

SHORT TITLE: Legal notices; modifying definition of legal newspaper; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 532

By: Helton

AS INTRODUCED

An Act relating to legal notices; amending 25 O.S.

1991, Section 106, which relates to newspapers for publication of legal notices; modifying definition of legal newspaper; and providing an effective date.

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

SECTION 1. AMENDATORY 25 O.S. 1991, Section 106, is amended to read as follows:

Section 106. A. No legal notice, advertisement, or publication of any kind required or provided for by the laws of this state to be published in a newspaper shall have force or effect unless published in a legal newspaper of the county. A legal newspaper of the county is any newspaper which is admitted to the United States mails as paid second-class mail matter and which, during a period of one hundred four (104) consecutive weeks immediately prior to the first publication of such notice, advertisement, or publication:

1. Has maintained a paid general subscription circulation in the county; and

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

3. ~~Has been continuously and uninterruptedly published in the county.~~

B. If there is no legal newspaper in a county, then all legal notices, advertisements, or publications of any kind required or provided for by the laws of this state shall be published in a legal newspaper in an adjoining county of this state, which ~~newspaper~~ has general circulation in the county or political subdivision in which ~~such~~ the notice is required.

C. Nothing in this section shall invalidate the publication of ~~such~~ legal notices, advertisements, or publications in a newspaper which has moved its place of publication from one location in the county to another location in the same county without breaking the continuity of its regular issues for the requisite length of time, or the name of which may have been changed ~~when said change of location was made~~ as permitted by United States postal laws and regulations. Failure to issue or publish ~~said~~ a newspaper for a period of fourteen (14) days due to fire, accident, or other unforeseen cause, or by reason of the pendency of mortgage foreclosure, attachment, execution, or other legal proceedings against the type, presses, or other personal property used by the newspaper, shall not be deemed a failure to maintain continuous and consecutive publication as required by the provisions of this section, nor shall ~~said~~ such failure invalidate the publication of a ~~notice~~ an otherwise valid notice. Failure to issue or publish a newspaper qualified to publish legal notices, advertisements, or publications of any kind, for a period totaling not more than fourteen (14) consecutive days during a calendar year shall not be deemed a failure to maintain continuous and consecutive publication as required by the provisions of this section, nor shall ~~said~~ such failure invalidate the publication of a ~~notice~~ an otherwise valid notice.

SECTION 2. This act shall become effective November 1, 1997.

