

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB26-061 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 24-70-103, **amend**
4 **(1) and (3); and add (1.5) as follows:**

5 **24-70-103. Requisites of legal newspaper.**

6 (1) Any and every legal notice or advertisement shall be published
7 ~~only~~ IN THE FOLLOWING ORDER OF PRIORITY in a daily, a triweekly, a
8 semiweekly, or a weekly newspaper of general circulation: ~~and printed or~~
9 ~~published in whole or in part in the county in which such notice or~~
10 ~~advertisement is required to be published, except as provided in this~~
11 ~~section. The newspaper, if published triweekly, semiweekly, or weekly,~~
12 ~~shall have been so published in such county, except as provided in this~~
13 ~~section, continuously and uninterruptedly during the period of at least~~
14 ~~fifty-two consecutive weeks next prior to the first issue thereof containing~~
15 ~~any such notice or advertisement; and the newspaper, if published daily,~~
16 ~~shall have been so published in such county, uninterruptedly and~~
17 ~~continuously, during the period of at least six months next prior to the~~
18 ~~first issue thereof containing any such notice or advertisement. In the case~~
19 ~~of a municipality having territory in two counties, each of which counties~~
20 ~~has one or more legal newspapers within the municipality, the publication~~
21 ~~by such municipality of its legal notices and advertisements in one of such~~
22 ~~newspapers shall be construed as valid publication under this part 1.~~

23 (a) FIRST, IN SUCH A NEWSPAPER THAT HAS BEEN PRINTED OR
24 PUBLISHED, IN WHOLE OR IN PART, IN THE COUNTY IN WHICH THE LEGAL
25 NOTICE OR ADVERTISEMENT IS REQUIRED TO BE PUBLISHED
26 UNINTERRUPTEDLY AND CONTINUOUSLY FOR AT LEAST ONE YEAR PRIOR
27 TO THE FIRST ISSUE CONTAINING THE LEGAL NOTICE OR ADVERTISEMENT
28 AND THAT SATISFIES THE REQUIREMENTS OF A LEGAL PUBLICATION
29 SPECIFIED IN SECTION 24-70-102;

30 (b) SECOND, IN SUCH A NEWSPAPER THAT HAS BEEN PRINTED OR
31 PUBLISHED, IN WHOLE OR IN PART, IN THE COUNTY IN WHICH THE LEGAL
32 NOTICE OR ADVERTISEMENT IS REQUIRED TO BE PUBLISHED
33 UNINTERRUPTEDLY AND CONTINUOUSLY FOR AT LEAST ONE YEAR PRIOR
34 TO THE FIRST ISSUE CONTAINING THE LEGAL NOTICE OR ADVERTISEMENT
35 AND THAT SATISFIES THE REQUIREMENTS TO BE ADMITTED TO THE UNITED
36 STATES MAILED WITH PERIODICALS MAILING PRIVILEGES BUT FOR THE
37 ABSENCE OF PAID CIRCULATION THAT IS DISTRIBUTED WITHIN THE
38 TERRITORIAL BOUNDARIES OF THE COUNTY; OR

39 (c) THIRD, IN SUCH A NEWSPAPER THAT HAS BEEN PRINTED OR
40 PUBLISHED, IN WHOLE OR IN PART, IN THE COUNTY IN WHICH THE LEGAL

1 NOTICE OR ADVERTISEMENT IS REQUIRED TO BE PUBLISHED THAT WOULD
2 OTHERWISE SATISFY THE REQUIREMENTS OF SUBSECTIONS (1)(a) OR (1)(b)
3 OF THIS SECTION BUT FOR THE REQUIREMENT THAT THE NEWSPAPER SHALL
4 HAVE BEEN PUBLISHED IN THE COUNTY UNINTERRUPTEDLY AND
5 CONTINUOUSLY FOR AT LEAST ONE YEAR PRIOR TO THE FIRST ISSUE
6 CONTAINING THE LEGAL NOTICE OR ADVERTISEMENT.

7 (1.5) IF A MUNICIPALITY HAS TERRITORY IN TWO COUNTIES, EACH
8 OF WHICH HAS ONE OR MORE NEWSPAPERS THAT SATISFY THE
9 REQUIREMENTS OF A LEGAL PUBLICATION SPECIFIED IN SECTION 24-70-102
10 WITHIN THE MUNICIPALITY, THE MUNICIPALITY MAY PUBLISH NOTICE IN
11 EITHER NEWSPAPER.

12 ~~(3) If in any county in this state no newspaper has been published~~
13 ~~for the prescribed period at the time when any such notice or~~
14 ~~advertisement is required to be published or if there is no newspaper~~
15 ~~published therein, such notice or advertisement may be published in any~~
16 ~~newspaper published in whole or in part in an adjoining county and~~
17 ~~having a general circulation in whole or in part in said county having no~~
18 ~~newspaper published therein. If there is no newspaper in any adjoining~~
19 ~~county that has been published for the prescribed period at the time when~~
20 ~~any such notice or advertisement is required to be published, a required~~
21 ~~notice or advertisement may be published in a newspaper having general~~
22 ~~circulation within the county.~~ IF NONE OF THE OPTIONS APPLICABLE TO
23 ANY AND EVERY LEGAL NOTICE OR ADVERTISEMENT SET FORTH IN
24 SUBSECTION (1) OF THIS SECTION ARE AVAILABLE WITHIN THE COUNTY IN
25 WHICH PUBLICATION OF A LEGAL NOTICE OR ADVERTISEMENT IS REQUIRED,
26 THE LEGAL NOTICE OR ADVERTISEMENT MAY BE PUBLISHED IN AN
27 ADJOINING COUNTY IN ACCORDANCE WITH THE SAME ORDER OF PRIORITY
28 IN SUBSECTION (1) OF THIS SECTION. IF NONE OF THE OPTIONS SET FORTH
29 IN SUBSECTION (1) OF THIS SECTION ARE AVAILABLE IN ANY ADJOINING
30 COUNTY, THE LEGAL NOTICE OR ADVERTISEMENT MAY BE PUBLISHED IN A
31 NEWSPAPER THAT SATISFIES THE REQUIREMENTS FOR A LEGAL
32 PUBLICATION SPECIFIED IN SECTION 24-70-102, SELECTED WITH PRIMARY
33 CONSIDERATION GIVEN TO GEOGRAPHIC PROXIMITY.

34 **SECTION 2. Act subject to petition - effective date.** This act
35 takes effect at 12:01 a.m. on the day following the expiration of the
36 ninety-day period after final adjournment of the general assembly (August
37 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
38 referendum petition is filed pursuant to section 1 (3) of article V of the
39 state constitution against this act or an item, section, or part of this act
40 within such period, then the act, item, section, or part will not take effect
41 unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.".

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