

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2150

Introduced by

Senator G. Nelson

1 A BILL for an Act to amend and reenact section 54-02-01 of the North Dakota Century Code,
2 relating to permitted uses of the great seal; and to declare an emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-02-01 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **54-02-01. Great seal - Permitted uses - Penalty for commercial use.**

- 7 1. The great seal of the state is that prescribed in section 2 of article XI of the
8 Constitution of North Dakota. A description in writing of such seal must be
9 deposited and recorded in the office of the secretary of state and must remain a
10 public record. A reproduction of the great seal may be placed on any official form,
11 document, or stationery of any agency, authority, board, body, branch, bureau,
12 commission, committee, council, department, division, industry, institution, or
13 instrumentality of the state or of any elected or appointed official of the state. A
14 reproduction of the great seal may be placed on business calling cards produced
15 for the use of an elected or appointed state official or state employee regardless of
16 whether the cards are purchased by the official or employee or by the state. Any
17 use of the great seal on any other object or thing by any of the foregoing state
18 entities or officials is prohibited unless approved by the secretary of state;
19 provided, however, that the state historical society and the parks and recreation
20 department may, with the concurrence of the secretary of state, reproduce the
21 great seal on any objects they offer for sale as souvenirs.
- 22 2. It is a class B misdemeanor for any person to:
- 23 a. Place or cause to be placed the great seal, or any reproduction of the great
24 seal, on any political badge, button, insignia, pamphlet, folder, display card,

1 sign, poster, billboard, or on any other public advertisement, or to otherwise
2 use the great seal for any political purpose, as defined in section 16.1-10-02.

3 b. Place or cause to be placed on the great seal, or any reproduction thereof,
4 any advertisement.

5 c. Expose the great seal, or any reproduction thereof, to public view with any
6 advertisement attached thereto.

7 d. Utilize the great seal, or a copy or reproduction thereof, for any commercial
8 purpose.

9 As used in this subsection, "advertisement" means any printed matter, device,
10 picture, or symbol, no matter how presented to the senses, which informs the
11 public that a good or service is available; and "commercial purpose" means with
12 intent to produce a pecuniary gain through sale of a good or service.

13 Notwithstanding any other provision of law, the secretary of state may grant a
14 written request by a private vendor to reproduce official state forms and
15 documents, containing a reproduction of the great seal, for resale to persons
16 intending to submit the forms or documents to any state entity in the regular course
17 of business. The secretary of state may also grant a written request by a
18 publisher, educational institution, or author to reproduce the great seal in any
19 research, reference, or educational publication containing a compilation of the
20 great seals of other states.

21 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.