

28 (i) a communication required to be made public by a state statute or state agency rule;

29 or

30 (ii) a notice required for judicial proceedings or by judicial decision.

31 (b) "Legal notice" does not include a public notice published by a public body in
32 accordance with the provisions of Sections 52-4-202 and 63F-1-701.

33 (2) (a) Notwithstanding any other legal notice provision established in this Utah Code,
34 a person required to publish legal notice:

35 (i) until January 1, 2010, shall publish as required by the statute establishing the legal
36 notice requirement; and

37 (ii) beginning on January 1, 2010, shall publish legal notice:

38 (A) as required by the statute establishing the legal notice requirement; and

39 (B) on a website established by the collective efforts of Utah's newspapers.

40 (b) A person's publishing legal notice as required under Subsection (2)(a) does not
41 relieve the person from complying with an otherwise applicable requirement under Title 52,
42 Chapter 4, Open and Public Meetings Act.

43 ~~[(3) Beginning on January 1, 2012, notwithstanding any provision of law requiring~~
44 ~~publication of legal notice in a newspaper, a person who publishes legal notice that is required~~
45 ~~to be given in a county of the first or second class:]~~

46 ~~[(a) is not required to comply with the requirement to publish legal notice in a~~
47 ~~newspaper;]~~

48 ~~[(b) is required to publish legal notice on the website described in Subsection~~
49 ~~(2)(a)(ii)(B); and]~~

50 ~~[(c) may, in addition to complying with Subsection (3)(b), publish legal notice in a~~
51 ~~newspaper.]~~

52 ~~[(4)]~~ (3) The website described in Subsection (2)(a)(ii)(B) may not:

53 (a) charge a fee to publish a legal notice on the website before January 1, 2012; and

54 (b) charge more than \$10 to publish a legal notice on the website on or after January 1,
55 2012.

Legislative Review Note
as of 12-13-10 9:35 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

S.B. 105, 2011 General Session

SHORT TITLE: Legal Notice Publication Requirements

SPONSOR: **Valentine, J.**

STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.