

1 AN ACT concerning notices.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Notice By Publication Act is amended by  
5 changing Sections 2, 3.1, 5, and 11 and by adding Section 2.1  
6 as follows:

7 (715 ILCS 5/2) (from Ch. 100, par. 2)

8 Sec. 2. Whenever an officer of a court, unit of local  
9 government, or school district is required by law to give  
10 notice by publication in a newspaper which is published in a  
11 particular unit of local government or school district, he  
12 shall, if there is no newspaper which is published in the unit  
13 of local government or school district, give notice by  
14 publication in a newspaper published in the county in which the  
15 unit of local government or school district is located and  
16 having general circulation within the unit of local government  
17 or school district. If there is no newspaper published in the  
18 county in which the unit of local government or school district  
19 is located, notice by publication in a newspaper shall be given  
20 in a secular newspaper, as defined in this Act, published in an  
21 adjoining county having general circulation within the unit of  
22 local government or school district.

23 (Source: P.A. 78-425.)

1 (715 ILCS 5/2.1 new)

2 Sec. 2.1. Statewide website. Whenever notice by  
3 publication in a newspaper is required by law, order of court,  
4 or contract, the newspaper publishing the notice shall, at no  
5 additional cost to government, place the notice on the  
6 statewide website established and maintained as a joint venture  
7 of the majority of Illinois newspapers as a repository for such  
8 notices.

9 (715 ILCS 5/3.1) (from Ch. 100, par. 3.1)

10 Sec. 3.1. When any notice is required by law, or order of  
11 court, to be published in any newspaper, publication of such  
12 notice shall include the printing of such notice in the total  
13 circulation of each edition on the date of publication of the  
14 newspaper in which the notice is published; and the newspaper  
15 publishing the notice shall, at no additional cost to  
16 government, place the notice on the statewide website  
17 established and maintained as a joint venture of the majority  
18 of Illinois newspapers as a repository for such notices. All  
19 notices required for publication by this Act shall remain legal  
20 and valid for all purposes when any error that occurs pursuant  
21 to the requirements of this Section for placement of the notice  
22 on the statewide website is the fault of the printer.

23 (Source: P.A. 83-1483.)

1 (715 ILCS 5/5) (from Ch. 100, par. 5)

2 Sec. 5. When any notice is required by law or contract to  
3 be published in a newspaper (unless otherwise expressly  
4 provided in the contract), it shall be intended to be in a  
5 secular newspaper of general circulation, published in the  
6 city, town or county, or some newspaper specially authorized by  
7 law to publish legal notices, in the city, town, or county. If  
8 there is no newspaper published in the county in which the city  
9 or town is located, notice shall be given in a secular  
10 newspaper, as defined in this Act, that is published in an  
11 adjoining county having general circulation within the city or  
12 town. Unless otherwise expressly provided in the contract, the  
13 term "newspaper" means a newspaper

14 (a) which consists of not less than 4 pages of printed  
15 matter and contains at least 100 square inches of printed  
16 matter per page; and

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

20 (c) which annually averages at least 25% news content per  
21 issue; or which annually averages at least 1,000 column inches  
22 of news content per issue, the term "news content" meaning for  
23 the purposes of this Act any printed matter other than  
24 advertising; and

25 (d) which publishes miscellaneous reading matter, legal or  
26 other announcements and notices, and news and information

1 concerning current happenings and passing events of a  
2 political, social, religious, commercial, financial or legal  
3 nature, and advertisements or bulletins; and

4 (e) which has been continuously published at regular  
5 intervals of at least once each week with a minimum of 50  
6 issues per year, for at least one year prior to the first  
7 publication of the notice; or which is a successor to a  
8 newspaper as herein defined with no interruption of publication  
9 of more than 30 days; or which is a merged or consolidated  
10 newspaper formed by the merger or consolidation of two or more  
11 newspapers, one of which has been continuously published at  
12 regular intervals of at least once each week with a minimum of  
13 50 issues per year, for at least one year prior to the first  
14 publication of the notice. A newspaper shall be considered as  
15 continuously or regularly published although its publication  
16 has been suspended, where such suspension was caused by fire or  
17 an Act of God or by a labor dispute or by its owner, publisher,  
18 managing editor or other essential employee entering the active  
19 military service of the United States, if the newspaper was  
20 continuously or regularly published for at least one year prior  
21 to its suspension and if its publication is resumed at any time  
22 not later than 12 months after such fire or Act of God, or if  
23 its publication is resumed at any time within 12 months after  
24 the termination of the labor dispute, or if its publication is  
25 resumed at any time within 12 months after the termination of  
26 the war in connection with which such persons entered such

1 military service; ~~and~~

2 (f) which has the capability of placing notices required  
3 pursuant to this Act on a daily or weekly basis on the  
4 statewide website as required by Section 2.1.

5 (Source: P.A. 96-59, eff. 7-23-09.)

6 (715 ILCS 5/11)

7 Sec. 11. Applicability.

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

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

1 (Source: P.A. 96-59, eff. 7-23-09.)

2 Section 10. The Newspaper Legal Notice Act is amended by  
3 changing Sections 1, 2, and 3 as follows:

4 (715 ILCS 10/1) (from Ch. 100, par. 10)

5 Sec. 1. Whenever it is required by law that any legal  
6 notice or publication shall be published in a newspaper in this  
7 State, it shall be held to mean a newspaper

8 (a) which consists of not less than 4 pages of printed  
9 matter and contains at least 100 square inches of printed  
10 matter per page; and

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

14 (c) which annually averages at least 25% news content per  
15 issue; or which annually averages at least 1,000 column inches  
16 of news content per issue, the term "news content" meaning for  
17 the purposes of this Act any printed matter other than  
18 advertising; and

19 (d) which publishes miscellaneous reading matter, legal or  
20 other announcements and notices, and news and information  
21 concerning current happenings and passing events of a  
22 political, social, religious, commercial, financial or legal  
23 nature, and advertisements or bulletins; and

24 (e) which has been continuously published at regular

1 intervals of at least once each week with a minimum of 50  
2 issues per year, for at least one year prior to the first  
3 publication of the notice; or which is a successor to a  
4 newspaper as herein defined with no interruption of publication  
5 of more than 30 days; or which is a merged or consolidated  
6 newspaper formed by the merger or consolidation of two or more  
7 newspapers, one of which has been continuously published at  
8 regular intervals of at least once each week with a minimum of  
9 50 issues per year for at least one year prior to the first  
10 publication of the notice. A newspaper shall be considered as  
11 continuously or regularly published although its publication  
12 has been suspended, where such suspension was caused by fire or  
13 an Act of God or by a labor dispute or by its owner, publisher,  
14 managing editor or other essential employee entering the active  
15 military service of the United States, if the newspaper was  
16 continuously or regularly published for at least one year prior  
17 to its suspension and if its publication is resumed at any time  
18 not later than 12 months after such fire or Act of God, or if  
19 its publication is resumed at any time within 12 months after  
20 the termination of the labor dispute, or if its publication is  
21 resumed at any time within 12 months after the termination of  
22 the war in connection with which such persons entered such  
23 military service; and -

24 (f) which has the capability of placing, at no additional  
25 cost to government, notices required pursuant to this Act on a  
26 daily or weekly basis on the statewide website established and

1 maintained as a joint venture by the majority of Illinois  
2 newspapers as a repository for such notices.

3 (Source: P.A. 96-59, eff. 7-23-09.)

4 (715 ILCS 10/2) (from Ch. 100, par. 10.1)

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

19 (Source: P.A. 78-673.)

20 (715 ILCS 10/3)

21 Sec. 3. Applicability.

22 (a) Any notice published prior to the effective date of  
23 this amendatory Act of the 96th General Assembly and in  
24 compliance with the provisions of this amendatory Act shall be



1 legal and valid for all purposes.

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

16 (Source: P.A. 96-59, eff. 7-23-09.)

17 Section 99. Effective date. This Act takes effect December  
18 31, 2012.