

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0326.03 Jacob Bennington x2371

SENATE BILL 26-061

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SENATE SPONSORSHIP

Rich and Roberts,

HOUSE SPONSORSHIP

Lukens and Richardson,

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Senate Committees

Local Government & Housing

House Committees

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A BILL FOR AN ACT

101 CONCERNING A CHANGE TO LEGAL NOTICE PUBLICATION  
102 REQUIREMENTS FOR A COUNTY WITHOUT A REQUISITE LEGAL  
103 NEWSPAPER.

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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://leg.colorado.gov>.)*

Current law requires a county to publish a legal notice or advertisement (notice) in a legal newspaper that satisfies certain requirements, including a publication period requirement (legal newspaper). If a legal newspaper does not exist in a county, the county is permitted to use certain alternatives. The bill removes the publication

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

period requirement for a newspaper to be considered a legal newspaper. The bill also expands and clarifies the alternatives for a county to publish a notice when the county does not have a legal newspaper.

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-70-103, **amend**  
3 (1) and (3) as follows:

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

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

22           (3) ~~If in any county in this state no newspaper has been published~~  
23 ~~for the prescribed period at the time when any such notice or~~  
24 ~~advertisement is required to be published or if there is no newspaper~~

1 ~~published therein, such notice or advertisement may be published in any~~  
2 ~~newspaper published in whole or in part in an adjoining county and~~  
3 ~~having a general circulation in whole or in part in said county having no~~  
4 ~~newspaper published therein. If there is no newspaper in any adjoining~~  
5 ~~county that has been published for the prescribed period at the time when~~  
6 ~~any such notice or advertisement is required to be published, a required~~  
7 ~~notice or advertisement may be published in a newspaper having general~~  
8 ~~circulation within the county.~~ IF A COUNTY CANNOT PUBLISH A NOTICE OR  
9 ADVERTISEMENT IN THE MANNER REQUIRED BY SUBSECTION (1) OF THIS  
10 SECTION, THE COUNTY MAY PUBLISH THE NOTICE AS FOLLOWS:

11 (a) IF NO NEWSPAPER THAT SATISFIES THE REQUIREMENTS FOR A  
12 LEGAL PUBLICATION AS SPECIFIED IN SECTION 24-70-102 IS PUBLISHED  
13 WITHIN A COUNTY, THE COUNTY MAY PUBLISH THE NOTICE OR  
14 ADVERTISEMENT IN A NEWSPAPER THAT PROVIDES LOCAL NEWS AND  
15 WOULD OTHERWISE SATISFY THE REQUIREMENTS TO BE ADMITTED TO THE  
16 UNITED STATES MAILES WITH PERIODICALS MAILING PRIVILEGES BUT FOR  
17 THE ABSENCE OF PAID CIRCULATION THAT IS PUBLISHED OR DISTRIBUTED  
18 WITHIN THE COUNTY.

19 (b) (I) IF A COUNTY CANNOT PUBLISH A NOTICE OR  
20 ADVERTISEMENT PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, THE  
21 COUNTY MAY PUBLISH THE NOTICE OR ADVERTISEMENT IN A NEWSPAPER  
22 THAT SATISFIES THE REQUIREMENTS FOR A LEGAL PUBLICATION AS  
23 SPECIFIED IN SECTION 24-70-102 THAT IS PUBLISHED IN AN ADJOINING  
24 COUNTY AND THAT HAS GENERAL CIRCULATION IN THE COUNTY.

25 (II) IF NO NEWSPAPER THAT SATISFIES THE REQUIREMENTS FOR A  
26 LEGAL PUBLICATION AS SPECIFIED IN SECTION 24-70-102 EXISTS IN ANY  
27 ADJOINING COUNTY, THE COUNTY MAY PUBLISH THE NOTICE OR

1 ADVERTISEMENT IN A NEWSPAPER THAT PROVIDES LOCAL NEWS AND WOULD  
2 OTHERWISE SATISFY THE REQUIREMENTS TO BE ADMITTED TO THE UNITED  
3 STATES MAILED WITH PERIODICALS MAILING PRIVILEGES BUT FOR THE  
4 ABSENCE OF PAID CIRCULATION THAT IS PUBLISHED IN AN ADJOINING  
5 COUNTY AND THAT HAS GENERAL CIRCULATION IN THE COUNTY.

6 (c) IF A NOTICE OR ADVERTISEMENT CANNOT BE PUBLISHED  
7 PURSUANT TO SUBSECTION (3)(a) OR (3)(b) OF THIS SECTION, THE COUNTY  
8 MAY PUBLISH THE NOTICE OR ADVERTISEMENT IN A NEWSPAPER THAT  
9 SATISFIES THE REQUIREMENTS FOR A LEGAL PUBLICATION AS SPECIFIED IN  
10 SECTION 24-70-102, SELECTED WITH PRIMARY CONSIDERATION GIVEN TO  
11 GEOGRAPHIC PROXIMITY.

12 (d) IF A NOTICE OR ADVERTISEMENT CANNOT BE PUBLISHED  
13 PURSUANT TO SUBSECTION (3)(a), (3)(b), OR (3)(c) OF THIS SECTION, THE  
14 COUNTY MAY PUBLISH THE NOTICE OR ADVERTISEMENT IN A NEWSPAPER  
15 WITHIN THE COUNTY WITHOUT REGARD TO THE PUBLICATION PERIOD  
16 REQUIREMENT IN SUBSECTION (1) OF THIS SECTION.

17 **SECTION 2. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly (August  
20 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
21 referendum petition is filed pursuant to section 1 (3) of article V of the  
22 state constitution against this act or an item, section, or part of this act  
23 within such period, then the act, item, section, or part will not take effect  
24 unless approved by the people at the general election to be held in  
25 November 2026 and, in such case, will take effect on the date of the  
26 official declaration of the vote thereon by the governor.