

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 10-0426.01 Bob Lackner

HOUSE BILL 10-1063

HOUSE SPONSORSHIP

Todd,

SENATE SPONSORSHIP

Gibbs,

House Committees
State, Veterans, & Military Affairs

Senate Committees
State, Veterans & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY FOR THE PUBLICATION OF A LEGAL**
102 **NOTICE IN A NEWSPAPER WITHOUT UNITED STATES**
103 **PERIODICALS MAILING PRIVILEGES WITHIN A MUNICIPALITY**
104 **WHERE NO NEWSPAPER THAT HAS SUCH PRIVILEGES IS**
105 **PUBLISHED WITHIN THE MUNICIPALITY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law specifies that no publication, no matter how frequently

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unam ended
February 24, 2010

HOUSE
3rd Reading Unam ended
January 26, 2010

HOUSE
2nd Reading Unam ended
January 22, 2010

published, shall be considered a legal publication unless it has been admitted to the United States mails with periodicals mailing privileges. The bill specifies that if no newspaper is published within the territorial boundaries of a municipality that satisfies the existing requirements for a legal publication, but a newspaper that provides local news and that would satisfy the requirements to be admitted to the United States mails with periodicals mailing privileges but for the absence of paid circulation is distributed within such territorial boundaries, the municipality may publish any legal notice or advertisement required by law in such newspaper.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 24-70-103, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **24-70-103. Requisites of legal newspaper.**

5 (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 1, IF NO
6 NEWSPAPER IS PUBLISHED WITHIN THE TERRITORIAL BOUNDARIES OF A
7 MUNICIPALITY THAT SATISFIES THE REQUIREMENTS FOR A LEGAL
8 PUBLICATION AS SPECIFIED IN SECTION 24-70-102, BUT A NEWSPAPER THAT
9 PROVIDES LOCAL NEWS AND THAT WOULD SATISFY THE REQUIREMENTS TO
10 BE ADMITTED TO THE UNITED STATES MAILS WITH PERIODICALS MAILING
11 PRIVILEGES BUT FOR THE ABSENCE OF PAID CIRCULATION IS DISTRIBUTED
12 WITHIN SUCH TERRITORIAL BOUNDARIES, THE MUNICIPALITY MAY PUBLISH
13 ANY LEGAL NOTICE OR ADVERTISEMENT REQUIRED BY LAW IN SUCH
14 NEWSPAPER.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.