



Lunch & Learn: The New Public Notices Law

July 15, 2025

Public Notices

- *N.J.S.A. 35:1-1 et seq.* outlines requirements for public notice dissemination. This ensures that government entities provide residents with transparency on government actions.
- Notices vary depending on the specific legal obligations, but include governing body meeting schedules, zoning or land use changes, public bidding, notification of ordinances, or tax sale notices.
- Title 35 provides the statutory requirements for:
 - The type of “newspaper” to be used.
 - The content of notices.
 - The verification of notices.

Public Notices: The Immediate Response

[P.L. 2024, c. 106](#)

- Signed by Governor Murphy on December 31, 2024, created a temporary fix in response to several newspapers ending print publications.
- If newspapers met the statutory requirements for public notice on December 31, 2024, they continued to do so regardless if print or online.
- Applies to all public notices including but not limited to meeting notices, solicitation of bids, and publication of ordinances.
- The fee for publishing public notices cannot exceed the existing statutory rates.
- If electronic, newspapers cannot charge a fee or require registration to view the public or legal advertisements.
- Expired on March 31, 2025.

Public Notices: Short Term Solution

[P.L. 2025, c. 22](#)

- Signed by Acting Governor Way on February 28, 2025.
- Extends P.L. 2024, c. 106 to June 30, 2025.
- Placed reporting requirements on newspapers.

Short Term Solution

P.L. 2025, c.22 Continued

- Newspapers are required to submit a report to the Governor and Office of Legislative Services (OLS) within 30 days of enactment.
- Report includes:
 - Number of paid digital subscriptions by each public body.
 - Number of unpaid digital and print subscriptions by each public body.
 - Number of newspapers sold daily by retailers.
 - Amounts billed for print or electronic publication of public notices and legal advertisements in print or electronic format from 2020-2024 by each public body.
 - Average retail price of digital and print subscriptions.
 - Number of daily page views for webpages on the online newspaper's website for public notices and legal advertisements are published from January 1, 2024, to effective date of bill.

Long Term Solution: P.L. 2025, c. 72

Secretary of State

- By March 1, 2026.
- Secretary of State must establish a legal notice webpage with hyperlinks to the legal notices webpage for each public entity.
- The Secretary of State's webpage must be
 - Accessible.
 - Available free of charge.
 - Accessible by direct link conspicuously placed on Secretary of State's homepage.
- Each public entity must submit hyperlink to their public notice page and update any hyperlink changes.

Long Term Solution: P.L. 2025, c. 72

Posting Time Requirements & Archives

- Required to display a legal notice on webpage for at least one week, or other time period as required by law, before transferring it to the archive.
- Public notices are required to be archived for at least 1 year.
- The archive is not required until July 1, 2026.
- Archive is not subject to Records Retention Schedule nor the Destruction of Public Records Law.

Long Term Solution: P.L. 2025, c. 72

Optional Publications

- In addition to public notice on official website **may** publish legal notice or advertisement on eligible online news publication.
- Online news publication is defined as "a news publication in electronic format that contains news on matters of public concern & has published news predominantly in the English language at least once per week for at least one year continuously."
- To qualify as online news publication must
 - Municipal-wide circulation=average 4,000 unique monthly visits, no less than 50% from IP address within municipality or 10-mile radius.
 - County-wide circulation=average 50,000 unique monthly visits, no less than 50% from IP address within county or 10-mile radius.
 - State-wide circulation = average 350,000 unique monthly visits, no less than 50% from IP address within State.
- Must publish a hyperlink to the online news publication on its official website.

Long Term Solution: P.L. 2025, c. 72

Public Notice Requirement

- From January 1, 2026 to December 31, 2026.
- Must publish a legal advertisement that states:
 - The complete text of each legal notice may be obtained or viewed on the public entity's website.
 - Provides a hyperlink to Secretary of State's legal notices webpage (if available).
- Must publish twice a month.

Long Term Solution: P.L. 2025, c. 72

Public Notice Not Deemed Defective

- Public Notices will not be deemed defective if at least 1 of the following circumstances exists:
 - Error in content or form due to a clerical, administrative or any other error outside the control of the public entity, corporation or individual required to publish the legal notice.
 - Temporary outage, technical malfunction, disruption, or service interruption preventing the publishing, posting, or display of a legal notice.
 - Operator of the public entity's website or online news publication imposes standard restrictions that prevent access to the website or online news publication.
 - Website is subject to a cyberattack or cybersecurity incident, including but not limited to, ransomware or data breach, causing the failure to timely or accurately publish the legal notice.
 - Any other circumstance preventing the publishing, posting or display of a legal notice that is outside the control of the public entity, corporation or individual required to publish the legal notice.

Long Term Solution: P.L. 2025, c. 72

Corporation, Individual, or Other Entity

Public Notice Requirement

- After March 1, 2026.
- Not a Public Entity but corporation, individual, or any other entity required to publish or advertise legal notice must do so on an online news publication.
- Select online news publication based on geographic target established or implied by law.
- Rates cannot exceed rates established in Title 35.
- Must publish notice within 24 hours of receipt.

Long Term Solution: P.L. 2025, c. 72 Corporation, Individual or Other Entity

Public Notice Requirement

- Law outlines requirements for online news publications
 - Easily recognizable and understandable to users that it belongs to online news publication.
 - Maintain website in a manner fully accessible and searchable by public at all times (except routine maintenance).
 - Ensure published notices comply with the requirements if the notices were published in a printed newspaper.
 - Maintain an archive for at least 1 year.
 - Display notices for at least 1 week, or other time period required by law.
 - Enable legal notices to be accessed by key word, by party name, by case number, by county, or other useful identifiers.
 - Maintain an adequate security system & develop a contingency plan.
 - Not charge a fee or require registration or subscription to view legal notices.
 - Maintain media liability insurance of up to \$1 million.
 - Continuously operating for at least 3 years.
 - Provide number of monthly unique visits.

Questions, Comments, Concerns?

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