



Rep. Barbara Flynn Currie

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LRB096 06714 AJ0 28269 a

1 AMENDMENT TO SENATE BILL 291

2 AMENDMENT NO. _____. Amend Senate Bill 291 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Notice By Publication Act is amended by
5 changing Section 5 and by adding Section 11 as follows:

6 (715 ILCS 5/5) (from Ch. 100, par. 5)

7 Sec. 5. When any notice is required by law or contract to
8 be published in a newspaper (unless otherwise expressly
9 provided in the contract), it shall be intended to be in a
10 secular newspaper of general circulation, published in the
11 city, town or county, or some newspaper specially authorized by
12 law to publish legal notices, in the city, town, or county.
13 Unless otherwise expressly provided in the contract, the term
14 "newspaper" means a newspaper

15 (a) which consists of not less than 4 pages of printed
16 matter and contains at least 100 ~~130~~ square inches of printed

1 matter per page; and

2 (b) which is printed through the use of one of the
3 conventional and generally recognized printing processes such
4 as letterpress, lithography or gravure; and

5 (c) which annually averages at least 25% news content per
6 issue; or which annually averages at least 1,000 column inches
7 of news content per issue, the term "news content" meaning for
8 the purposes of this Act any printed matter other than
9 advertising; and

10 (d) which publishes miscellaneous reading matter, legal or
11 other announcements and notices, and news and information
12 concerning current happenings and passing events of a
13 political, social, religious, commercial, financial or legal
14 nature, and advertisements or bulletins; and

15 (e) which has been continuously published at regular
16 intervals of at least once each week with a minimum of 50
17 issues per year, for at least one year prior to the first
18 publication of the notice; or which is a successor to a
19 newspaper as herein defined with no interruption of publication
20 of more than 30 days; or which is a merged or consolidated
21 newspaper formed by the merger or consolidation of two or more
22 newspapers, one of which has been continuously published at
23 regular intervals of at least once each week with a minimum of
24 50 issues per year, for at least one year prior to the first
25 publication of the notice. A newspaper shall be considered as
26 continuously or regularly published although its publication

1 has been suspended, where such suspension was caused by fire or
2 an Act of God or by a labor dispute or by its owner, publisher,
3 managing editor or other essential employee entering the active
4 military service of the United States, if the newspaper was
5 continuously or regularly published for at least one year prior
6 to its suspension and if its publication is resumed at any time
7 not later than 12 months after such fire or Act of God, or if
8 its publication is resumed at any time within 12 months after
9 the termination of the labor dispute, or if its publication is
10 resumed at any time within 12 months after the termination of
11 the war in connection with which such persons entered such
12 military service.

13 (Source: Laws 1959, p. 1494.)

14 (715 ILCS 5/11 new)

15 Sec. 11. Applicability. Any notice published prior to the
16 effective date of this amendatory Act of the 96th General
17 Assembly and in compliance with the provisions of this
18 amendatory Act shall be legal and valid for all purposes.

19 Section 10. The Newspaper Legal Notice Act is amended by
20 changing Section 1 and by adding Section 3 as follows:

21 (715 ILCS 10/1) (from Ch. 100, par. 10)

22 Sec. 1.

23 Whenever it is required by law that any legal notice or

1 publication shall be published in a newspaper in this State, it
2 shall be held to mean a newspaper

3 (a) which consists of not less than 4 pages of printed
4 matter and contains at least 100 ~~130~~ square inches of printed
5 matter per page; and

6 (b) which is printed through the use of one of the
7 conventional and generally recognized printing processes such
8 as letterpress, lithography or gravure; and

9 (c) which annually averages at least 25% news content per
10 issue; or which annually averages at least 1,000 column inches
11 of news content per issue, the term "news content" meaning for
12 the purposes of this Act any printed matter other than
13 advertising; and

14 (d) which publishes miscellaneous reading matter, legal or
15 other announcements and notices, and news and information
16 concerning current happenings and passing events of a
17 political, social, religious, commercial, financial or legal
18 nature, and advertisements or bulletins; and

19 (e) which has been continuously published at regular
20 intervals of at least once each week with a minimum of 50
21 issues per year, for at least one year prior to the first
22 publication of the notice; or which is a successor to a
23 newspaper as herein defined with no interruption of publication
24 of more than 30 days; or which is a merged or consolidated
25 newspaper formed by the merger or consolidation of two or more
26 newspapers, one of which has been continuously published at

1 regular intervals of at least once each week with a minimum of
2 50 issues per year for at least one year prior to the first
3 publication of the notice. A newspaper shall be considered as
4 continuously or regularly published although its publication
5 has been suspended, where such suspension was caused by fire or
6 an Act of God or by a labor dispute or by its owner, publisher,
7 managing editor or other essential employee entering the active
8 military service of the United States, if the newspaper was
9 continuously or regularly published for at least one year prior
10 to its suspension and if its publication is resumed at any time
11 not later than 12 months after such fire or Act of God, or if
12 its publication is resumed at any time within 12 months after
13 the termination of the labor dispute, or if its publication is
14 resumed at any time within 12 months after the termination of
15 the war in connection with which such persons entered such
16 military service.

17 (Source: Laws 1959, p. 1496.)

18 (715 ILCS 10/3 new)

19 Sec. 3. Applicability. Any notice published prior to the
20 effective date of this amendatory Act of the 96th General
21 Assembly and in compliance with the provisions of this
22 amendatory Act shall be legal and valid for all purposes.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."