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October 18, 2007

J. B. Van Hollen
Wisconsin Attorney General
114 East, State Capitol
Madison 53702

Re: Opinion Request Re: Publication of
Legal Notices

Dear Attorney General Van Hollen:

Kenosha County submits the following questions for opinions pertaining to the publication of legal notices by the county:

1. Must the county designate an official newspaper?
2. Must the county seek bids for the publication of legal notices and if so must the award go to the lowest bidder?
3. In lieu of bidding the publication of its proceedings, may the county print its own proceedings or in the alternative post them to its official web site?
4. In lieu of "publication in a newspaper" or posting, may the county post its legal notices on its official web site?

DESIGNATION OF OFFICIAL NEWSPAPER

With respect to designating an official newspaper, it is the opinion of this office that there is no requirement that the county designate an official newspaper. Unlike the statutory requirements of Wisconsin Statutes § 985.06 as it pertains to cities, we find no such mandate in the state statutes that would pertain to county government. Furthermore we would reference Attorney General Opinion 60 Attorney General 95 which states at page 96:

It should first be pointed out that ch. 985, Stats., does not require that your county designate **any** newspaper as its official newspaper [emphasis added].

BIDDING REQUIREMENT

With respect to bidding the publication of legal notices, we find no state statute that mandates that the county bid the publication of legal notices or for that matter the proceedings of the County Board as required in Wis. Stats. § 59.14 (2)¹ other than the publication of the proceedings of the county board in book form once a year as called for in Wisconsin Statutes §59.14(3)². These services, in our opinion, are professional services not subject to any bidding requirement. In our opinion, the criteria for choosing where to publish and how to seek a provider for these publications is a policy decision for the County Board. If an RFP is sought, we find no obligation to award to the lowest bidder and we would opine that considerations other than cost can be taken into consideration, such as circulation, frequency of publication, and the likelihood of notice being given to persons to whom the notices are intended to reach.

IN-HOUSE ANNUAL PUBLICATION OF PROCEEDINGS

With respect to the publication of the county board proceedings in book form as called for in Wisconsin Statutes § 59.14(3), we read that statute as requiring bidding only if the publication in book form is done by an entity other than the county. We find no prohibition

1

§ 59.14 (2) The board shall, by ordinance or resolution, provide for publication in one or more newspapers in the county as a class 1 notice, under ch. 985, a certified copy of all its proceedings had at any meeting, regular or special; said publication to be completed within 60 days after the adjournment of each session.

2

§ 59.14 (3) The board may at any meeting, regular or special, provide by resolution for the publication in pamphlet form by the lowest and best bidder therefor, of a sufficient and designated number of copies of its duly certified proceedings, for general distribution.

as to the county printing and binding its own booklet of county board proceedings on county printers and by county personnel. It is our opinion that there is no set number of booklets that are required to be printed and that, with the computer technology that exists today, these booklets containing the annual proceedings of the county board can be printed and bound in-house in whatever number are needed and ***OR*** on an "as needed" basis or in the alternative printed or posted to the county's official website where any individual can print the annual proceedings of the county board booklet either in whole or in part through their home computer.

SUFFICIENCY OF INTERNET POSTING OF LEGAL NOTICES

Lastly, for the following reasons it is the opinion of this office that posting legal notices to its official web site will satisfy the statutory requirements pertaining to the publication of legal notices. In this regard, our analysis begins with the requirements of the state statutes as they relate to the publication of legal notices. For purposes of this analysis the following state statutes are pertinent:

1. **Wisconsin Statutes § 985.01 Definitions.**

(2) "Legal notice" means every notice required by law or by order of a court to be ***published in a newspaper OR other publication***, except notices required by private and local laws to be published in newspapers, and includes all of the following:

(a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.

(b) Every notice and certificate of election, facsimile ballot, referenda, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law.

(c) Every summons, order, citation, notice of sale or other notice that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.

(4) "Proceedings", when published in newspapers, mean the substance of every official action taken by a local governing body at any meeting, regular or special.

(5) A newspaper is "published" at the place from which its mailing permit is issued, except that if the place where the newspaper has its major concentration of circulation has no primary post office, then at the place it shall designate as its place of publication in the affidavit required by s. 985.03 (2), but no newspaper shall have more than one place of publication during the same period of time. [Emphasis added]

2. **985.02. Method of notification.**

(1) Except as otherwise provided by law, a legal notice shall be published in a newspaper likely to give notice in the area or to the person affected. Whenever the law requires publication in a newspaper published in a designated municipality or area and no newspaper is published therein publication shall be made in a newspaper likely to give notice. [Emphasis added]

3. **985.03. Qualifications of newspapers.**

(1) (a) No publisher of any newspaper in this state shall be awarded or be entitled to any compensation or fee for the publishing of any legal notice unless, for at least 2 of the 5 years immediately before the date of the notice publication, the newspaper has been published regularly and continuously in the city, village or town where published, and has had a bona fide paid circulation:

1. That has constituted 50% or more of its circulation; and,

2. That has had actual subscribers at each publication of not less than 1,000 copies in 1st and 2nd class cities, or 300 copies if in 3rd and 4th class cities, villages or towns.

(b) Suspension of publication resulting from the mobilization of troops being called to active duty with the armed forces, strike, lockout or damage, or destruction due to war, fire or act of God, shall not count as an interval in publication.

(bm) A period of disqualification not to exceed 2 years due only to the place of publication shall not count as an interval in publication.

(c) A ***newspaper***, under this chapter, is a publication appearing at ***regular intervals and at least once a week, containing reports of happenings of recent occurrence of a varied character***, such as political, social, moral and religious subjects, ***designed to inform the general reader***. The definition includes a daily newspaper published in a county having a population of 500,000 or more, devoted principally to business news and publishing of records, which has been designated by the courts of record of the county for publication of legal notices for a period of 6 months or more. ***[Emphasis added]***

Unless technical terms and definitions are to control the general rule is that statutory words are to have their common and generally accepted definition. In this regard, we would look to the commonly accepted definition for the following words:

Publish: To make or effect a publication. To give publicity. [BALLENTINE'S LAW DICTIONARY]

Publish: 1a. to declare publicly: make generally known: disclose, circulate . . .
. b. to proclaim officially: promulgate. . . . c. to make public announcement d. publicize: to give publication [Webster's Third New International Dictionary]

Publication: A newspaper or magazine; a book. Dissemination of information by notice given the public. . . . [BALLENTINE'S LAW DICTIONARY]

Publication: 1. Communication [as of news or information] to the public: public announcement: proclamation: legal notification. 2a: the act or process of issuing copies . . . for general distribution to the public . . . [Webster's Third New International Dictionary]

Newspaper: A publication appearing at regular, or almost regular, intervals at short periods of time, as daily or weekly, usually in sheet form, and containing news, that is, reports of happenings of recent occurrence of a varied character, such as political, social, moral, religious, and other subjects of a similar nature, local or foreign, intended for the information of the general reader. [BALLENTINE'S LAW DICTIONARY]

Newspaper: A publication, usually in sheet form, intended for general circulation, and published regularly at short intervals, containing intelligence of current events and news of general interest. [Blacks Law Dictionary, Fourth Edition]

Does an Internet Site Meet the Definition of a "Newspaper"?

HERNANDEZ v. ALCORTA, 45 V.I. 305 (2003) is a recent case that stands for the proposition that "publication" on the internet is an acceptable form of giving notice. In that case the court summary stated:

Plaintiff entered into an agreement with the owners' agent to use equipment to raze damaged buildings and remove debris at the condominium complex. Plaintiff later filed an action to recover money that was owed to him for the clean-up work. Plaintiff moved to serve the owners by publication, stating that, after a diligent search, they could not be located in the Virgin Islands. Plaintiff was given leave to serve the owners by publication in a newspaper of general circulation. Plaintiff provided an affidavit stating that the summons was published for four consecutive weeks in a **newspaper that was published solely on the Internet.** After the owners failed to plead to the complaint, plaintiff moved to have their default entered. In granting the motion, **the court found merit to plaintiff's argument that a notice printed on paper was not inherently more likely to reach the intended recipient than one published on the Internet.** The Internet newspaper possessed numerous attributes that made it a desirable vehicle for alerting defendants to cases pending against them. Accordingly, the court held that the Internet newspaper was an appropriate means of serving the owners by publication. [Emphasis added]

In fact, if one views the official website for the State of Wisconsin and its link to "Government" and then its link to "Legislature" there is a link to "Legal Notices" which takes the individual to legal notices at the Capital Times web site <http://www.madison.com/marketplace/>. Many local municipality web sites with legal notices can also be accessed through the state's own web site.

If the elements of the definition of a "newspaper" are dissemination of news or to give notice, then it is submitted that internet sites fit the definition. It is recognized that newspapers today are 1) not always in sheet form and 2) that if sheet form is desired, it can be accomplished by hitting the "print" button. It would be disingenuous for a news organization to suggest that a website does not fit that definition when in fact all such major news organizations have, in fact, their own web sites that do just that, ie., disseminate news and give notice to the public. In fact the Wisconsin Newspaper Association web site at <https://wisconsin.arcasearch.com/us/wi/?paper=uswi> is devoted to the dissemination of legal notices for the State of Wisconsin and must therefore be indicative of their

acceptance of the fact that the internet can be and is in fact used as a vehicle for providing legal notice. Other sites such as Legalnotice.org are more ambitious and attempt to provide a forum for posting legal notices on a national scale.

The official county web site for Kenosha County is located at: <http://www.co.kenosha.wi.us/> with its legal notices posted at http://www.co.kenosha.wi.us/news_releases.phtml. The Legal Notices and Press Release page is a work in progress and is currently not operational but can serve as a template of what is going to be available on the web site.

If an Internet Site can be a "Newspaper," Is It a "Qualified" Newspaper?

If one can accept the fact that an internet site can be classified as a "newspaper" in the generic sense of the word, that is, a public communication intended to put people on notice or to disseminate information at regular intervals, then the question remains as to whether it is a "qualified" newspaper as called for in [Wisconsin Statutes § 985.03](#). In other words:

1. **has this site been published regularly and continuously for at least 2 of the 5 years immediately before the date of the notice publication, and**
2. has it published at **regular intervals and at least once a week**, and
3. does it contain **reports of happenings of recent occurrence of a varied character**, such as political, social, moral and religious subjects, **designed to inform the general reader**, and
4. does this site have a bona fide paid circulation of 50% of its readership;
5. does this site have 300 actual subscribers for cities, villages and towns of the 3rd and 4th class, and

With respect to qualifications 1 and 2 above, the official County web site has "published," as this word is defined above, regularly and continuously at regular intervals evinced by daily updates since 1997.

Furthermore, with respect to qualification number 3 above, this site, in addition to posting news of county government, links to such newspapers as the Kenosha News and the Milwaukee Journal- Sentinel as well as to a multitude of other general interest web sites which also contain a broader spectrum of news "designed to report happenings of recent occurrences of a varied character . . . designed to inform the general reader." Furthermore, the on-line newspapers can themselves link to the Kenosha County legal notices web site.

As to qualifications 4 and 5 above pertaining to a paid circulation of 50% of its readership and 300 actual subscribers we would note that the cost and upkeep of this site is paid for through the county property tax levy. As to the requirement of 300 actual subscribers for cities of the 3rd and 4th class, the law is ambiguous in that it is not clear as to whether that

pertains to a city's publication of legal notices or to a county which has a 3rd or 4th class city located within that county. Also, are we to assume that if a county had both a 3rd and a 1st class city that the larger number applies?

While, it could charge a subscription for access to its posted legal notices on this site, the County provides this service free of charge because the taxpayer subscriber has in fact already paid for access through the property tax levy. The County obviously has more than 300 taxpayers contributing to the cost and upkeep of this site. Furthermore, while the County does not currently track or report the number of "hits" to this site it will in the future and it is submitted that more than 50% of its readership are County taxpayers paying for this site through their property tax.

Realizing that the use of the word "subscribers" in Wis. Stats. § 985.03 may be problematic, we are of the opinion that any objection to the validity and legality of internet posting based upon the argument that the paid "subscriber" criteria for a qualified newspaper is not met can in fact be complied with by offering a paid subscription service to the public for the convenience of having direct e-mail of notices to them for a fee.

A second alternative would be to simply pay for an advertisement of the web site as the place to view public notices in an otherwise already qualified newspaper. By way of an analogy, the advertisement by reference is already provided for with respect to the printing of lengthy ordinances or codes by Wisconsin Statutes § 61.0103.³ This statute states that there can be a legal notice that an ordinance has been passed and is available for viewing in the office of the County Clerk.

Facts Supporting Internet Posting of Legal Notices

Other facts to supplement the above position appear in the United States Census Bureau Special Study on Computer and Internet Use in the United States: 2003⁴ [a copy of which is attached] [at page 5] which reports that approximately 62% to 67% of Wisconsin households have a computer and approximately 55% to 60% of all Wisconsin households

3

66.0103. Code of ordinances.

(1) The governing body of a city, village, town or county may authorize the preparation of a code of some or all of its general ordinances. The code maybe enacted by an ordinance that incorporates the code by reference. A copy of the code shall be available for public inspection not less than 2 weeks before it is enacted. After the code is enacted, a copy shall be maintained and available for public inspection in the office of the city, village, town or county clerk.

(2) Publication of a code enacted under sub. (1), in book or pamphlet form, meets the publication requirements of ss. 59.14, 60.80, 61.50 (1)and 62.11 (4) (a)

4

<http://www.census.gov/prod/2005pubs/p23-208.pdf>

have internet access. On a national scale, that report indicates [page 13] that over 40% used the internet for news in 2003 and that almost 33% used the internet for information on government services. Almost 30% of individuals age 65 or older had access [page 2]The United States Department of Commerce for 2001 at www.ntia.doc.gov/ntiahome/dn/nationonline_020502.htm reported 50.2% of Wisconsin households had internet access. These surveys along with their degree of accuracy strongly evince a conclusion that more households and businesses in Kenosha County, which has a population of over 150,000, [and which is in the process of installing "broadband" throughout the entire county] have access -----in fact instant access to these legal notices posted on the internet than subscribe to either of the two Kenosha area newspapers certified to publish legal notices. The Kenosha News has a daily circulation of 28,683 and a Sunday circulation of 31, 587 and the Kenosha Labor Paper [which is published weekly and which has outbid the Kenosha News for publication of legal notices] has a circulation of 10,312. These figures are from June, 2006. Furthermore, internet access is available to those who do not have home access by going to the public library. The method of notification prescribed in Wisconsin Statute § 985.02, which is to publish in a **newspaper likely to give notice in the area or to the person affected**, we would submit, is best adhered to by internet posting. In fact, notice is given to the entire world! Since 1990 total morning and evening circulation has steadily declined [<http://web.naa.org/info/facts04/circulation-daily.html>] while, in 2004, more than 1,500 daily newspapers in North America had sites on the World Wide Web [<http://web.naa.org/info/facts04/highlights.html>] .

Additional benefits of posting legal notices on the County's web site include instantaneous posting allowing for longer deadlines for the submission of notices, instantaneous corrections, the ability to archive notices and perform cumulative searches, the ability to provide more information such as posting not only the text of a proposed zoning amendment but also a link to the actual zoning map and the posting of not only the heading of a resolution that will appear on an agenda but also the actual resolution in its entirety and the actual posting dates of the first and last posting as well as an affidavit of posting utilizing a certified digital signature. The other obvious benefit is the savings to the taxpayer in publication costs.

Your assistance in regard to this issue is appreciated.

Sincerely,

Frank Volpintesta
Corporation Counsel

Attachment: Census Bureau Report on Internet Use: 2003 at
<http://www.census.gov/prod/2005pubs/p23-208.pdf>

Computer and Internet Use in the United States: 2003

Issued October 2005

Special Studies

P23-208

Current Population Reports

U.S. Census Bureau
Economics and Statistics Administration

Introduction

This report provides information about the characteristics of households and people who have and have not adopted use of computers and the Internet. The findings in this report are based on data collected in a supplement to the October 2003 Current Population Survey that included questions about computer and Internet use at home, school, and work.¹ The U.S. Census Bureau has asked questions in the Current Population Survey to assess computer use since 1984 and Internet use since 1997.

The first part of this report examines computer and Internet use in households. The

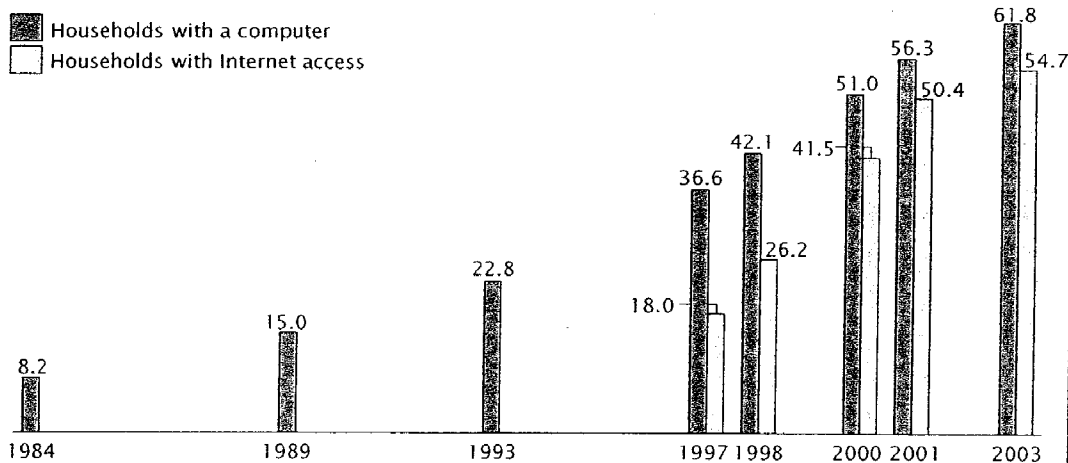
second and third parts of the report deal with computer and Internet use among children and adults, respectively.

COMPUTERS AND INTERNET ACCESS IN HOUSEHOLDS

Prevalence of Personal Computers and Internet Access

The majority of households have personal computers and Internet access. In 2003, 70 million American households, or 62 percent, had one or more computers, up from 56 percent in 2001 (Figure 1).² In 1984, the proportion of households with a computer was 8 percent.

Figure 1.
Households With a Computer and Internet Access: 1984 to 2003
(In percent)



Source: U.S. Census Bureau, Current Population Survey, 1984, 1989, 1993, 1997, 1998, 2000, 2001, 2003.

¹ The data in this report are from the Computer and Internet Use Supplement to the October 2003 Current Population Survey. The population represented (the population universe) is the civilian noninstitutionalized population living in the United States.

² The estimates in this report (which may be shown in text, figures, and tables) are based on responses from a sample of the population and may differ from actual values because of sampling variability or other factors. As a result, apparent differences between the estimates for two or more groups may not be statistically significant. All comparative statements have undergone statistical testing and are significant at the 90-percent confidence level unless otherwise noted.

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Table A.
Households With a Computer and Internet Access by Selected Characteristics: 2003

(Numbers in thousands)

Characteristic	Total households	Computer in household			Internet access		
		Number	Percent		Number	Percent	
			Estimate	90-percent confidence interval		Estimate	90-percent confidence interval
Total	113,126	69,912	61.8	61.5-62.1	61,852	54.7	54.4-55.0
AGE OF HOUSEHOLDER							
15 to 24 years	7,115	4,034	56.7	55.4-58.0	3,350	47.1	45.8-48.4
25 to 34 years	19,718	13,543	68.7	68.0-69.4	11,901	60.4	59.6-61.2
35 to 44 years	23,856	17,482	73.3	72.7-73.9	15,572	65.3	64.6-66.0
45 to 54 years	22,905	16,464	71.9	71.2-72.6	14,922	65.1	64.4-65.8
55 to 64 years	16,488	10,405	63.1	62.3-63.9	9,335	56.6	55.7-57.5
65 years and over	23,044	8,005	34.7	34.0-35.4	6,773	29.4	28.7-30.1
RACE/HISPANIC ORIGIN OF HOUSEHOLDER							
White alone	93,014	59,482	63.9	63.5-64.3	53,038	57.0	56.6-57.4
White alone, non-Hispanic	81,857	54,541	66.6	66.2-67.0	49,017	59.9	59.5-60.3
Black alone	13,746	6,136	44.6	43.7-45.5	4,951	36.0	35.1-36.9
Asian alone	4,009	2,923	72.9	71.4-74.4	2,674	66.7	65.1-68.3
Hispanic (any race)	12,023	5,321	44.3	43.0-45.6	4,326	36.0	34.8-37.2
HOUSEHOLD TYPE							
Family household	76,617	53,292	69.6	69.2-70.0	47,536	62.0	61.6-62.4
Married-couple family	58,433	43,152	73.8	73.4-74.2	39,176	67.0	66.6-67.4
Male householder, no wife present	4,824	2,701	56.0	54.4-57.6	2,310	47.9	46.3-49.5
Female householder, no husband present	13,360	7,438	55.7	54.7-56.7	6,049	45.3	44.3-46.3
Nonfamily household	36,509	16,644	45.6	45.0-46.2	14,316	39.2	38.6-39.8
PRESENCE OF SCHOOL-AGED CHILDREN IN HOUSEHOLD							
With children 6 to 17 years	30,271	23,054	76.2	75.7-76.7	20,293	67.0	66.4-67.6
Without children 6 to 17 years	82,854	46,881	56.6	56.2-57.0	41,559	50.2	49.8-50.6
HOUSEHOLD SIZE							
1 person	29,926	12,318	41.2	40.6-41.8	10,434	34.9	34.3-35.5
2 people	38,034	23,963	63.0	62.4-63.6	21,430	56.3	55.7-56.9
3 or more people	45,165	33,655	74.5	74.0-75.0	29,988	66.4	65.9-66.9
EDUCATIONAL ATTAINMENT OF HOUSEHOLDER							
Less than high school graduate	16,972	4,740	27.9	27.1-28.7	3,434	20.2	19.5-20.9
High school graduate/GED ¹	34,377	17,567	51.1	50.5-51.7	14,813	43.1	42.5-43.7
Some college or associate's degree	30,320	21,439	70.7	70.1-71.3	18,967	62.6	62.0-63.2
Bachelor's degree	20,464	16,753	81.9	81.3-82.5	15,720	76.8	76.1-77.5
Advanced degree	10,993	9,437	85.8	85.1-86.5	8,918	81.1	80.3-81.9
FAMILY INCOME (annual)							
Total families	76,617	53,292	69.6	69.2-70.0	47,536	62.0	61.6-62.4
Less than \$25,000	13,905	5,706	41.0	40.0-42.0	4,276	30.7	29.8-31.6
\$25,000-\$49,999	18,281	12,232	66.9	66.1-67.7	10,468	57.3	56.4-58.2
\$50,000-\$74,999	12,979	10,858	83.7	82.9-84.5	10,117	77.9	77.0-78.8
\$75,000-\$99,999	7,918	7,112	89.8	89.0-90.6	6,796	85.8	84.9-86.7
\$100,000 or more	9,292	8,795	94.7	94.2-95.2	8,564	92.2	91.6-92.8
Not reported	14,242	8,589	60.3	59.3-61.3	7,315	51.4	50.4-52.4
REGION							
Northeast	21,570	13,474	62.5	61.8-63.2	12,155	56.4	55.7-57.1
Midwest	26,139	16,029	61.3	60.7-62.0	14,010	53.6	52.9-54.3
South	40,746	23,974	58.8	58.2-59.4	21,082	51.7	51.1-52.3
West	24,671	16,459	66.7	66.0-67.4	14,605	59.2	58.5-60.0

¹ General equivalency diploma.

Source: U.S. Census Bureau, Current Population Survey, October 2003.

Sixty-two million households, or 55 percent, had Internet access, up from 50 percent in 2001, and more than triple the proportion of households with Internet access in 1997 (18 percent). Most households with a computer also had Internet access (88 percent).³ In 1997, less than half of households with computers had someone using the Internet.

While computer ownership and home Internet access have been adopted widely, some groups had lower adoption rates. For instance, 35 percent of households with householders aged 65 and older, about 45 percent of households with Black or Hispanic householders, and 28 percent of households with householders who had less than a high school education had a computer (Table A).⁴ In addition, 41 percent of one-person households and 46 percent of nonfamily households owned a computer.⁵ Differences among households in Internet access mirror those for computer ownership.

³ Twelve percent of households with a computer did not have Internet access, and another one-half million (less than 1 percent) without a computer accessed the Internet using some other device.

The presence of a school-aged child also influenced whether a household had a computer or Internet access. More than three-quarters of households with a school-aged child (6 to 17 years) had a computer, and 67 percent had Internet access. In comparison, 57 percent of households without a school-aged child had a computer, and 50 percent had Internet access.

High-income households were more likely to have a computer or Internet access. Among family households with incomes of \$100,000 or more during the 12 months prior to the survey, 95 percent had at least one computer and 92 percent had Internet access at home. Among family households with incomes below \$25,000, 41 percent had a com-

⁴ Hereafter, this report uses the term non-Hispanic White to refer to people who reported they are White only and not Hispanic or Latino. The term Black is used to refer to people who reported the single race Black or African American, the term Asian refers to people who reported the single race Asian, and the term Hispanic refers to people who are Hispanic or Latino. Because Hispanics may be any race, data in this report for Hispanics overlap slightly with data for the Black population and for the Asian population. Based on the October 2003 Current Population Survey, 3.6 percent of the single-race Black population 3 years and older and 1.0 percent of the single-race Asian population 3 years and older were Hispanic.

puter and 31 percent had Internet access.

Households Without Internet Access

Forty-five percent of households did not have Internet access at home in 2003.⁶ The three most common reasons were "don't need it, not interested" (39 percent), "costs are too high," and "no computer or computer inadequate" (each at 23 percent, Table B). A few households had "access elsewhere" (2 percent). "Language barriers," "concern that children will access inappropriate sites," and "privacy and security concerns" were rarely given as reasons (each 1 percent).⁷

Among households without the Internet, more than 4 out of 5 also did

⁵ The percent of households with computers with either Black or Hispanic householders is not significantly different from the percent of nonfamily households with computers.

⁶ The Current Population Survey asked why respondents did not have Internet access. It did not ask reasons for not having a home computer.

⁷ The value for "language barriers" is statistically different from the values for "concern that children will access inappropriate sites" and "privacy and security concerns."

Table B.
Reasons for Not Using the Internet at Home by Presence of a Computer in the Household: 2003

(Numbers in thousands)

Characteristic	Total		Computer in household		No computer in household	
	Number	Percent	Number	Percent	Number	Percent
INTERNET ACCESS						
Total households	113,126	100.0	69,912	100.0	43,214	100.0
Internet access	61,852	54.7	61,258	87.6	594	1.4
No Internet access	51,274	45.3	8,654	12.4	42,620	98.6
REASONS FOR NO INTERNET ACCESS						
Total households	51,274	100.0	8,654	100.0	42,620	100.0
Don't need it, not interested	20,185	39.4	2,649	30.6	17,537	41.1
Costs are too high	11,950	23.3	2,694	31.1	9,256	21.7
No computer or computer inadequate	11,777	23.0	717	8.3	11,060	26.0
Lack of confidence or skills	2,282	4.5	375	4.3	1,907	4.5
Lack of time to use the Internet	1,177	2.3	521	6.0	656	1.5
Have access to Internet elsewhere	1,064	2.1	445	5.1	619	1.5
Concern that children will access inappropriate sites	451	0.9	284	3.3	166	0.4
Privacy and security concerns	402	0.8	184	2.1	217	0.5
Language barriers	266	0.5	7	0.1	259	0.6
Other reason	1,720	3.4	778	9.0	942	2.2

Source: U.S. Census Bureau, Current Population Survey, October 2003.

not have a computer (83 percent). For 41 percent of these computer-less households, "don't need it, not interested" was the primary reason for not having Internet access. For about one-fourth of these households, the lack of a computer was the primary reason.

As shown in Figure 2, disinterest in the Internet is related to the age of the householder. Of the 20 million householders who stated they were not interested in the Internet, over 60 percent (12.7 million) were aged 55 and older. Householders aged 15 to 44 without Internet access most frequently cited "costs are too high" as the reason.

Regional and State Rates of Computer and Internet Access

While households in the West had the highest rates of access to these technologies, households in the Northeast, Midwest, and South were close behind (Table A). In 2003, 67 percent of households in the West had at least one computer in the home, and 59 percent of house-

holds had Internet access. Southern households had the lowest rates of access: 59 percent had a computer and 52 percent had an Internet connection.

Since 2000, rates of computer use have become more uniform across the country, narrowing the technology gap between the West and the South. The difference between the two regions decreased from 10 percentage points in 2000 (57 percent in the West and 47 percent in the South) to 8 percentage points in 2003.

Households in Utah, Alaska, New Hampshire, and Washington were among those with the highest rates of computer ownership (about 72 percent, Figure 3), while the rates in Mississippi, Arkansas, and Louisiana were among the lowest (about 50 percent). Alaska and New Hampshire were also among the states with the highest proportions of households with access to the Internet (about 65 percent). Households in Mississippi and Arkansas were among those with the lowest

proportions of Internet access in the home: about 40 percent.⁸

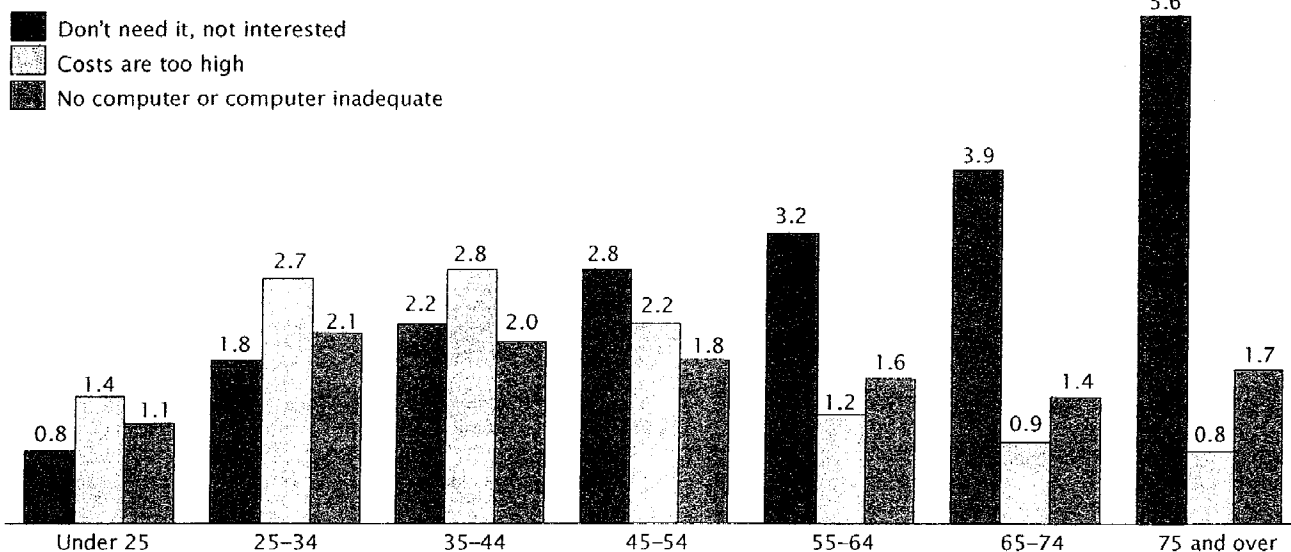
COMPUTER AND INTERNET USE AMONG CHILDREN

Historically, access to computer and Internet technology has been discussed separately from its actual use. Since almost 9 in 10 children living in a household with a computer used it in 2003, the difference between access and use is minimal (Table C). The percentage of children living in a household with a computer who used it increased from 75 percent in 1993 to 86 percent in 2003.⁹

⁸ Utah's rate of computer ownership was higher than that of other states except for Alaska, New Hampshire, and Washington. Mississippi's rate of computer ownership was lower than that of other states except for Arkansas and Louisiana. Alaska's rate of Internet access was higher than that of other states except for New Hampshire. Mississippi's rate of Internet access was lower than that of other states except for Arkansas.

⁹ For more information on computer use in 1993, see the detailed tables at <www.census.gov/population/www/socdemo/computer/computer93.html>.

Figure 2.
Selected Reasons for No Internet Access in Household by Age of Householder: 2003
(In millions)



Source: U.S. Census Bureau, Current Population Survey, October 2003.

