

October 14, 2026

Via Electronic Mail

The Hon. Thomas P. Walsh, Chair
House Committee on Bills in the Third Reading
State House, Room 20
Boston, MA 02133
Thomas.Walsh@MAHouse.gov

Re: Municipal “Print-Free” Notice Exemptions

Dear Chair Walsh,

I am writing to you regarding a rising trend in municipal legislation that I have noticed being filed in the legislature which is often considered by your committee. Several bills before the House Committee on Bills in the Third Reading seek to exempt a specific municipality from certain print notification requirements for legal notices in local newspapers, instead creating a framework to enable notices in digital formats. While I support the general idea of enabling digital notices, due to the evolution of the media industry, the goals for open, fair and transparent procurements are no longer fully aligned with the statutory requirement, as traditional print media is not the best vehicle to achieve these goals, as it once was.

However, my concern is addressing this issue through one off, home-rule petitions. It would be most prudent and would eliminate the spending of significant public dollars if the legislature created a unified approach to legal notice requirements rather than a piecemeal approach for some municipalities and not others. The rationale for the individual home-rule petitions that have been passed into law are not unique to those communities.

It is my hope that as the committee and the legislature consider these bills, it updates the underlying law to create such a unified, consistent approach across municipalities for these legal posting requirements.

Current Status

Subsection (b) of Section 13 of Chapter 4 of the Massachusetts General Laws (Section 13) requires government entities to ensure that legal notices appear in a newspaper’s print publication in addition to a newspaper’s website. However, as many local newspapers have ceased their printing operations, and as the industry has consolidated, many municipalities are challenged to find a printed newspaper that services their region. Moreover, the publication process has increasingly moved to a digital operation, as search engines and online repositories increase access to legal notices while also providing a more affordable option to municipalities and governmental entities. As a result, several municipalities have sought exemptions from the legislature, providing alternative frameworks that enable various methods of publication. However, as each town has

filed for an individualized exemption, there is not a standardized set of publication requirements amongst these “print-free” bills currently before the legislature.

The legislature has passed three bills into law changing the publication requirements for specific municipalities. The towns exempted by these statutes are:

- Lincoln (*Chapter 351 of the Acts of 2024*),
- Lexington (*Chapter 352 of the Acts of 2024*), and
- Arlington (*Chapter 356 of the Acts of 2024*).

This session, bills have been engrossed by at least one chamber that would provide alternative reporting requirements for:

- the Town of Wellesley (*H.4138 & S.3272*)
- the Town of Dennis (*S.3098*)
- the City of Newton (*S.3004*).

An additional 11 bills before the legislature, varying in requirements and approaches, seek to exempt the municipalities of:

- North Brookfield,
- Westford,
- Wayland,
- Watertown,
- Hingham,
- Plymouth,
- Uxbridge,
- Stow,
- Medfield, and
- Topsfield.

Discrepancies in Approaches: Proposed and Current

Discrepancies in the posting requirements already exist among the three “print-free” exemptions that have been passed into law. The exemption for the town of Lincoln requires “*1 or more*” publications, providing for a list of publication methods; the exemptions for Arlington and Lexington require the same “*1 or more*” method for town and public school legal notices, while for notices issued by boards, committees and commissions of the towns, at least two means of publication are required, to be determined by a majority vote of the town’s selectboard.

Among the two municipal exemptions that have been passed by at least one branch of the legislature this session, Wellesley’s exemption requires “*one or more*” methods of posting only if “*approved by majority vote of the public body or at the discretion of the municipal official*” required to post, while Newton’s exemption requires “two or more” means of publication regardless of whether the posting comes from the city, the schools, or one of Newton’s offices, subdivisions, committees, boards, or bodies.

Approaches diverge drastically among the other 11 bills seeking municipal exemptions from the reporting law. Hingham's proposed exemption enables a legal notice to be displayed on the bulletin board or electronic visual display outside the town clerk's office, along with the town's website or a digital newspaper. Medfield's proposed exemption enables the town to post legal notices for public hearings on the bulletin board located in the front entryway of the Town House, and either a local printed or electronic newspaper or on the town's website. And Wayland's proposed exemption requires local votes to enable different publication requirements from different bodies of the town.

These disparate approaches, should each of them pass the legislature, would create a confusing patchwork of requirements across 17 communities scattered throughout Massachusetts. The municipalities seeking exemptions vary in size, geography, and demographics; no central trend is emerging as to why one municipality would require a more stringent exemption than another. To that end, for example, the three bordering municipalities of Watertown, Newton, and Wellesley would have vastly different requirements for publication should their respective proposed exemptions pass. A member of the public that is interested in public considerations before the boards of each of these towns or cities would be required to turn to considerably different sources to find the equivalent legal notices for each municipality.

In the application of legal posting requirements under Chapter 30B, in my view as the Commonwealth's Inspector General, this patchwork of proposed exemptions would create an anticompetitive environment. Seeing as there is no central location or approach among these 17 communities, contractors seeking to bid on municipal procurements would need to devise a method of monitoring each of these communities' postings in addition to the other methods that nonexempt communities must follow. As a result, larger bidders with the capacity and capability to monitor these various postings, as well as locally connected bidders who know where to look in a certain community, would gain an unfair advantage over smaller bidders across communities.

Conclusion

As Inspector General, I am concerned that the Commonwealth's goals of fairness, openness, and competitiveness may not be achieved should these individual exemptions pass. Creating alternative posting requirements across many communities would de facto create a separate broad, haphazard, and erratic policy for a sporadic set of municipalities.

Instead, the legislature ought to update Section 13 of Chapter 4 to create a standard policy for all communities that reflects the changing digital newspaper and digital posting landscape. This standardized policy may include provisions for communities that do not have an active newspaper covering their region. This new policy may include provisions to lower the cost burden for municipalities to post or make it easier for members of the public and bidders to find out about public meetings or view public notices. Standardizing the policy, however, would set expectations and even the playing field for municipalities and members of the public alike, without creating a patchwork of policies, exemptions, and alternatives across Massachusetts.

Thank you for your consideration.

If you have any questions, please do not hesitate to contact me at 617-722-8806 or Jeffrey.S.Shapiro@mass.gov, or Joshua Giles, Director of Government Outreach and Public Policy, at 617-719-8225 or Joshua.Giles@mass.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J S Shapiro', is positioned above the printed name.

Jeffrey S. Shapiro, Esq., CIG
Inspector General

cc (by email):

Speaker Ronald Mariano
Senate President Karen Spilka
Representative Aaron Michlewitz, Chair, House Committee on Ways and Means
Senator Michael Rodrigues, Chair, Senate Committee on Ways and Means
Senator Sal DiDomenico, Chair, Senate Committee on Bills in the Third Reading
Representative Jack Lewis, Chair, Joint Committee on Municipalities & Regional Government
Senator Rebecca Rausch, Chair, Joint Committee on Municipalities & Regional Government
Representative Kevin Honan, Chair, House Committee on Steering, Policy, & Scheduling
Senator Cindy Friedman, Chair, Senate Committee on Steering and Policy
Joshua Giles, GOPP Division Director, OIG
Nataliya Urciuoli, Senior Executive Assistant, OIG