

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2069
(State and Local Government Committee)
(At the request of the Public Service Commission)

AN ACT to amend and reenact section 46-05-09 of the North Dakota Century Code, relating to publication requirements for legal notices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-05-09 of the North Dakota Century Code is amended and reenacted as follows:

46-05-09. Publication of legal notices on website.

1. When a legal notice is required by law to be published in a newspaper, the newspaper also shall publish the notice on a statewide legal notices website maintained by the North Dakota newspaper association and on the newspaper's website in a location open and free to the public, if the newspaper maintains a website, at no additional cost to the entity placing the notice.
2. A state agency may request immediate publication of a notice on the North Dakota newspaper association public notice website and the North Dakota newspaper association must provide an affidavit of the posting. The posting is considered legal notification if a newspaper fails to publish the legal notice in the newspaper.
3. If an insubstantial error in the notice occurs as a result of placement on the website and the error is the fault of the newspaper, the error does not affect the validity and effectiveness of the notice.
4. A notice required by law which is published on a statewide legal notices website maintained by the North Dakota newspaper association or on a website maintained by the proper governmental unit, fulfills the publication requirement if a newspaper fails to publish the notice required by law in the newspaper.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2069.

Senate Vote: Yeas 32 Nays 15 Absent 0

House Vote: Yeas 72 Nays 17 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State