade organization for print, digital and news media-related members statewide. Celebrating its 100th anniversary this year, PNA has advocated for legislation that improves public access laws in the commonwealth.