

FIRST REGULAR SESSION

# HOUSE BILL NO. 764

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ANDREWS.

1429H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal sections 493.050 and 493.070, RSMo, and to enact in lieu thereof two new sections relating to newspapers.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 493.050 and 493.070, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 493.050 and 493.070, to read as follows:

493.050. All public advertisements and orders of publication required by law to be made and all legal publications affecting the title to real estate shall be published in some daily, triweekly, semiweekly, or weekly newspaper of general circulation in the county where located, and ~~which~~ **such a newspaper** shall have:

(1) Been admitted to the post office as periodicals class matter in the city of publication; ~~shall have~~

(2) Been **either:**

(a) Published regularly and consecutively for a period of ~~three years~~ **one year**, except that a newspaper of general circulation may be deemed to be the successor to a defunct newspaper of general circulation, and subject to all of the rights and privileges of said prior newspaper under this statute, if the successor newspaper shall begin publication no later than ~~thirty~~ **ninety** consecutive days after the termination of publication of the prior newspaper; ~~shall have~~ **or**

(b) **Purchased or newly established by a newspaper that satisfies the requirements of paragraph (a) of this subdivision; and**

(3) A list of bona fide subscribers voluntarily engaged as such, who have paid or agreed to pay a stated price for a subscription for a definite period of time ~~provided, that when~~ .

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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19 **If** a public notice, required by law to be published once a week for a given number of weeks,  
20 ~~[shall]~~ **is to** be published in a daily, triweekly, semiweekly, or weekly newspaper, the notice shall  
21 appear once a week, on the same day of each week ~~[, and further provided, that]~~ . Every affidavit  
22 to proof of publication shall state that the newspaper in which such notice was published has  
23 complied with the provisions of this section ~~[- provided further, that]~~ . The duration of  
24 consecutive publication provided for in this section shall not affect newspapers which have  
25 become legal publications prior to September 6, 1937 ~~[- provided, however, that when]~~ . **If** any  
26 newspaper shall be forced to suspend publication in any time of war, due to the owner or  
27 publisher being inducted into the Armed Forces of the United States, the newspaper may be  
28 reinstated within one year after actual hostilities have ceased, with all the benefits provided  
29 pursuant to the provisions of this section, upon the filing with the secretary of state of notice of  
30 intention of such owner or publisher, the owner's surviving spouse or legal heirs, to republish  
31 such newspaper, setting forth the name of the publication, its volume and number, its frequency  
32 of publication, and its readmission to the post office where it was previously entered as  
33 periodicals class mail matter, and ~~[when]~~ **if** it ~~[shall have]~~ **has** a list of bona fide subscribers  
34 voluntarily engaged as such who have paid or agreed to pay a stated price for subscription for  
35 a definite period of time. All laws or parts of laws in conflict with this section except sections  
36 493.070 to 493.120, are hereby repealed.

493.070. In all cities of this state which now have, or shall hereafter have, a population  
2 of one hundred thousand inhabitants or more, all public notices and advertisements, directed by  
3 any court~~[-]~~ or required by law to be published in a newspaper, shall be published in some daily  
4 newspaper of such city, of general circulation therein, which shall have been established and  
5 continuously published as such for a period of at least ~~[three consecutive years]~~ **one year** next  
6 prior to the publication of any such notice.

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