

CHAPTER 62

**GOVERNMENT - COUNTY**

SENATE BILL 26-061

BY SENATOR(S) Rich and Roberts, Carson, Kipp, Liston, Marchman, Pelton R., Coleman;  
also REPRESENTATIVE(S) Lukens and Richardson, Duran, McCluskie.

**AN ACT**

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

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

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

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

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

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

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

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

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

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

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

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

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

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

Approved: April 20, 2026