1	NEWSPAPER PUBLICATION REQUIREMENTS
2	2010 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Johnny Anderson
5	Senate Sponsor: Wayne L. Niederhauser
6 7	LONG TITLE
8	General Description:
9	This bill addresses the qualifications for a newspaper to be considered a newspaper of
10	general circulation.
11	Highlighted Provisions:
12	This bill:
13	 addresses the qualifications for a newspaper to be considered a newspaper of
14	general circulation for purposes of publishing legally required notices and similar
15	publications; and
16	makes technical changes.
17	Monies Appropriated in this Bill:
18	None
19	Other Special Clauses:
20	None
21	Utah Code Sections Affected:
22	AMENDS:
23	45-1-201, as renumbered and amended by Laws of Utah 2009, Chapter 388
24	
25	Be it enacted by the Legislature of the state of Utah:
26	Section 1. Section 45-1-201 is amended to read:
27	45-1-201. Newspapers "of general circulation" Requirements.



28	[No newspaper shall be deemed a newspaper]
29	(1) A newspaper may not be considered as having general circulation for the purpose of
30	publishing any notice, advertisement or publication of any kind required by law, unless it has a
31	bona fide [subscription list] distribution of not less than 200 [subscribers]
31a	Ĥ→ [residents] addresses ←Ĥ in this
32	state, and [shall have] has been published for [not less than] at least 18 months, and shall
33	either:
34	(a) have been admitted in the United States mails as $\hat{\mathbf{H}} \rightarrow [\mathbf{second\text{-}class\ matter}]$ general
34a	<u>publications periodicals</u> ←Ĥ for 12 months;
35	[provided, that nothing in this chapter shall invalidate] or
36	(b) $\hat{\mathbf{H}} \rightarrow \underline{\mathbf{for}}$ a newspaper with the majority of its distribution in a county of the first or
36a	second class: ←Ĥ
36b	(i) have not less than 40% editorial content; and
37	(ii) be distributed for at least the previous 12 months to at least 55% of the residents for
38	which the notice is intended.
39	(2) Distribution required by Subsection (1)(b)(ii) shall be determined by an
40	independent audit.
41	(3) Nothing in this chapter invalidates the publication in a newspaper [which has
42	simply changed] that:
43	(a) changes only its name or ownership[-;]; or [has simply moved]
44	(b) moves its place of publication from one part of the state to another, or suspended
45	publication [on account of] because of fire, flood, or unavoidable accident not to exceed 10
46	weeks[; provided further, that nothing in this chapter shall].
47	(4) This chapter does not apply to any county [wherein no newspaper has been
48	published the requisite length of time] for which no newspaper satisfying this section exists.

Legislative Review Note as of 2-22-10 4:43 PM

Office of Legislative Research and General Counsel

H.B. 429 - Newspaper Publication Requirements

Fiscal Note

2010 General Session State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

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

2/26/2010, 4:48:50 PM, Lead Analyst: Allred, S./Attny: CRP

Office of the Legislative Fiscal Analyst