



Colorado Counties, Inc.

SB26-061, Modernizing Legal Notice Requirements for Colorado Counties

Senators Rich and Roberts and Representatives Lukens and Richardson

SUMMARY

SB26-061 clarifies and modernizes Colorado's legal publication statute to ensure counties can comply with public notice requirements when qualifying newspapers are unavailable.

The bill establishes a clear, structured order of priority for where legal notices must be published while preserving transparency and prioritizing in-county publication.

THE PROBLEM

Current law requires counties to publish legal notices in newspapers that have been published for a required period of time; have general circulation; and possess U.S. Postal Service periodicals mailing privileges. If no such newspaper exists in a county, counties must publish in a qualifying paper in an adjoining county.

The newspaper market has changed significantly. Many local papers no longer maintain periodicals permits, and in some communities, there may not be a qualifying newspaper at all.

In those cases, the statute either forces counties to publish in an adjoining county or leaves ambiguity about how to comply. In practice, some counties have had to publish in small qualifying papers that reach only a limited portion of residents while also paying to publish in the paper that actually has broad circulation. That duplicative cost is not efficient, and it does not necessarily improve public awareness.

VOTE YES ON SB26-061

SB26-061 is a practical, narrowly tailored modernization that reflects today's media landscape while preserving public access and transparency. Please vote **YES** on SB26-061.

CSB26-061 PROVIDES CLARITY AND STRUCTURE

The bill establishes a clear order of priority for publication within the county. First, if a fully qualifying legal newspaper exists, counties must use it. Second, if a newspaper otherwise meets legal publication standards but lacks a periodicals permit solely because it does not have paid circulation, counties may publish there. Third, the bill allows publication in a newer paper that meets the substantive standards but has not yet reached the one-year publication threshold.

If no qualifying newspaper exists within the county, the bill allows publication in an adjoining county using the same order of priority. And if none exist there, the bill provides clear direction to select the closest qualifying option.

Importantly, this bill does not eliminate print publication. It does not move notices exclusively online. It does not weaken transparency standards. Instead, it preserves the newspaper-based system while modernizing the technical requirements to reflect current market realities.

WHY THIS BILL MATTERS

- ✓ Keeps notices in the local community by allowing publication inside the county whenever possible.
- ✓ Preserves transparency by not eliminating print notice requirements and by maintaining structured publication standards.
- ✓ Reduces unnecessary costs by allowing counties to publish in the paper that actually reaches residents, reducing duplicative publication expenses.
- ✓ Provides legal clarity by ensuring counties can comply even when no qualifying periodicals-permit newspaper exists.