



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB2585

by Rep. Anthony DeLuca

#### SYNOPSIS AS INTRODUCED:

715 ILCS 5/2	from Ch. 100, par. 2
715 ILCS 5/2.1	
715 ILCS 5/3.1	from Ch. 100, par. 3.1
715 ILCS 10/2	from Ch. 100, par. 10.1
715 ILCS 10/3	
715 ILCS 15/1	from Ch. 100, par. 11

Amends the Notice By Publication Act and the Newspaper Legal Notice Act. Provides that, if notice is required to be published in a newspaper that is published in a particular unit of local government or school district, and if there is no newspaper published in that unit of local government or school district, then the notice may be published in a secular newspaper having general circulation within the unit of local government or school district (currently, those Acts require the newspaper to be published in the county in which the unit of local government or school district is located or in an adjoining county). Provides that the newspaper shall cause the notice to be placed (instead of "place the notice") on the statewide website established and maintained as a joint venture of the majority of Illinois newspapers as a repository for such notices. Amends the Legal Advertising Rate Act. Provides that the face of type of any required public notice shall not be (instead of "be made shall be not") smaller than the body type used in the classified advertising in the newspaper in which the required public notice is published.

LRB100 08279 HEP 18381 b

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, 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~~  
17 ~~county in which the unit of local government or school district~~  
18 ~~is located, notice by publication in a newspaper shall be given~~  
19 in a secular newspaper, as defined in this Act, ~~published in an~~  
20 ~~adjoining county~~ having general circulation within the unit of  
21 local government or school district.

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

1 (715 ILCS 5/2.1)

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, cause the notice to be placed  
6 ~~place the notice~~ on the statewide website established and  
7 maintained as a joint venture of the majority of Illinois  
8 newspapers as a repository for such notices.

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

10 (715 ILCS 5/3.1) (from Ch. 100, par. 3.1)

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

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

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

3 (715 ILCS 10/2) (from Ch. 100, par. 10.1)

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

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

19 (715 ILCS 10/3)

20 Sec. 3. Applicability.

21 (a) Any notice published prior to the effective date of  
22 this amendatory Act of the 96th General Assembly and in  
23 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; 96-1144, eff. 12-31-12.)

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

19 (715 ILCS 15/1) (from Ch. 100, par. 11)

20 Sec. 1. For purposes of this Act, "required public notice"  
21 means any notice, advertisement, proclamation, statement,  
22 proposal, ordinance or proceedings of an official body or board  
23 or any other matter or material that is required by law or by  
24 the order or rule of any court to be published in any

1 newspaper. The face of type of any required public notice shall  
2 not be ~~made shall be not~~ smaller than the body type used in the  
3 classified advertising in the newspaper in which the required  
4 public notice is published. The minimum rate shall be 20 cents  
5 per column line for each insertion of a required public notice.  
6 The maximum rate charged for each insertion of a required  
7 public notice shall not exceed the lowest classified rate paid  
8 by commercial users for comparable space in the newspapers in  
9 which the required public notice appears and shall include all  
10 cash discounts, multiple insertion discounts, and similar  
11 benefits extended to the newspaper's regular customers. For the  
12 purposes of this Act, "commercial user" means a customer  
13 submitting commercial advertising, and does not include a  
14 customer submitting a required public notice.

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