

SENATE, No. 4654

STATE OF NEW JERSEY

221st LEGISLATURE

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SYNOPSIS

Provides for publication of required legal notices on government Internet websites and through certain online news publications.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT concerning publication of required legal notices,
2 supplementing Title 35 of the Revised Statutes, and amending
3 various parts of the statutory law.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. (New section) As used in P.L. , c. (C.) (pending
9 before the Legislature as this bill):

10 "Electronic format" means an Internet website and other
11 technology having electrical, digital, magnetic, wireless, optical,
12 electromagnetic, or similar capabilities that is operated by or for a
13 newspaper for publication.

14 "IP address" means an Internet Protocol address.

15 "Legal notice" means any resolution, official proclamation,
16 notice or advertisement of any sort, kind, or character, including
17 proposals for bids on public work and otherwise, required by law or
18 by the order or rule of any court to be published by a public entity,
19 corporation, an individual, or any other entity.

20 "Local government unit" means a county, municipality, or other
21 political subdivision of the State, or any agency, board,
22 commission, utilities authority or other authority, or other entity
23 thereof, or a person who is a local government unit officer or
24 employee.

25 "Online news publication" means a news publication in
26 electronic format that contains news on matters of public concern
27 and has published news predominantly in the English language at
28 least once per week for at least one year continuously.

29 "Print newspaper" means a news publication in print form that
30 contains news on matters of public concern and has published news
31 predominantly in the English language at least once per week for at
32 least one year continuously.

33 "Public entity" means the State, any State agency, and any local
34 government unit, district, public authority, public agency, and any
35 other political subdivision or political body in the State.

36 "Secretary" means the Secretary of State.

37 "State agency" means any of the principal departments in the
38 Executive Branch of the State Government, and any division, board,
39 bureau, office, commission, or other instrumentality within or
40 created by a department, and, to the extent consistent with law, any
41 interstate agency to which New Jersey is a party and any
42 independent State authority, commission, instrumentality, or
43 agency. A local government unit shall not be deemed an agency or
44 instrumentality of the State.

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 2. (New section)a. After March 1, 2026, whenever a public
2 entity is required by law or by order or rule of any court to publish
3 or advertise a legal notice, the public entity shall publish or
4 advertise the legal notice on the public entity's official Internet
5 website. The public entity's official Internet website shall be
6 accessible and available to the public free of charge. A direct
7 hyperlink to legal notices published on the public entity's official
8 Internet website shall be conspicuously placed on the website's
9 homepage.

10 b. No later than March 1, 2026, the Secretary of State, with
11 support from the Office of Information Technology and any other
12 State agency the secretary deems necessary, shall establish an
13 Internet webpage on which shall be included hyperlinks to the legal
14 notices webpage of each public entity created pursuant to
15 subsection a. of this section. The legal notices hyperlink webpage
16 established by the secretary shall be accessible and available to the
17 public free of charge and shall be accessible by direct hyperlink
18 conspicuously placed on the Secretary of State's Internet homepage.
19 Each public entity shall submit the hyperlink to the Secretary of
20 State and provide any updates thereto prior to effectuation.

21 c. No later than March 1, 2026, a public entity shall maintain
22 an Internet archive of legal notices that are no longer displayed,
23 which shall be kept for at least one year. The archive shall not be
24 subject to any records retention schedule adopted by the State
25 Records Committee nor to the "Destruction of Public Records Law
26 (1953)," P.L.1953, c.410 (C.47:3-15 et seq.). A public entity shall
27 display a legal notice on its legal notices Internet webpage for at
28 least one week, or other time period as required by law, before
29 transferring the publication to the public entity's Internet archive.
30 A local government unit shall initially publish an Internet archive
31 no later than July 1, 2026 and shall maintain the archive thereafter.

32 d. A local government unit may, in addition to the publication
33 on its official Internet website pursuant to subsection a. of this
34 section, publish or advertise a legal notice separately on an eligible
35 online news publication that meets the criteria of subsection b. of
36 section 3 of P.L. , c. (C.) (pending before the Legislature
37 as this bill). The local government unit shall provide a notice in a
38 prominent location on its official Internet website if it publishes or
39 advertises its legal notices in an online news publication and shall
40 publish a hyperlink to the online news publication.

41

42 3. (New section)a. (1) After March 1, 2026, whenever a
43 corporation, individual, or any other entity that is not a public entity
44 is required by law or by the order or rule of any court to publish or
45 advertise a legal notice, the corporation, individual, or other entity
46 shall publish or advertise the legal notice on an online news
47 publication that satisfies the requirements of subsection b. of this
48 section.

1 (2) The corporation, individual, or other entity shall select an
2 online news publication based on the geographic target as
3 established or implied under the law, court order, or court rule
4 requiring publication.

5 b. To be an eligible online news publication under subsection
6 a. of this section, an online news publication shall:

7 (1) use a domain name for the Internet website that will be
8 easily recognizable and understandable to users of the website as
9 belonging to that online news publication;

10 (2) maintain the online news publication on the Internet in a
11 manner that is fully accessible and searchable by members of the
12 public at all times, other than during routine maintenance or
13 circumstances outside of the operator's control;

14 (3) ensure that legal notices published or advertised on the
15 online news publication comply with the requirements that would
16 apply to the legal notices if they were published in a physical
17 newspaper, as applicable;

18 (4) maintain an archive for at least one year of notices that are
19 no longer displayed on the online news publication;

20 (5) display a legal notice for at least one week, or other time
21 period as required by law, before placing it in archive;

22 (6) enable legal notices, both those currently displayed and
23 those archived, to be accessed by key word, by party name, by case
24 number, by county, or other useful identifiers;

25 (7) maintain an adequate security system and develop a
26 contingency plan for coping with and recovering from power
27 outages, systemic failures, and other unforeseen circumstances;

28 (8) not charge a fee or require registration or a subscription to
29 view legal notices;

30 (9) maintain media liability insurance of up to \$1 million;

31 (10) have been in continuous operation for at least three years,
32 which can be satisfied by the online news publication itself or by a
33 company that has a controlling or majority interest in the online
34 news publication; and

35 (11) (a) provide the number of monthly unique website visits
36 and monthly unique website visits by users in this State and in each
37 county, as evidenced by IP address or other appropriate identifier,
38 which shall be prominently displayed on the Internet homepage of
39 the online news publication along with the criteria provided in this
40 subsection, or a hyperlink to a webpage displaying such criteria,
41 and whether the online news publication meets each criteria.

42 (b) (i) To qualify as an online news publication eligible to
43 publish legal notices for municipal-wide circulation, the online
44 news publication shall receive 4,000 unique monthly visits on
45 average as calculated annually, no less than 50 percent of which
46 shall be from IP addresses within the applicable municipality or
47 within a 10-mile radius of the municipality.

1 (ii) To qualify as an online news publication eligible to publish
2 legal notices for county-wide circulation, the online news
3 publication shall receive 50,000 unique monthly visits on average
4 as calculated annually, no less than 50 percent of which shall be
5 from IP addresses within the applicable county or within a 10-mile
6 radius of the county.

7 (iii) To qualify as an online news publication eligible to publish
8 legal notices for State-wide circulation, the online news publication
9 shall receive 350,000 unique monthly visits on average as
10 calculated annually, no less than 50 percent of which shall be from
11 IP addresses within the State.

12 c. The price to be paid for publishing all public notices or legal
13 notices in an online news publication pursuant to P.L. , c.
14 (C.) (pending before the Legislature as this bill), shall not
15 exceed the rates established pursuant to R.S.35:2-1.

16 d. Unless otherwise provided pursuant to applicable law or
17 court rule or order, an online news publication that receives a legal
18 notice for publication pursuant to this section shall publish the
19 notice within 24 hours of receipt.

20 e. An online news publication that falsely represents that it
21 meets the criteria established pursuant to subsection b. of this
22 section and accepts legal notices for publication shall deemed to
23 have committed an unlawful practice under P.L.1960, c.39 (C.56:8-
24 1 et seq.) and liable to enforcement by the Attorney General
25 pursuant to the provisions of P.L.1960, c.39 (C.56:8-1 et seq.).
26

27 4. (New section) a. A public entity, corporation, or individual
28 required by law or by the order or rule of any court to publish or
29 advertise a legal notice shall publish or advertise the notice in
30 accordance with the applicable law or court order or rule.

31 b. A public entity, corporation, or individual shall be deemed to
32 satisfy their legal obligations to provide a legal notice upon
33 publication of the notice as required pursuant to P.L. , c.
34 (C.) (pending before the Legislature as this bill).

35 c. Legal notices published on a public entity's Internet website
36 or the Internet website of an online news publication in accordance
37 with P.L. , c. (C.) (pending before the Legislature as this
38 bill) shall not be deemed defective if at least one of the following
39 circumstances exist:

40 (1) there is an error in the content or form of the legal notice
41 published or advertised on a public entity's Internet website or
42 online news publication due to a clerical, administrative, or any
43 other error outside of the control of the public entity, corporation, or
44 individual required by law or court order or rule to publish the legal
45 notice;

46 (2) there is a temporary outage, technical malfunction,
47 disruption, or service interruption preventing the publishing,

1 posting, or display of a legal notice on the public entity's Internet
2 website or online news publication;

3 (3) the operator of the public entity's Internet website or the
4 online news publication imposes standard restrictions that prevent
5 access to the website or online news publication;

6 (4) the public entity's Internet website or the online news
7 publication is subject to a cyberattack or cybersecurity incident,
8 including but not limited to ransomware or a data breach, causing
9 the failure to timely or accurately publish the legal notice; or

10 (5) any other circumstances preventing the publishing, posting,
11 or display of a legal notice on the public entity Internet website or
12 online news publication that are outside of the control of the public
13 entity, corporation, or individual required by law or court order or
14 rule to publish the legal notice.

15

16 5. (New section) a. Starting on January 1, 2026 and at least
17 twice per month through December 31, 2026, a public entity
18 required by law or by the order or rule of any court to publish or
19 advertise a legal notice, or that elects to publish or advertise a legal
20 notice before that date pursuant to P.L. , c. (C.) (pending
21 before the Legislature as this bill), shall provide an advertisement in
22 an online news publication that meets the requirements of
23 subsection b. of section 3 of P.L. , c. (C.) (pending before
24 the Legislature as this bill), that:

25 (1) states that the complete text of each legal notice may be
26 obtained or viewed by the public on the official Internet website of
27 each public entity; and

28 (2) provides the hyperlink to the Secretary of State's legal
29 notices hyperlink Internet webpage established pursuant to
30 subsection b. of section 2 of P.L. , c. (C.) (pending before
31 the Legislature as this bill).

32 b. Until the Secretary of State establishes the legal notices
33 hyperlinks Internet webpage pursuant to subsection b. of section 3
34 of P.L. , c. (C.) (pending before the Legislature as this
35 bill), a public entity that elects to comply with the provisions of
36 P.L. , c. (C.) (pending before the Legislature as this bill)
37 shall be deemed to have satisfied the requirements of P.L. , c.
38 (C.) (pending before the Legislature as this bill) without
39 publication of the public entity's hyperlink on the Internet webpage
40 to be established pursuant to subsection b. of section 3 of P.L. , c.
41 (C.) (pending before the Legislature as this bill).

42

43 6. R.S.40:53-2 is amended to read as follows:

44 40:53-2. a. All ordinances or other public notices which any
45 municipality, except cities, may be required by any law to publish,
46 where the manner of publication is not otherwise specifically
47 provided for, shall until March 1, 2026 be published either in at
48 least one newspaper published and circulating in the municipality,

1 and if there be no such newspaper, then in at least one newspaper
2 published in the county in which the municipality is located and
3 circulating in the municipality or consistent with section 2 of
4 P.L. , c. (C.) (pending before the Legislature as this bill).

5 b. After March 1, 2026, all ordinances or other public notices
6 which any municipality, except cities, may be required by any law
7 to publish, where the manner of publication is not otherwise
8 specifically provided for, shall be published consistent with section
9 2 of P.L. , c. (C.) (pending before the Legislature as this
10 bill).

11 (cf: R.S.40:53-2)

12
13 7. N.J.S.40A:2-19 is amended to read as follows:

14 40A:2-19. 1. a. Publications required by this chapter
15 shall, until March 1, 2026, either in the case of a municipality, be in
16 a newspaper published and circulating in the municipality, if there
17 be one, and if not, in a newspaper published in the county and
18 circulating in the municipality. In the case of a county, publications
19 shall be in a newspaper published at the county seat, if there be one,
20 and if not, in a newspaper published and circulating in the county.
21 For the purposes of this section, a newspaper shall not be deemed to
22 be published during any period of time in which the publication of
23 such newspaper shall be interrupted by any involuntary suspension
24 of publication resulting from loss, destruction, mechanical or
25 electric failure of typesetting equipment or printing presses or the
26 unavailability due to conditions beyond the control of the publisher,
27 of paper or other materials and supplies necessary for operation, or
28 resulting from a labor dispute with a recognized labor union or be
29 published consistent with section 2 or 3, as applicable, of P.L. , c.
30 (C. or C.) (pending before the Legislature as this bill).

31 b. After March 1, 2026 publications required by this chapter
32 shall be published consistent with section 2 or 3, as applicable, of
33 P.L. , c. (C. or C.) (pending before the Legislature as
34 this bill).

35 (cf: P.L.1970, c.318, s.1)

36
37 8. R.S.35:1-2.2 is amended to read as follows:

38 35:1-2.2. a. Whenever until March 1, 2026, by law, it is
39 required that there be published by printing and publishing in a
40 newspaper or newspapers, ordinances, resolutions or notices or
41 advertisements of any sort, kind, or character by any county, city, or
42 other municipality or municipal corporation, or by any municipal
43 board or official board, or body, or office, or officials, or by any
44 person or corporation, [such] the newspaper or newspapers [must]
45 shall, in addition to any other qualification now required by law,
46 meet the following qualifications, namely: [said] the newspaper or
47 newspapers shall be entirely printed in the English language, shall
48 be printed and published within the State of New Jersey, shall be a

1 newspaper of general paid circulation possessing an average news
2 content of not less than 35 **[%]** percent, shall have been published
3 continuously in the municipality where its publication office is
4 situate for not less than **[2]** two years and shall have been entered
5 for **[2]** two years as second-class mail matter under the postal laws
6 and regulations of the United States. In case a newspaper cannot
7 meet these qualifications itself but has acquired another newspaper
8 which meets these qualifications, the acquiring newspaper shall be
9 deemed to meet these qualifications if it is published in the same
10 municipality and entered in the same post office as was the acquired
11 newspaper. Continuous publication within the meaning of this
12 section shall not be deemed interrupted by any involuntary
13 suspension of publication for a period not exceeding **[6]** six
14 months resulting from loss, destruction, mechanical or electrical
15 failure of typesetting equipment or printing presses or the
16 unavailability, due to conditions beyond the control or the
17 publisher, of paper or other materials and supplies necessary for
18 operation, or resulting from a labor dispute with a recognized labor
19 union, and any newspaper so affected shall not be disqualified
20 hereunder in the event that publication is resumed within said
21 period of **[6]** six months.

22 For the purposes of this section and for the purpose of qualifying
23 for legal advertisements generally, any newspaper which for not
24 less than **[2]** two years shall have been continuously printed in a
25 building located within two municipalities and which for not less
26 than **[2]** two years shall have continuously maintained its editorial
27 and business offices in said building shall be deemed to have been
28 published continuously in each of said municipalities during that
29 period and its publication office shall be deemed to have been
30 situate in each municipality during that period.

31 In the event any newspaper which shall have been qualified to
32 publish legal advertisements shall move its publication office to
33 any municipality in the same county or in an adjacent county in
34 this State and which shall otherwise continue to meet the
35 qualifications of this section, it shall be qualified to publish legal
36 advertisements which it was qualified to publish prior to moving
37 said publication office for a period of **[2]** two years after the date
38 of the moving of its publication office or such period as **[said]** the
39 newspaper shall have the highest paid circulation of any newspaper
40 within the county or municipality which shall use said newspaper
41 for legal advertisements.

42 b. In lieu of the requirements of subsection a. of this section,
43 whenever until March 1, 2026, by law, it is required that there be
44 published by printing and publishing in a newspaper or newspapers,
45 ordinances, resolutions or notices or advertisements of any sort,
46 kind, or character by any county, city, or other municipality or
47 municipal corporation, or by any municipal board or official board,

1 or body, or office, or officials, or by any person or corporation, the
2 newspaper or newspapers may be published consistent with section
3 2 or 3, as applicable, of P.L. , c. (C. or C.) (pending
4 before the Legislature as this bill).

5 c. After March 1, 2026 whenever, by law, it is required that
6 there be published by printing and publishing in a newspaper or
7 newspapers, ordinances, resolutions or notices or advertisements of
8 any sort, kind, or character by any county, city, or other
9 municipality or municipal corporation, or by any municipal board or
10 official board, or body, or office, or officials, or by any person or
11 corporation, the newspaper or newspapers shall be published
12 consistent with section 2 or 3, as applicable, of P.L. , c.
13 (C. or C.) (pending before the Legislature as this bill).
14 (cf: P.L.1979, c.84, s.1)

15
16 9. Section 1 of P.L.2024, c.106, as amended by P.L.2025, c.22,
17 is amended to read as follows:

18 1. a. Notwithstanding any law, rule, regulation, or municipal
19 ordinance to the contrary, a newspaper utilized or permitted to be
20 utilized by a person for the purpose of complying with any legal
21 requirement, or a public body, as defined in section 3 of the "Open
22 Public Meetings Act," P.L.1975, c.231 (C.10:4-8), from January 1,
23 2024 through December 31, 2024 for the purpose of complying with
24 R.S.35:1-2.2 or any other requirements for issuing or publishing a
25 public notice or legal advertisement, including, but not limited to,
26 for providing adequate notice of a meeting, the solicitation of bids,
27 qualifications, or proposals, or the publication of any ordinances,
28 synopses, or summaries of official documents, shall be deemed
29 eligible for the same purposes from January 1, 2025 to **June 30,**
30 **2025】** March 1, 2026 if the newspaper's publication is in print or
31 electronic format. The price to be paid for publishing all public
32 notices or legal advertisements in print or electronic format as
33 described in this section shall not exceed the rates established
34 pursuant to R.S.35:2-1. A fee shall not be charged, and registration
35 shall not be required, for viewing public notices or legal
36 advertisements published in an electronic format.

37 b. For the purposes of this section, "electronic format" means
38 an Internet website and other technology having electrical, digital,
39 magnetic, wireless, optical, electromagnetic, or similar capabilities
40 that is operated by or for a newspaper for publication.

41
42 10. This act shall take effect immediately.
43
44

45 STATEMENT

46
47 This bill provides that whenever a public entity, as defined in the
48 bill, is required by law or by order or rule of any court to publish or

1 advertise a legal notice, the public entity is to publish or advertise
2 the legal notice on the public entity's official Internet website. The
3 majority of the bill's requirements are mandatory beginning March
4 1, 2026, and are optional until that date. Under the bill, the public
5 entity's official Internet website is to be accessible and available to
6 the public free of charge, and a direct hyperlink to legal notices
7 published on the public entity's official Internet website is to be
8 conspicuously placed on the public entity's Internet homepage.

9 The Secretary of State, with support from the Office of
10 Information Technology and any other State agency the secretary
11 deems necessary, is required to establish an Internet webpage which
12 includes the hyperlinks to the legal notices webpage of each public
13 entity. The legal notices hyperlink webpage is to be accessible and
14 available to the public free of charge and be accessible by a direct
15 hyperlink that is conspicuously placed on the Secretary of State's
16 homepage. Each public entity is required to submit the entity's
17 hyperlink to the Secretary of State and provide any updates thereto.

18 The bill provides that a public entity is required to maintain an
19 Internet archive of legal notices that are no longer displayed, which
20 are required to be kept for at least one year. A public entity is
21 required to display a legal notice on its legal notices webpage for at
22 least one week, or other time period as required by law, before
23 transferring it to the archive. Under the bill, a local government
24 unit is not required to maintain an archive until July 1, 2026.

25 Under the bill, a local government unit may in addition to the
26 publication on its official website, publish or advertise a legal
27 notice on an eligible online news publication that meets the criteria
28 as specified in the bill.

29 The bill also provides that whenever a corporation, individual, or
30 any other entity that is not a public entity is required by law or by
31 the order or rule of any court to publish or advertise a legal notice,
32 the corporation, individual, or other entity is to publish or advertise
33 the legal notice on an online news publication that satisfies the
34 eligibility requirements to function as an online news publication,
35 as specified in the bill. For the year from January 1, 2026, a public
36 entity is required to provide an advertisement at least twice per
37 month in an eligible online news publication that: states that the
38 complete text of each legal notice may be obtained or viewed by the
39 public on the official Internet website of the public entity; and
40 provides the hyperlink to the Secretary of State's legal notices
41 hyperlink Internet webpage, with exceptions provided in the bill.

42 Additionally, under current law, a newspaper utilized, or
43 permitted to be utilized, by a person or public body, as defined in
44 section 3 of the "Open Public Meetings Act," P.L.1975, c.231
45 (C.10:4-8), from January 1, 2024 through December 31, 2024 for
46 the purpose of complying with any requirements for issuing or
47 publishing a public notice or legal advertisement, including, but not
48 limited to, for providing adequate notice of a meeting, the

1 solicitation of bids, qualifications, or proposals, or the publication
2 of any ordinances, synopses, or summaries of official documents, is
3 deemed eligible for the same purposes from January 1, 2025 to June
4 30, 2025 if the newspaper's publication is in print or electronic
5 format. This bill amends that law to provide that public bodies may
6 continue using qualifying newspapers for required public notices
7 and legal advertisements until March 1, 2026 regardless of format.
8 The bill is to take effect immediately.