

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 2323 (McKinnor)
Version: May 20, 2026
Hearing Date: June 9, 2026
Fiscal: No
Urgency: No
AM

SUBJECT

Publication: newspapers of general circulation

DIGEST

This bill requires any public notice that is legally required to be published in a newspaper of general circulation to be published in the newspaper's print publication and on the newspaper's website or electronic newspaper available on the internet. The bill prohibits a newspaper from charging a fee or surcharge to access public notices on their internet website; however, a newspaper may continue to charge a fee or surcharge for access to other content on their internet website. The bill also prohibits a newspaper from charging an additional fee or surcharge specifically for posting a public notice to the newspaper's internet website.

EXECUTIVE SUMMARY

This bill seeks to provide a framework that maintains the existing requirement of print publication, while also requiring online publication of required public notices. The author and proponents of the bill argue this will maintain the traditional requirement of print publication for public notices while also modernizing the tradition of public notice by also requiring online publication.

The bill is sponsored by California Black Media and supported by various new organizations and business organizations. No timely opposition was received by the Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that whenever any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required by law to be published in a newspaper,

such publication is to be made only in a newspaper of general circulation. (Gov. Code § 6040.)

- 2) Provides that a newspaper qualifies as a newspaper of general circulation if it meets all of the following criteria:
 - a) it is a newspaper published for the dissemination of local or telegraphic news and intelligence of a general character, which has a bona fide subscription list of paying subscribers and has been established and published at regular intervals of not less than weekly in the city, district, or public notice district for which it is seeking adjudication for at least three years preceding the date of adjudication;
 - b) it has a substantial distribution to paid subscribers in the city, district, or public notice district in which it is seeking adjudication;
 - c) it has maintained a minimum coverage of local or telegraphic news and intelligence of a general character of not less than 25 percent of its total inches during each year of the three-year period; and
 - d) it has only one principal office of publication and that office is in the city, district, or public notice district for which it is seeking adjudication. (Gov. Code § 6008(a)(4).)
- 3) Provides that whenever a newspaper desires to have its standing as a newspaper of general circulation ascertained and established, it may, by its publisher, manager, editor or attorney, file a verified petition in the superior court of the county in which it is established, printed and published, setting forth the facts which justify such action. (Gov. Code § 6020.)
- 4) Provides that all publications made in a newspaper during the period it was adjudged to be a newspaper of general circulation are valid and sufficient. (Gov. Code § 6025.)
- 5) Specifies that whenever any law provides that publication of a notice is required, that notice must be published in a newspaper of general circulation for the period prescribed, the number of times, and in the manner provided in that statute.
 - a) Provides that notice includes official advertising, resolutions, orders, or other matter of any nature whatsoever that are required by law to be published in a newspaper of general circulation. (Gov. Code § 6060.)
- 6) Requires public notice in a newspaper of general circulation to notify about a wide range of legal events of interest to the public, including, among others:
 - a) public hearings related to matters such as land use, zoning changes, and environmental impact reports. (see Gov. Code § 50485.5 (airport zoning), Health and Saf. Code §33679 (community redevelopment), Health and Saf. § 25242(b)(4) (hazardous waste);
 - b) election notices. (see Elec. Code § 9303 (initiative), § 12105 (pre-election notices), § 5200 (disqualification of political parties); § 11022 (notice of intent to recall);

- c) foreclosure notices (Civ. Code § 2924f(b)(2));
- d) lien sale of personal property in self-service storage facilities. (Bus. & Prof. Code § 21707(a)); and
- e) name changes (Code of Civ. Proc. § 1277(a)(2).)

This bill:

- 1) Requires any public notice that is legally required to be published in a newspaper of general circulation to be published in the newspaper's print publication and on the newspaper's internet website or electronic newspaper available on the internet
- 2) Prohibits a newspaper from charging a fee or surcharge to access public notices on their internet website; however, a newspaper may continue to charge a fee or surcharge for access to other content on their internet website
- 3) Prohibits a newspaper from charging an additional fee or surcharge specifically for posting a public notice to the newspaper's internet website.

COMMENTS

1. Stated need for the bill

The author writes:

AB 2323 seeks to modernize California's public notice framework while maintaining the legal protections associated with newspapers of general circulation. The bill expands digital access to public notices so that members of the public can more easily locate important information through additional platforms, while preserving existing requirements for publication in qualifying newspapers. By allowing notices to be available in both traditional print and digital formats, the bill aims to improve accessibility to legally required information while maintaining the established role that newspapers of general circulation play within California's public notice system.

2. Public notices

Public notices are designed to ensure that the public is aware of the business of government and other important local happenings. California law has long required various legal notices to be published in a "newspaper of general circulation" and this process of informing the public had generally worked well. However, the media landscape has changed drastically in the past years. This Committee held an informational hearing on December 5, 2023, regarding the Importance of Journalism in the Digital Age. The background paper provides an in-depth examination of the myriad issues facing journalism amidst the rise of digital news. Since 2005, the country has lost more than 25 percent of its newspapers, or over 2,500 publications. Americans generally

consume their news on digital devices rather than in print by a significant margin: according to the Pew Research Center, as of 2022, 49 percent of U.S. adults often, and 33 percent sometimes, got their news from digital devices, while 8 percent of adults often, and 25 percent sometimes, got their news from print publications.

The California Black Media argues that this bill takes a balanced approach to modernizing California's public notice framework by preserving the longstanding role of newspapers of general circulation while allowing notices to also be accessible through digital platforms. They note that this approach reflects how residents access information today while maintaining the transparency and due process protections that are central to public notice requirements.

Under the bill, public notices that are legally required to be published in a newspaper of general circulation would also be required to be posted to the newspaper's website. The requirement to post a notice online is the responsibility of the newspaper that the member of the public submits the notice for publication to, so no additional requirements or duties are placed on the public than they already have under existing law when publishing a notice. The bill would prohibit a newspaper from charging an additional fee to specifically access public notices published on their website; however, a newspaper is allowed to charge for general access to their online website (commonly known as a paywall) including public notices.

AB 2095 (Maienschein, 2024) was somewhat similar to this bill. The main difference is that AB 2095 would have also required the notice to be published on a statewide internet website maintained as a repository for notices by a majority of California newspapers of general circulation in addition to a newspaper's own website. AB 2095 was vetoed by Governor Newsom stating:

[...] I applaud the author's attempt to provide an online repository to inform the public of the important matters covered in these legal notices. However, I am concerned that this bill may require the state's small community newspapers to hire additional personnel to upload notices and/or to pay for software tools to manage these uploads. Neither of these are costs that these small businesses, a vital and valuable source of local journalism, can bear. I encourage the Legislature to revisit this issue in subsequent legislation that achieves this bill's objectives, while also addressing the potential financial burden on small community newspapers. [...]

AB 1444 (Flora, 2025) was substantially similar to AB 2095 and died on the Assembly inactive file.

AB 2095 contained guardrails to ensure any issues related to a notice being published online does not affect the sufficiency of the notice included in a print publication, by providing that the public notice remains valid if it otherwise meets the print publication

requirements. This bill does not contain similar language. To ensure these same guardrails are included in this bill, the author has agreed to amend the bill.

3. Amendment¹

The specific amendment described in Comment 2, above, is as follows:

An error in the legal notice published on a newspaper's internet website that is a result of either (1) an error of the internet website operator; or (2) a temporary internet website outage or service interruption that prevents the publication or display of a legal notice on the internet website shall not constitute a defect in publication of the legal notice, if the legal notice appears correctly in the newspaper's print publication and satisfies all other legal notice requirements.

4. Stakeholder statements

The California Black Media, the sponsor of the bill, writes in support stating:

AB 2323 represents a balanced and practical approach to modernizing California's public notice system. The bill preserves the longstanding role of newspapers of general circulation while expanding public access by making notices available online through newspaper websites. This approach increases transparency, expands reach, and ensures more Californians have access to important information about government actions that affect their lives.

Our publications serve diverse communities that rely on trusted local news and information. Many of our readers continue to access information through print newspapers, while others increasingly rely on digital platforms. AB 2323 recognizes this reality by supporting both methods of access without disrupting the existing public notice framework that has provided accountability and public transparency for generations.

As publishers, we believe public notices should be accessible, verifiable, and rooted in the communities they serve. AB 2323 advances those goals while supporting the local news organizations that help keep residents informed and engaged.

SUPPORT

California Black Media
Bakersfield News Observer
Black Voice News/IE Voice
California African Chamber of Commerce

¹ The amendments may include nonsubstantive changes as identified by Legislative Counsel.

California Black Chamber of Commerce
California Hispanic Chamber of Commerce
Compton Bulletin
Inland Valley News
Los Angeles Sentinel
Los Angeles Wave
National Action Network Sacramento Chapter
Our Weekly
Post News Group
Sacramento Observer
San Bernardino American News
San Diego Voice and Viewpoint
Sentinel Weekley News
Stockton Observer
The Perris Progress
The Sun Reporter

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 1444 (Flora, 2025) would have required any public notice that is legally required to be published in a newspaper of general circulation to be published in the newspaper's print publication, on the newspaper's internet website or electronic newspaper available on the internet, and on the statewide internet website maintained as a repository for notices by a majority of California newspapers of general circulation, as specified. AB 1444 died on the inactive file in the Assembly.

AB 2095 (Maienschein, 2024) was substantially similar to AB 1444. AB 2095 was vetoed by Governor Newsom. (*See* Comment 2 for Governor's veto message.)

PRIOR VOTES

Assembly Floor (Ayes 70, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
