
OLR Bill Analysis

sHB 6812

AN ACT CONCERNING THE PUBLICATION OF MUNICIPAL LEGAL NOTICES.

SUMMARY

This bill creates a framework for municipalities (towns, cities, and boroughs) to determine whether they must continue publishing required legal notices in a newspaper, or whether they can instead publish them on their websites because no paper has “sufficient circulation” locally. Generally, the bill defines “sufficient circulation” as a readership of at least 15% of households in the municipality. Beginning July 1, 2027, the bill requires all municipalities to post notices on their websites, but it also retains the newspaper publication requirement for municipalities that are served by a paper with sufficient circulation.

The bill creates a transition period between July 1, 2026, and June 30, 2027, during which time notices do not have to be posted online if they are published in a newspaper with sufficient circulation. After that time, if, following a process the bill sets, a newspaper is deemed to have sufficient circulation locally, then the municipality must publish legal notices in it, as well as posting them on its website. Under the bill’s process, the municipal chief elected official (CEO) must biennially make this determination using data supplied by the newspaper industry. The bill sets the requirements for posting legal notices online and specifies how confirmation of posting must be given.

Various existing state and local laws (statutes, special acts, charters, ordinances, or regulations) require municipalities to publish legal notices in a newspaper (such as notice of a town meeting, tax sale, or certain land use approvals). The specific requirements for publication vary, but many laws require municipalities to select a newspaper having “a substantial circulation” in the jurisdiction. The Supreme Court

recently considered what this means in light of, among other things, changes in the newspaper industry (see BACKGROUND).

The bill's requirements for selecting where to publish legal notices apply instead of the requirements in current law. The bill's provisions do not change existing state or local laws on publication deadlines or minimum frequency.

The bill specifies that a legal notice that contains an error is not invalid if the municipality complied with the bill's provisions and the municipality is not responsible for the error.

The bill also makes minor and conforming changes, including broadening a provision in current law that allows required notices to be published in a free weekly paper instead of a daily paper to include notices required by local ordinances or regulations (this authority, as it applies to all notices, sunsets when the transition period begins on July 1, 2026).

EFFECTIVE DATE: October 1, 2025

LEGAL NOTICE PUBLICATION

“Sufficient Circulation” Determination

Under the bill, “sufficient circulation” means a total readership of not less than 15% of households in a municipality (based on the most recent decennial census). The bill specifies that newspaper readership is calculated by adding together the average number of print and online subscribers and unique online visitors in the municipality each month over the preceding twelve-month period. (It is unclear how this readership calculation will work and the bill does not define “subscribers” or “unique online visitors.”)

By April 30, 2026, and at least biennially after that, the local CEO must (1) identify any daily or weekly newspapers that publish, or want to publish, legal notices in the municipality and (2) determine if each has “sufficient circulation.” The CEO must do so using data supplied by the newspapers, including the average number of print and online subscribers and unique online visitors in the municipality each month

over the preceding twelve-month period. The bill requires newspapers to provide requested data in the form and manner the CEO sets.

By June 30, 2026, and at least biennially after that, the CEO must select a single newspaper in which the municipality's legal notices will be published, if the CEO identified a paper or papers with sufficient circulation. The CEO can set the criteria for choosing which paper to publish legal notices in if more than one paper has sufficient circulation.

Print and Website Publication Requirements

The bill sets rules for a transition period, running from July 1, 2026, to June 30, 2027. Regardless of state or local laws on publishing legal notices in a newspaper, during the transition period, the bill requires municipalities to publish their required legal notices (1) in the newspaper selected by the CEO after his or her sufficient circulation determination, or (2) if the CEO did not find and select one, on the municipality's website, as described below.

Beginning July 1, 2027, all municipalities must publish legal notices on their websites. Municipalities that are served by a paper with sufficient circulation must also publish their legal notices in the paper the CEO designates.

Online Notices. Under the bill, if a legal notice must be published on a municipal website, the municipality must:

1. post a link on the website's home page for the public to access it;
2. keep it posted online for at least 90 days; and
3. either (a) file a copy in the municipal clerk's office on the day it is published online, or (b) transmit a copy by email to the regional council of governments for the region in which the municipality is located (the bill does not specify a deadline if this option is used).

BACKGROUND

Recent Connecticut Supreme Court Case

Numerous statutes and other state and local laws require municipalities to publish their legal notices in a newspaper having “a substantial circulation” in the municipality. In 2024, the Connecticut Supreme Court held that a newspaper used by the borough of Fenwick’s zoning authority to publish its legal notices qualified as having “a substantial circulation,” even though none of the borough’s year-round residents subscribed to the paper (*9 Pettipaug, LLC v. Fenwick Plan. and Zoning Comm'n*, 316 A.3d 318 (Conn. 2024)).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/28/2025)