

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2408

By: Faught

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5
6 AS INTRODUCED

7 An Act relating to definitions and general
8 provisions; amending 25 O.S. 2011, Section 306, which
9 relates to the definition of newspapers for
publication of legal notices; modifying definition;
and providing an effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 25 O.S. 2011, Section 106, is
14 amended to read as follows:

15 Section 106. No legal notice, advertisement, or publication of
16 any kind required or provided for by the laws of this state to be
17 published in a newspaper shall have force or effect unless published
18 in a legal newspaper of the county. A legal newspaper of the county
19 is any ~~newspaper~~ news source which, during a period of one hundred
20 four (104) consecutive weeks immediately prior to the first
21 publication of such notice, advertisement, or publication, ~~+~~

22 ~~1. has maintained a paid general subscription circulation in~~
23 ~~the county; and~~

1 ~~2. has been admitted to the United States mails as paid second-~~
2 ~~class mail matter; and~~

3 ~~3. has been continuously and uninterruptedly published in the~~
4 ~~county, in either paper or electronic form, with a demonstrable~~
5 ~~consistent readership base in the form of either access logs or paid~~
6 ~~circulation.~~

7 If there is no legal newspaper in a county, then all legal notices,
8 advertisements, or publications of any kind required or provided for
9 by the laws of this state shall be published in a legal newspaper in
10 an adjoining county of this state, which newspaper has general
11 circulation, in either paper or electronic form, in the county or
12 political subdivision in which such notice is required.

13 Nothing in this section shall invalidate the publication of such
14 legal notices, advertisements, or publications in a newspaper which
15 has moved its place of publication from one location in the county
16 to another location in the same county without breaking the
17 continuity of its regular issues for the requisite length of time,
18 or the name of which may have been changed when said change of
19 location was made as permitted by United States postal laws and
20 regulations. Failure to issue or publish said newspaper for a
21 period of fourteen (14) days due to fire, accident, or other
22 unforeseen cause, or by reason of the pendency of mortgage
23 foreclosure, attachment, execution, or other legal proceedings
24 against the type, presses, or other personal property used by the

1 newspaper, shall not be deemed a failure to maintain continuous and
2 consecutive publication as required by the provisions of this
3 section, nor shall said failure invalidate the publication of a
4 notice otherwise valid. Failure to issue or publish a newspaper
5 qualified to publish legal notices, advertisements, or publications
6 of any kind, for a period totaling not more than fourteen (14)
7 consecutive days during a calendar year shall not be deemed a
8 failure to maintain continuous and consecutive publication as
9 required by the provisions of this section, nor shall said failure
10 invalidate the publication of a notice otherwise valid.

11 SECTION 2. This act shall become effective November 1, 2016.

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13 55-2-7786 SD 12/21/15

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