

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3754

By: Hardin

AS INTRODUCED

An Act relating to newspapers; amending 25 O.S. 2021, Section 106, which relates to legal notice publication by newspaper; modifying requirements of exclusively online newspapers; providing an effective date; and declaring an emergency.

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 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, unless the newspaper is circulated exclusively  
3 online and/or by any other means of delivery other than the United  
4 States Postal Service; and

5           3. has been continuously and uninterruptedly published in the  
6 county.

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

13           Nothing in this section shall invalidate the publication of such  
14 legal notices, advertisements, or publications in a newspaper which  
15 has moved its place of publication from one location in the county  
16 to another location in the same county without breaking the  
17 continuity of its regular issues for the requisite length of time,  
18 or the name of which may have been changed when said change of  
19 location was made as permitted by United States postal laws and  
20 regulations. Failure to issue or publish said newspaper for a  
21 period of fourteen (14) days due to fire, accident, or other  
22 unforeseen cause, or by reason of the pendency of mortgage  
23 foreclosure, attachment, execution, or other legal proceedings  
24 against the type, presses, or other personal property used by the  
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1 newspaper, shall not be deemed a failure to maintain continuous and  
2 consecutive publication as required by the provisions of this  
3 section, nor shall said failure invalidate the publication of a  
4 notice otherwise valid. Failure to issue or publish a newspaper  
5 qualified to publish legal notices, advertisements, or publications  
6 of any kind, for a period totaling not more than fourteen (14)  
7 consecutive days during a calendar year shall not be deemed a  
8 failure to maintain continuous and consecutive publication as  
9 required by the provisions of this section, nor shall said failure  
10 invalidate the publication of a notice otherwise valid.

11 SECTION 2. This act shall become effective July 1, 2024.

12 SECTION 3. It being immediately necessary for the preservation  
13 of the public peace, health or safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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