

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 381

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Dede Feldman

AN ACT

RELATING TO LEGAL NOTICES; PROVIDING FOR DISTRIBUTION OF
COPIES OF LEGAL NOTICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 14-11-2 NMSA 1978 (being Laws 1937,
Chapter 167, Section 2, as amended) is amended to read:

"14-11-2. REQUIREMENT FOR PUBLICATION OF LEGAL NOTICE OR
ADVERTISEMENT. --

~~[Any and every]~~ A. A legal notice or
advertisement shall be published in a ~~[daily, tri-weekly, a
semi-weekly or a weekly]~~ newspaper of general circulation that
can be obtained by single copy and that is entered under the
second class postage privilege in the county in which the
notice or advertisement is required to be published ~~[which
newspaper]~~. If the notice is published in a tri-weekly, semi-

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 weekly or weekly newspaper, the newspaper shall have been [~~so~~]
2 published in the county continuously and uninterruptedly
3 during the period of at least twenty-six consecutive weeks
4 next prior to the first issue [~~thereof~~] containing [~~any such~~]
5 the notice or advertisement. [~~and which newspaper~~] If the
6 notice is published in a daily newspaper, the newspaper shall
7 have been [~~so~~] published in the county uninterruptedly and
8 continuously during the period of at least six months next
9 prior to the first issue [~~thereof~~] containing [~~any such~~] the
10 notice or advertisement [~~provided that the mere~~]. A change in
11 the name of [~~any~~] a newspaper or the removal of the principal
12 business office or seat of publication of [~~any~~] a newspaper
13 from one place to another in the same county shall not break
14 or affect the continuity in the publication of [~~any such~~] the
15 newspaper if the newspaper is [~~in fact~~] continuously and
16 uninterruptedly printed and published within the county as
17 provided in this section [~~provided further that~~]. A newspaper
18 shall not lose its rights as a legal publication if it fails
19 to publish one or more of its issues by reason of fire, flood,
20 accident, transportation embargo or tie-up or other casualty
21 beyond the control of the publisher [~~provided further that~~
22 any]. A legal notice [~~which~~] that fails [~~of publication~~] to
23 be published for the required number of insertions [~~by~~] for
24 reasons beyond the control of the publisher shall not be
25 declared illegal if the [~~publication~~] notice has been made in

underscored material = new
[bracketed material] = delete

1 one issue of the publication [~~and provided further that if in~~
2 ~~any county in this state there has not been published any~~].
3 If a newspaper has not been published in a county for the
4 prescribed period at the time [~~when any~~] such notice or
5 advertisement is required to be published, the notice or
6 advertisement may be published in [~~any~~] a newspaper having a
7 general circulation or published and printed in whole or in
8 part in that county and that can be obtained by single copy in
9 that county.

10 B. At the time of the first publication of a legal
11 notice or advertisement, a copy of the notice shall be sent to
12 each newspaper, magazine, radio station and television station
13 in the county in which the notice is required to be
14 published. "