

STATE OF NEW YORK

4920

2021-2022 Regular Sessions

IN ASSEMBLY

February 9, 2021

Introduced by M. of A. SIMPSON -- read once and referred to the Committee on Judiciary

AN ACT to amend the limited liability company law and the general construction law, in relation to the definition of "newspaper"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 102 of the limited liability company law is amended
2 by adding a new subdivision (ii) to read as follows:

3 (ii) "Newspaper" means any newspaper of general circulation which is
4 printed and distributed on a daily or weekly basis and has been in busi-
5 ness for at least one year immediately preceding any publication adver-
6 tisement, and which contains news, articles of opinion, features, adver-
7 tising and any other matter regarded as current interest.

8 § 2. Subdivision a of section 60 of the general construction law, as
9 separately amended by chapters 724 and 725 of the laws of 1975, is
10 amended to read as follows:

11 a. In any case in which notice of any fact is required by law to be
12 published or advertised in a newspaper, the term "newspaper" shall mean
13 a paper of general circulation which is printed and distributed ordinari-
14 ly not less frequently than once a week, for a minimum forty-eight week
15 per year basis and has been so for at least one year immediately preced-
16 ing such publication or advertisement, and which contains news, articles
17 of opinion (as editorials), features, advertising, or other matter
18 regarded as of current interest, [~~has a paid circulation~~] and (except
19 for such a paper which has been printed and distributed not less
20 frequently than once a week for a period of ten years prior to January
21 one, nineteen hundred seventy-five) has been entered at United States
22 post-office as second-class matter. A publication which is distributed
23 or made available primarily for advertising purposes to the public
24 generally without consideration being paid therefor shall not be deemed
25 to be a "newspaper" for the purpose of publication or advertisement of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 such notice required by law. Notwithstanding any provision of this
2 subdivision to the contrary, a publication which was designated and
3 publishing notice as an official newspaper prior to the year nineteen
4 hundred forty and continued to be so designated and publishing for at
5 least thirty years after such year shall be deemed to be a newspaper
6 within the meaning of this subdivision.

7 § 3. This act shall take effect immediately.