

Title 35.
Chapter 3. (New)
Official
Electronic
Publication
§§1-5
C.35:3-1
to 35: 3-5

P.L. 2025, CHAPTER 72, *approved June 30, 2025*
Senate, No. 4654

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.

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

4 "Secretary" means the Secretary of State.

5 "State agency" means any of the principal departments in the
6 Executive Branch of the State Government, and any division, board,
7 bureau, office, commission, or other instrumentality within or
8 created by a department, and, to the extent consistent with law, any
9 interstate agency to which New Jersey is a party and any
10 independent State authority, commission, instrumentality, or
11 agency. A local government unit shall not be deemed an agency or
12 instrumentality of the State.

13
14 2. (New section) a. After March 1, 2026, whenever a public
15 entity is required by law or by order or rule of any court to publish
16 or advertise a legal notice, the public entity shall publish or
17 advertise the legal notice on the public entity's official Internet
18 website. The public entity's official Internet website shall be
19 accessible and available to the public free of charge. A direct
20 hyperlink to legal notices published on the public entity's official
21 Internet website shall be conspicuously placed on the website's
22 homepage.

23 b. No later than March 1, 2026, the Secretary of State, with
24 support from the Office of Information Technology and any other
25 State agency the secretary deems necessary, shall establish an
26 Internet webpage on which shall be included hyperlinks to the legal
27 notices webpage of each public entity created pursuant to
28 subsection a. of this section. The legal notices hyperlink webpage
29 established by the secretary shall be accessible and available to the
30 public free of charge and shall be accessible by direct hyperlink
31 conspicuously placed on the Secretary of State's Internet homepage.
32 Each public entity shall submit the hyperlink to the Secretary of
33 State and provide any updates thereto prior to effectuation.

34 c. No later than March 1, 2026, a public entity shall maintain
35 an Internet archive of legal notices that are no longer displayed,
36 which shall be kept for at least one year. The archive shall not be
37 subject to any records retention schedule adopted by the State
38 Records Committee nor to the "Destruction of Public Records Law
39 (1953)," P.L.1953, c.410 (C.47:3-15 et seq.). A public entity shall
40 display a legal notice on its legal notices Internet webpage for at
41 least one week, or other time period as required by law, before
42 transferring the publication to the public entity's Internet archive.
43 A local government unit shall initially publish an Internet archive
44 no later than July 1, 2026 and shall maintain the archive thereafter.

45 d. A local government unit may, in addition to the publication
46 on its official Internet website pursuant to subsection a. of this
47 section, publish or advertise a legal notice separately on an eligible
48 online news publication that meets the criteria of subsection b. of

1 section 3 of P.L. , c. (C.) (pending before the Legislature
2 as this bill). The local government unit shall provide a notice in a
3 prominent location on its official Internet website if it publishes or
4 advertises its legal notices in an online news publication and shall
5 publish a hyperlink to the online news publication.
6

7 3. (New section)a. (1) After March 1, 2026, whenever a
8 corporation, individual, or any other entity that is not a public entity
9 is required by law or by the order or rule of any court to publish or
10 advertise a legal notice, the corporation, individual, or other entity
11 shall publish or advertise the legal notice on an online news
12 publication that satisfies the requirements of subsection b. of this
13 section.

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

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

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

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

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

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

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

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

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

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

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

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

1 (11) (a) provide the number of monthly unique website visits
2 and monthly unique website visits by users in this State and in each
3 county, as evidenced by IP address or other appropriate identifier,
4 which shall be prominently displayed on the Internet homepage of
5 the online news publication along with the criteria provided in this
6 subsection, or a hyperlink to a webpage displaying such criteria,
7 and whether the online news publication meets each criteria.

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

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

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

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

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

33 e. An online news publication that falsely represents that it
34 meets the criteria established pursuant to subsection b. of this
35 section and accepts legal notices for publication shall deemed to
36 have committed an unlawful practice under P.L.1960, c.39 (C.56:8-
37 1 et seq.) and liable to enforcement by the Attorney General
38 pursuant to the provisions of P.L.1960, c.39 (C.56:8-1 et seq.).
39

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

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

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

6 (1) there is an error in the content or form of the legal notice
7 published or advertised on a public entity's Internet website or
8 online news publication due to a clerical, administrative, or any
9 other error outside of the control of the public entity, corporation, or
10 individual required by law or court order or rule to publish the legal
11 notice;

12 (2) there is a temporary outage, technical malfunction,
13 disruption, or service interruption preventing the publishing,
14 posting, or display of a legal notice on the public entity's Internet
15 website or online news publication;

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

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

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

28
29 5. (New section) a. Starting on January 1, 2026 and at least
30 twice per month through December 31, 2026, a public entity
31 required by law or by the order or rule of any court to publish or
32 advertise a legal notice, or that elects to publish or advertise a legal
33 notice before that date pursuant to P.L. , c. (C.) (pending
34 before the Legislature as this bill), shall provide an advertisement in
35 an online news publication that meets the requirements of
36 subsection b. of section 3 of P.L. , c. (C.) (pending before
37 the Legislature as this bill), that:

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

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

45 b. Until the Secretary of State establishes the legal notices
46 hyperlinks Internet webpage pursuant to subsection b. of section 3
47 of P.L. , c. (C.) (pending before the Legislature as this
48 bill), a public entity that elects to comply with the provisions of

1 P.L. , c. (C.) (pending before the Legislature as this bill)
2 shall be deemed to have satisfied the requirements of P.L. , c.
3 (C.) (pending before the Legislature as this bill) without
4 publication of the public entity's hyperlink on the Internet webpage
5 to be established pursuant to subsection b. of section 3 of P.L. , c.
6 (C.) (pending before the Legislature as this bill).

7
8 6. R.S.40:53-2 is amended to read as follows:

9 40:53-2. a. All ordinances or other public notices which any
10 municipality, except cities, may be required by any law to publish,
11 where the manner of publication is not otherwise specifically
12 provided for, shall until March 1, 2026 be published either in at
13 least one newspaper published and circulating in the municipality,
14 and if there be no such newspaper, then in at least one newspaper
15 published in the county in which the municipality is located and
16 circulating in the municipality or consistent with section 2 of
17 P.L. , c. (C.) (pending before the Legislature as this bill).

18 b. After March 1, 2026, all ordinances or other public notices
19 which any municipality, except cities, may be required by any law
20 to publish, where the manner of publication is not otherwise
21 specifically provided for, shall be published consistent with section
22 2 of P.L. , c. (C.) (pending before the Legislature as this
23 bill).

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

25
26 7. N.J.S.40A:2-19 is amended to read as follows:

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

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

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

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

2 35:1-2.2. a. Whenever until March 1, 2026, by law, it is
3 required that there be published by printing and publishing in a
4 newspaper or newspapers, ordinances, resolutions or notices or
5 advertisements of any sort, kind, or character by any county, city, or
6 other municipality or municipal corporation, or by any municipal
7 board or official board, or body, or office, or officials, or by any
8 person or corporation, **【such】** the newspaper or newspapers **【must】**
9 shall, in addition to any other qualification now required by law,
10 meet the following qualifications, namely: **【said】** the newspaper or
11 newspapers shall be entirely printed in the English language, shall
12 be printed and published within the State of New Jersey, shall be a
13 newspaper of general paid circulation possessing an average news
14 content of not less than 35 **【%】** percent, shall have been published
15 continuously in the municipality where its publication office is
16 situate for not less than **【2】** two years and shall have been entered
17 for **【2】** two years as second-class mail matter under the postal laws
18 and regulations of the United States. In case a newspaper cannot
19 meet these qualifications itself but has acquired another newspaper
20 which meets these qualifications, the acquiring newspaper shall be
21 deemed to meet these qualifications if it is published in the same
22 municipality and entered in the same post office as was the acquired
23 newspaper. Continuous publication within the meaning of this
24 section shall not be deemed interrupted by any involuntary
25 suspension of publication for a period not exceeding **【6】** six
26 months resulting from loss, destruction, mechanical or electrical
27 failure of typesetting equipment or printing presses or the
28 unavailability, due to conditions beyond the control or the
29 publisher, of paper or other materials and supplies necessary for
30 operation, or resulting from a labor dispute with a recognized labor
31 union, and any newspaper so affected shall not be disqualified
32 hereunder in the event that publication is resumed within said
33 period of **【6】** six months.

34 For the purposes of this section and for the purpose of qualifying
35 for legal advertisements generally, any newspaper which for not
36 less than **【2】** two years shall have been continuously printed in a
37 building located within two municipalities and which for not less
38 than **【2】** two years shall have continuously maintained its editorial
39 and business offices in said building shall be deemed to have been
40 published continuously in each of said municipalities during that
41 period and its publication office shall be deemed to have been
42 situate in each municipality during that period.

43 In the event any newspaper which shall have been qualified to
44 publish legal advertisements shall move its publication office to
45 any municipality in the same county or in an adjacent county in
46 this State and which shall otherwise continue to meet the
47 qualifications of this section, it shall be qualified to publish legal

1 advertisements which it was qualified to publish prior to moving
2 said publication office for a period of **[2]** two years after the date
3 of the moving of its publication office or such period as **[said]** the
4 newspaper shall have the highest paid circulation of any newspaper
5 within the county or municipality which shall use said newspaper
6 for legal advertisements.

7 b. In lieu of the requirements of subsection a. of this section,
8 whenever until March 1, 2026, by law, it is required that there be
9 published by printing and publishing in a newspaper or newspapers,
10 ordinances, resolutions or notices or advertisements of any sort,
11 kind, or character by any county, city, or other municipality or
12 municipal corporation, or by any municipal board or official board,
13 or body, or office, or officials, or by any person or corporation, the
14 newspaper or newspapers may be published consistent with section
15 2 or 3, as applicable, of P.L. , c. (C. or C.) (pending
16 before the Legislature as this bill).

17 c. After March 1, 2026 whenever, by law, it is required that
18 there be published by printing and publishing in a newspaper or
19 newspapers, ordinances, resolutions or notices or advertisements of
20 any sort, kind, or character by any county, city, or other
21 municipality or municipal corporation, or by any municipal board or
22 official board, or body, or office, or officials, or by any person or
23 corporation, the newspaper or newspapers shall be published
24 consistent with section 2 or 3, as applicable, of P.L. , c.
25 (C. or C.) (pending before the Legislature as this bill).

26 (cf: P.L.1979, c.84, s.1)

27
28 9. Section 1 of P.L.2024, c.106, as amended by P.L.2025, c.22,
29 is amended to read as follows:

30 1. a. Notwithstanding any law, rule, regulation, or municipal
31 ordinance to the contrary, a newspaper utilized or permitted to be
32 utilized by a person for the purpose of complying with any legal
33 requirement, or a public body, as defined in section 3 of the "Open
34 Public Meetings Act," P.L.1975, c.231 (C.10:4-8), from January 1,
35 2024 through December 31, 2024 for the purpose of complying with
36 R.S.35:1-2.2 or any other requirements for issuing or publishing a
37 public notice or legal advertisement, including, but not limited to,
38 for providing adequate notice of a meeting, the solicitation of bids,
39 qualifications, or proposals, or the publication of any ordinances,
40 synopses, or summaries of official documents, shall be deemed
41 eligible for the same purposes from January 1, 2025 to **[June 30,**
42 **2025]** March 1, 2026 if the newspaper's publication is in print or
43 electronic format. The price to be paid for publishing all public
44 notices or legal advertisements in print or electronic format as
45 described in this section shall not exceed the rates established
46 pursuant to R.S.35:2-1. A fee shall not be charged, and registration
47 shall not be required, for viewing public notices or legal
48 advertisements published in an electronic format.

1 month in an eligible online news publication that: states that the
2 complete text of each legal notice may be obtained or viewed by the
3 public on the official Internet website of the public entity; and
4 provides the hyperlink to the Secretary of State's legal notices
5 hyperlink Internet webpage, with exceptions provided in the bill.

6 Additionally, under current law, a newspaper utilized, or
7 permitted to be utilized, by a person or public body, as defined in
8 section 3 of the "Open Public Meetings Act," P.L.1975, c.231
9 (C.10:4-8), from January 1, 2024 through December 31, 2024 for
10 the purpose of complying with any requirements for issuing or
11 publishing a public notice or legal advertisement, including, but not
12 limited to, for providing adequate notice of a meeting, the
13 solicitation of bids, qualifications, or proposals, or the publication
14 of any ordinances, synopses, or summaries of official documents, is
15 deemed eligible for the same purposes from January 1, 2025 to June
16 30, 2025 if the newspaper's publication is in print or electronic
17 format. This bill amends that law to provide that public bodies may
18 continue using qualifying newspapers for required public notices
19 and legal advertisements until March 1, 2026 regardless of format.

20 The bill is to take effect immediately.

21
22
23
24
25 Provides for publication of required legal notices on government
26 Internet websites and through certain online news publications.