

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 2629

Short Title: Surry Legal Notices.

(Local)

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Sponsors: Representative J. Harrell.

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Referred to: Local Government II, if favorable, Judiciary II.

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May 28, 2008

A BILL TO BE ENTITLED

AN ACT TO REDEFINE THE NEWSPAPERS ELIGIBLE TO ACCEPT LEGAL  
ADVERTISING IN SURRY COUNTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 1-597 reads as rewritten:

**"§ 1-597. Regulations for newspaper publication of legal notices, advertisements,  
etc.**

Whenever a notice or any other paper, document or legal advertisement of any kind or description shall be authorized or required by any of the laws of the State of North Carolina, heretofore or hereafter enacted, or by any order or judgment of any court of this State to be published or advertised in a newspaper, such publication, advertisement or notice shall be of no force and effect unless it shall be published in a newspaper with a general circulation to actual paid subscribers which newspaper at the time of such publication, advertisement or notice, shall have been admitted to the United States mails in the Periodicals class directly to residences in the county or political subdivision where such publication, advertisement or notice is required to be published, and which shall have been regularly and continuously issued in the county in which the publication, advertisement or notice is authorized or required to be published, at least one day in each calendar week for at least 25 of the 26 consecutive weeks immediately preceding the date of the first publication of such advertisement, publication or notice; provided that in the event that a newspaper otherwise meeting the qualifications and having the characteristics prescribed by G.S. 1-597 to 1-599, should fail for a period not exceeding four weeks in any calendar year to publish one or more of its issues such newspaper shall nevertheless be deemed to have complied with the requirements of regularity and continuity of publication prescribed herein. Provided further, that where any city or town is located in two or more adjoining counties, any newspaper published in such city or town shall, for the purposes of G.S. 1-597 to 1-599, be deemed to be admitted to the mails, issued and published in all such counties in which such town or city of publication is located, and every publication, advertisement or notice required to

1 be published in any such city or town or in any of the counties where such city or town  
2 is located shall be valid if published in a newspaper published, issued and admitted to  
3 the mails anywhere within any such city or town, regardless of whether the newspaper's  
4 ~~plant~~ plant, known office, or the post office where the newspaper is admitted to the  
5 mails is in such county or not, if the newspaper otherwise meets the qualifications and  
6 requirements of G.S. 1-597 to 1-599. This provision shall be retroactive to May 1, 1940,  
7 and all publications, advertisements and notices published in accordance with this  
8 provision since May 1, 1940, are hereby validated.

9 Notwithstanding the provisions of G.S. 1-599, whenever a notice or any other paper,  
10 document or legal advertisement of any kind or description shall be authorized or  
11 required by any of the laws of the State of North Carolina, heretofore or hereafter  
12 enacted, or by any order or judgment of any court of this State to be published or  
13 advertised in a newspaper qualified for legal advertising in a county and there is no  
14 newspaper qualified for legal advertising as defined in this section in such county, then  
15 it shall be deemed sufficient compliance with such laws, order or judgment by  
16 publication of such notice or any other such paper, document or legal advertisement of  
17 any kind or description in a newspaper published in an adjoining county or in a county  
18 within the same district court district as defined in G.S. 7A-133 or superior court district  
19 or set of districts as defined in G.S. 7A-41.1, as the case may be; provided, if the clerk  
20 of the superior court finds as a fact that such newspaper otherwise meets the  
21 requirements of this section and has a general circulation in such county where no  
22 newspaper is published meeting the requirements of this section."

23 **SECTION 2.** This act applies to Surry County only.

24 **SECTION 3.** This act is effective when it becomes law.