

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1187

By: Pemberton

AS INTRODUCED

An Act relating to public notice; amending 25 O.S. 2021, Section 106, which relates to newspapers for publication of legal notices; modifying requirements for legal newspaper for publication of notice; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 25 O.S. 2021, Section 106, is amended to read as follows:

Section 106. 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, during a period of one hundred four (104) consecutive weeks immediately prior to the first publication of such notice, advertisement, or publication:

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

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

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

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

11 Nothing in this section shall invalidate the publication of ~~such~~
12 legal notices, advertisements, or publications in a newspaper which
13 has moved its place of publication from one location in the county
14 to another location in the same county without breaking the
15 continuity of its regular issues for the requisite length of time,
16 or the name of which may have been changed when ~~said~~ the change of
17 location was made as permitted by United States postal laws and
18 regulations. Failure to issue or publish ~~said~~ the newspaper for a
19 period of fourteen (14) days due to fire, accident, or other
20 unforeseen cause, or by reason of the pendency of mortgage
21 foreclosure, attachment, execution, or other legal proceedings
22 against the type, presses, or other personal property used by the
23 newspaper, shall not be deemed a failure to maintain continuous and
24 consecutive publication as required by the provisions of this

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

10 SECTION 2. This act shall become effective November 1, 2022.

12 58-2-2953 TEK 1/5/2022 2:07:15 PM