

SENATE BILL NO. 22—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the publication of legal notices. (BDR 19-390)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to legal notices; authorizing, under certain circumstances, the publication of a legal notice or advertisement on the Internet website of a newspaper; making various other changes relating to legal notices and advertisements; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the publication of any and all legal notices and advertisements in certain newspapers of general circulation and establishes procedures and requirements for such publication. (NRS 238.020, 238.030) As an alternative to these requirements, **section 1** of this bill authorizes the publication of a legal notice or advertisement on the Internet website of such a newspaper. **Section 2** of this bill makes a conforming change to provide that, with certain exceptions, the Internet website of such a newspaper is a competent means for the publication of legal notices and advertisements.

Existing law provides that whenever any legal notice or advertisement is required by law to be given by publication, with certain exceptions, the legal notice or advertisement must be published at least once a week, consecutively, for not less than the full period of time so required in a qualified, legal and competent newspaper. (NRS 238.060) **Section 3** of this bill provides that if a legal notice or advertisement is published on the Internet website of a qualified, legal and competent newspaper, the legal notice or advertisement must be posted on the Internet website continuously and uninterruptedly for not less than the full period of time that the notice is otherwise required to be published in a qualified, legal and competent newspaper.

Existing law provides that any and every legal notice or advertisement that is published in a newspaper in violation of certain provisions of law is void.



21 (NRS 238.080) **Section 4** of this bill provides that any and every legal notice or  
22 advertisement published on an Internet website maintained by a newspaper in  
23 violation of certain provisions of law is void.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 238.030 is hereby amended to read as follows:

2 238.030 1. ~~[Any]~~ *Except as otherwise provided in this*  
3 *section, any* and all legal notices or advertisements shall be  
4 published only in a daily, a triweekly, a semiweekly, a weekly, or a  
5 semimonthly newspaper of general circulation and printed in whole  
6 or in part in the county in which the notice or advertisement is  
7 required to be published, which newspaper if published:

8 (a) Triweekly, semiweekly, weekly, or semimonthly, shall have  
9 been so published in the county, continuously and uninterruptedly,  
10 during the period of at least 104 consecutive weeks next prior to the  
11 first issue thereof containing any such *legal* notice or advertisement.

12 (b) Daily, shall have been so published in the county,  
13 uninterruptedly and continuously, during the period of at least 1 year  
14 next prior to the first issue thereof containing any such *legal* notice  
15 or advertisement.

16 2. ~~[The mere]~~ *As an alternative to the requirements to publish*  
17 *a legal notice or advertisement in a newspaper described in*  
18 *subsection 1, any legal notice or advertisement may be published*  
19 *on the Internet website of a newspaper described in subsection 1.*  
20 *If a legal notice or advertisement is published on the Internet*  
21 *website of a newspaper described in subsection 1, the newspaper*  
22 *must publish on its Internet website the mailing address and*  
23 *telephone number of the state or local governmental agency by*  
24 *which a person may request or obtain a copy of the legal notice or*  
25 *advertisement.*

26 3. A change in ~~[the]~~ :

27 (a) ~~The~~ name of any newspaper, or the removal of the principal  
28 business office or seat of publication of any newspaper from one  
29 place to another in the same county shall not break or affect the  
30 continuity in the publication of any such newspaper if the same ~~[is~~  
31 ~~in fact]~~ *newspaper is* continuously and uninterruptedly printed and  
32 published within the county. ~~[as herein provided.]~~

33 (b) *The Internet address of the website of any newspaper on*  
34 *which a legal notice or advertisement is published does not break*  
35 *or affect the continuity in the publication of the legal notice or*  
36 *advertisement if public access to the Internet website is continuous*  
37 *and uninterrupted.*



1 ~~3.1~~ 4. A newspaper shall not lose its rights as a legal  
2 publication if any of the following conditions maintain:

3 (a) If by reason of a strike or other good cause it should suspend  
4 publication; but the period shall not exceed 30 days in any calendar  
5 year.

6 (b) If by reason of generally recognized economic stress of a  
7 serious nature over which the publisher has no control it shall be  
8 necessary to suspend publication for a period not to exceed 2 years.  
9 The provisions of this paragraph shall apply only in the case of  
10 publications that have been operating continuously for a period of 5  
11 years prior to such suspension. Any legal notice which fails of  
12 publication for the required number of insertions for such reason  
13 shall not be declared illegal if publication has been made in one  
14 issue of the publication and is resumed within a reasonable period.

15 ~~4.1~~ 5. If in any county in this State there shall not have been  
16 published therein any newspaper or newspapers for the prescribed  
17 period, at the time when any such *legal* notice or advertisement is  
18 required to be published, then such *legal* notice or advertisement  
19 may be published ~~5.1~~ :

20 (a) *In* any newspaper or newspapers having a general circulation  
21 and printed and published in whole or in part in the county ~~5~~  
22 ~~—5.1~~ ; or

23 (b) *On the Internet website of any newspaper or newspapers*  
24 *having a general circulation and printed and published in whole*  
25 *or in part in the county.*

26 6. The time limitations in subsection 1 do not apply to a newly  
27 established newspaper printed and published in:

28 (a) An incorporated city if, at the time such newspaper is  
29 established, there is no other newspaper printed and published in  
30 such city.

31 (b) A county if, at the time such newspaper is established, there  
32 is no other newspaper printed and published in such county.

33 **Sec. 2.** NRS 238.050 is hereby amended to read as follows:

34 238.050 Except as otherwise provided by law in express terms  
35 or by necessary implication, daily newspapers, triweekly  
36 newspapers, semiweekly newspapers, weekly newspapers and  
37 semimonthly newspapers *and the Internet websites of such*  
38 *newspapers* shall all be equally competent as the means for the  
39 publication of all legal notices and advertisements.

40 **Sec. 3.** NRS 238.060 is hereby amended to read as follows:

41 238.060 1. Whenever any *legal* notice *or advertisement* is  
42 required by law to be given by publication, unless otherwise  
43 specified, such provision shall be satisfied , *except as otherwise*  
44 *provided in subsection 2*, by publishing the required *legal* notice *or*  
45 *advertisement*, at least once a week, consecutively, for not less than



1 the full period of time so required in a qualified, legal and  
2 competent newspaper.

3 *2. If a legal notice or advertisement is published on the*  
4 *Internet website of a qualified, legal and competent newspaper,*  
5 *the legal notice or advertisement must be posted on such Internet*  
6 *website continuously and uninterruptedly for not less than the full*  
7 *period of time that the notice is otherwise required to be published*  
8 *in a qualified, legal and competent newspaper.*

9 **Sec. 4.** NRS 238.080 is hereby amended to read as follows:

10 238.080 Any and every legal notice or advertisement published  
11 in a newspaper *or on an Internet website maintained by a*  
12 *newspaper* in violation of any of the provisions of NRS 238.010 to  
13 238.080, inclusive, shall be absolutely void.

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