

Massachusetts House of Representatives

Bill Summary

Bill #: H.5486

Title: An Act allowing “print-free” digital legal notices for the town of Wayland

Sponsor: Rep. David Linsky and Sen. James Eldridge

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2026

Current Law: MGL Chapter 4, Section 13 (b) states “If a person, corporation, state agency, including its political subdivisions, a state authority, including its political subdivisions, municipality, including its political subdivisions, or other legal entity is required by a statute, ordinance, by-law or judicial order to publish a legal notice in a newspaper or newspaper of general circulation, the person, corporation, agency, authority, municipality or other legal entity shall publish said notice in a newspaper which shall ensure that the legal notice appears in: (i) a newspaper's print publication; (ii) on the newspaper's website; and (iii) on a statewide website that may be maintained as a repository for such notices; provided, however, that if a newspaper does not maintain its own website, publication on a statewide website and reference to the statewide website in the print publication notice shall satisfy the requirement of publication on the newspaper's website.”

Mass. General Laws Chapter 40A, Section 11 requires that public notices of public hearings be published in a newspaper of general circulation in the city or town for two weeks in a row, with the first publication occurring not less than 14 days before the hearing. The notice must also be posted in a conspicuous location in the city or town hall 14 days before the hearing.

The law also provides for mailing such hearing notices to the parties of interest (those affected by the subject of the hearing) but does not include any provision for publishing such notices on a website.

Summary: Section 1 sets forth the purpose of the legislation, which cites the changing landscape of print newspaper businesses. The legislation would authorize, but not require, the town and its subdivisions to use digital notices to satisfy legal notice requirements.

Section 2 exempts the town of Wayland from any contrary provisions contained in Section 13 of MGL Chapter 4, providing that whenever the town, school department or their subdivisions, boards, committees or commissions are required by statute, ordinance, by-law or judicial order to publish a legal notice in a newspaper, such a requirement may be satisfied by using one or more of the following methods, as authorized by vote of the select board or school committee, as provided in section 3 of the bill:

- (a) publishing in a newspaper of general print circulation;
- (b) on a newspaper's website;
- (c) on websites that report local news and opinion that satisfy all criteria for digital publication as enumerated in Section 13(b) of Chapter 4;
- (d) on a statewide website maintained as a repository for such notices; or
- (e) on an official town website that may be maintained as a repository for such notices.

Section 3 prescribes the process for choosing the method of publication.

The select board, by majority vote, shall determine at least two means of publication listed in section 2 for all legal notices issued by town boards, committees, commissions and officials, including but not limited to:

- Zoning board of appeals,
- Town manager,
- Town treasurer,
- Town clerk,
- Police chief,
- Fire chief, and
- The building commissioner

For legal notices issued by the public school boards, committees, commissions and officials, the school committee would, by majority vote, select at least two methods of legal notice publication.

The bill includes a provision allowing the select board and school committee to revisit their means of publication votes at their discretion and choose by majority vote different means of publication from the options listed in section 2.

Section 4 contains a provision stating that nothing in the act shall be construed to alter or amend the timing requirements for publishing legal notices as provided in the general laws.

Section 5 provides for this act to take effect upon its passage.

Notes:

The home rule petition language was approved as Article 37 at the May 4, 2026 annual town meeting by electronic vote of 73 Yes and 31 No.