

PRINTING LAWS

CHAPTER 420

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.

Approved April 22, 2025

Filed April 23, 2025