

SENATE BILL 1526

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 2; Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 17; Title 18; Title 30; Title 36; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 46; Title 47; Title 48; Title 49; Title 54; Title 55; Title 56; Title 57; Title 59; Title 61; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69 and Title 70, relative to newspapers of general circulation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-3-104, is amended by adding the following new appropriately designated subdivision thereto:

() Determine whether or not a publication is a “newspaper of general circulation” for purposes of the publication of notices relative to foreclosures, land sales and other transactions involving real property, or other legal notices required by statute;

SECTION 2. Tennessee Code Annotated, Title 8, Chapter 3, Part 2, is amended by adding the following new section thereto:

8-3-206.

(a) Any publication requesting that it be a “newspaper of general circulation” for purposes of publishing a notice relative to any foreclosure, land sale, transaction involving real property, or other legal notices required by statute, shall submit a request to the department of state in a manner determined by the secretary of state.

(b) The secretary of state is authorized to make a determination regarding whether or not a publication is a “newspaper of general circulation” for purposes of the publication of notices relative to foreclosures, land sales, transactions involving real property, or other legal notices required by statute.

(c) In making a determination pursuant to this section, the secretary of state shall consider the following factors:

(1) Whether or not the publication is available in all parts of a particular county;

(2) Whether or not the publication is published weekly; and

(3) Whether or not the publication contains a minimum of forty percent (40%) news of general interest to the public. For purposes of this subdivision (c)(3), “news of general interest to the public” means all news that is not a form of paid advertisement.

SECTION 3. The secretary of state is authorized to promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.