



Sen. Michael E. Hastings

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09900HB3445sam001

LRB099 09355 HEP 38371 a

1 AMENDMENT TO HOUSE BILL 3445

2 AMENDMENT NO. _____. Amend House Bill 3445 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Notice By Publication Act is amended by
5 changing Sections 2, 2.1, and 3.1 as follows:

6 (715 ILCS 5/2) (from Ch. 100, par. 2)

7 Sec. 2. Whenever an officer of a court, unit of local
8 government, or school district is required by law to give
9 notice by publication in a newspaper which is published in a
10 particular unit of local government or school district, he
11 shall, if there is no newspaper which is published in the unit
12 of local government or school district, give notice by
13 publication ~~in a newspaper published in the county in which the~~
14 ~~unit of local government or school district is located and~~
15 ~~having general circulation within the unit of local government~~
16 ~~or school district. If there is no newspaper published in the~~

1 ~~county in which the unit of local government or school district~~
2 ~~is located, notice by publication in a newspaper shall be given~~
3 in a secular newspaper, as defined in this Act, ~~published in an~~
4 ~~adjoining county~~ having general circulation within the unit of
5 local government or school district.

6 (Source: P.A. 96-1144, eff. 12-31-12.)

7 (715 ILCS 5/2.1)

8 Sec. 2.1. Statewide website. Whenever notice by
9 publication in a newspaper is required by law, order of court,
10 or contract, the newspaper publishing the notice shall, at no
11 additional cost to government, cause the notice to be placed
12 ~~place the notice~~ on the statewide website established and
13 maintained as a joint venture of the majority of Illinois
14 newspapers as a repository for such notices.

15 (Source: P.A. 96-1144, eff. 12-31-12.)

16 (715 ILCS 5/3.1) (from Ch. 100, par. 3.1)

17 Sec. 3.1. When any notice is required by law, or order of
18 court, to be published in any newspaper, publication of such
19 notice shall include the printing of such notice in the total
20 circulation of each edition on the date of publication of the
21 newspaper in which the notice is published; and the newspaper
22 publishing the notice shall, at no additional cost to
23 government, cause the notice to be placed ~~place the notice~~
24 the statewide website established and maintained as a joint

1 venture of the majority of Illinois newspapers as a repository
2 for such notices. All notices required for publication by this
3 Act shall remain legal and valid for all purposes when any
4 error that occurs pursuant to the requirements of this Section
5 for placement of the notice on the statewide website is the
6 fault of the printer.

7 (Source: P.A. 96-1144, eff. 12-31-12.)

8 Section 10. The Newspaper Legal Notice Act is amended by
9 changing Sections 2 and 3 as follows:

10 (715 ILCS 10/2) (from Ch. 100, par. 10.1)

11 Sec. 2. When any legal notice is required by law to be
12 published in any newspaper, such notice shall include the
13 printing of such notice in the total circulation of each
14 edition on the date of publication of the newspaper in which
15 the notice is published; and the newspaper publishing the
16 notice shall, at no additional cost to government, cause the
17 notice to be placed ~~place the notice~~ on the statewide website
18 established and maintained as a joint venture of the majority
19 of Illinois newspapers as a repository for such notices. All
20 notices required for publication by this Act shall remain legal
21 and valid for all purposes when any error that occurs pursuant
22 to the requirements of this Section in the requirement for
23 placement of the notice on the statewide website is the fault
24 of the printer.

1 (Source: P.A. 96-1144, eff. 12-31-12.)

2 (715 ILCS 10/3)

3 Sec. 3. Applicability.

4 (a) Any notice published prior to the effective date of
5 this amendatory Act of the 96th General Assembly and in
6 compliance with the provisions of this amendatory Act shall be
7 legal and valid for all purposes.

8 (b) If, after the effective date of this amendatory Act of
9 the 96th General Assembly, there is a notice that is required
10 by law or order of court to be published in a particular unit
11 of local government or school district and there is no
12 newspaper published in that unit of local government or school
13 district, ~~or, in the county in which the unit of local~~
14 ~~government or school district is located,~~ the notice shall be
15 published in a secular newspaper, as defined by this Act, ~~that~~
16 ~~is published in an adjoining county~~ having general circulation
17 within the unit of local government or school district. To the
18 extent that there is a conflict between the provisions of this
19 amendatory Act of the 96th General Assembly and any other
20 provision of law, the provisions added by this amendatory Act
21 of the 96th General Assembly shall control.

22 (Source: P.A. 96-59, eff. 7-23-09; 96-1144, eff. 12-31-12.)

23 Section 15. The Legal Advertising Rate Act is amended by
24 changing Section 1 as follows:

1 (715 ILCS 15/1) (from Ch. 100, par. 11)

2 Sec. 1. For purposes of this Act, "required public notice"
3 means any notice, advertisement, proclamation, statement,
4 proposal, ordinance or proceedings of an official body or board
5 or any other matter or material that is required by law or by
6 the order or rule of any court to be published in any
7 newspaper. The face of type of any required public notice shall
8 not be ~~made shall be not~~ smaller than the body type used in the
9 classified advertising in the newspaper in which the required
10 public notice is published. The minimum rate shall be 20 cents
11 per column line for each insertion of a required public notice.
12 The maximum rate charged for each insertion of a required
13 public notice shall not exceed the lowest classified rate paid
14 by commercial users for comparable space in the newspapers in
15 which the required public notice appears and shall include all
16 cash discounts, multiple insertion discounts, and similar
17 benefits extended to the newspaper's regular customers. For the
18 purposes of this Act, "commercial user" means a customer
19 submitting commercial advertising, and does not include a
20 customer submitting a required public notice.

21 (Source: P.A. 97-146, eff. 1-1-12.)".