

S.B. 145
LEGAL NOTICE REVISIONS

Senator **Daniel McCay** proposes the following amendments:

1. *Page 2, Lines 30 through 38:*

30 (a) "Average advertisement rate" means:

31 (i) in determining a rate for publication on the public legal notice website ~~§~~ → or in a

31a newspaper {~~whose primary place of business is located~~} that primarily distributes publications
in a county of the third, fourth, fifth, or

31b sixth class ←~~§~~ , a

32 newspaper's gross advertising revenue for the preceding calendar quarter divided by the gross

33 column-inch space used in the newspaper for advertising for the previous calendar quarter[-];

34 or

35 (ii) in determining a rate for publication in a newspaper ~~§~~ → {~~whose primary place of~~

35a business is located} that primarily distributes publications in a county of the first or second class

←~~§~~ , a newspaper's average rate for

36 all qualifying advertising segments for the preceding calendar quarter for an advertisement:

37 (A) published in the same section of the newspaper as the legal notice; and

38 (B) of the same column-inch space as the legal notice.

2. *Page 3, Lines 60 through 72:*

60 (2) Except as provided in Subsections (8) and (9), notwithstanding any other legal

61 notice provision established by law, a person required by law to publish legal notice shall

62 publish the notice:

63 (a) (i) as required by the statute establishing the legal notice requirement; [and] or

64 (ii) by serving legal notice, by certified mail or in person, directly on all parties for

65 whom the statute establishing the legal notice requirement requires legal notice, if:

66 ~~§~~ → (A) the direct service of legal notice does not replace publication in a

66a newspaper {~~whose primary place of business is located~~} that primarily distributes publications
in a county of the third, fourth, fifth, or

66b sixth class ; ←~~§~~

66c ~~§~~ → [(A)] (B) ←~~§~~ the statute clearly identifies the parties;

67 ~~§~~ → [(B)] (C) ←~~§~~ the person can prove that the person has identified all parties for whom

67a notice is

68 required; and

69 ~~§~~ → [(C)] (D) ←~~§~~ the person keeps a record of the service for at least two years; and

70 (b) on a public legal notice website established by the combined efforts of Utah's
71 newspapers that collectively distribute newspapers to the majority of newspaper subscribers in
72 the state.