

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0326.03 Jacob Bennington x2371

SENATE BILL 26-061

SENATE SPONSORSHIP

Rich and Roberts,

HOUSE SPONSORSHIP

Lukens and Richardson,

Senate Committees

Local Government & Housing

House Committees

A BILL FOR AN ACT

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

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.

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); and add (1.5) 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 THE FOLLOWING ORDER OF PRIORITY in a daily, a triweekly, a
7 semiweekly, or a weekly newspaper of general circulation: and printed or
8 published in whole or in part in the county in which such notice or
9 advertisement is required to be published, except as provided in this
10 section. The newspaper, if published triweekly, semiweekly, or weekly,
11 shall have been so published in such county, except as provided in this
12 section, continuously and uninterruptedly during the period of at least
13 fifty-two consecutive weeks next prior to the first issue thereof containing
14 any such notice or advertisement; and the newspaper, if published daily,
15 shall have been so published in such county, uninterruptedly and
16 continuously, during the period of at least six months next prior to the
17 first issue thereof containing any such notice or advertisement. In the case
18 of a municipality having territory in two counties, each of which counties
19 has one or more legal newspapers within the municipality, the publication
20 by such municipality of its legal notices and advertisements in one of such
21 newspapers shall be construed as valid publication under this part 1.

22 (a) FIRST, IN SUCH A NEWSPAPER THAT HAS BEEN PRINTED OR
23 PUBLISHED, IN WHOLE OR IN PART, IN THE COUNTY IN WHICH THE LEGAL
24 NOTICE OR ADVERTISEMENT IS REQUIRED TO BE PUBLISHED

1 UNINTERRUPTEDLY AND CONTINUOUSLY FOR AT LEAST ONE YEAR PRIOR
2 TO THE FIRST ISSUE CONTAINING THE LEGAL NOTICE OR ADVERTISEMENT
3 AND THAT SATISFIES THE REQUIREMENTS OF A LEGAL PUBLICATION
4 SPECIFIED IN SECTION 24-70-102;

5 (b) SECOND, IN SUCH A NEWSPAPER THAT HAS BEEN PRINTED OR
6 PUBLISHED, IN WHOLE OR IN PART, IN THE COUNTY IN WHICH THE LEGAL
7 NOTICE OR ADVERTISEMENT IS REQUIRED TO BE PUBLISHED
8 UNINTERRUPTEDLY AND CONTINUOUSLY FOR AT LEAST ONE YEAR PRIOR
9 TO THE FIRST ISSUE CONTAINING THE LEGAL NOTICE OR ADVERTISEMENT
10 AND THAT SATISFIES THE REQUIREMENTS TO BE ADMITTED TO THE UNITED
11 STATES MAILED WITH PERIODICALS MAILING PRIVILEGES BUT FOR THE
12 ABSENCE OF PAID CIRCULATION THAT IS DISTRIBUTED WITHIN THE
13 TERRITORIAL BOUNDARIES OF THE COUNTY; OR

14 (c) THIRD, IN SUCH A NEWSPAPER THAT HAS BEEN PRINTED OR
15 PUBLISHED, IN WHOLE OR IN PART, IN THE COUNTY IN WHICH THE LEGAL
16 NOTICE OR ADVERTISEMENT IS REQUIRED TO BE PUBLISHED THAT WOULD
17 OTHERWISE SATISFY THE REQUIREMENTS OF SUBSECTIONS (1)(a) OR (1)(b)
18 OF THIS SECTION BUT FOR THE REQUIREMENT THAT THE NEWSPAPER SHALL
19 HAVE BEEN PUBLISHED IN THE COUNTY UNINTERRUPTEDLY AND
20 CONTINUOUSLY FOR AT LEAST ONE YEAR PRIOR TO THE FIRST ISSUE
21 CONTAINING THE LEGAL NOTICE OR ADVERTISEMENT.

22 (1.5) IF A MUNICIPALITY OR SPECIAL DISTRICT HAS TERRITORY IN
23 TWO COUNTIES, EACH OF WHICH HAS ONE OR MORE NEWSPAPERS THAT
24 SATISFY THE REQUIREMENTS OF A LEGAL PUBLICATION SPECIFIED IN
25 SECTION 24-70-102 WITHIN THE MUNICIPALITY OR SPECIAL DISTRICT, THE
26 MUNICIPALITY OR SPECIAL DISTRICT MAY PUBLISH NOTICE IN EITHER
27 NEWSPAPER.

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

23 **SECTION 2. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2026 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.