

SENATE BILL NO. 2435

Introduced by

Senators C. Nelson, Christenson, Tomac

Representatives Ekstrom, Warner

1 A BILL for an Act to amend and reenact section 46-05-01 of the North Dakota Century Code,
2 relating to qualifications required of newspapers to publish legal notices.

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

4 **SECTION 1. AMENDMENT.** Section 46-05-01 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **46-05-01. Newspapers qualified to do legal printing - File copies with historical**
7 **society - Publishing notices in adjoining county.** Before any newspaper in this state is
8 qualified to publish any legal notice or any matter required by law to be printed or published in
9 some newspaper in the state, or any public notice for any political subdivision within this state,
10 the newspaper must:

- 11 1. ~~Have~~ have been established in a regular and continuous circulation of at least one
12 year, ~~with a bona fide subscription list of at least one hundred fifty regular~~
13 ~~subscribers;~~
14 2. ~~Be~~ and be nonsectarian and printed at least three-fourths in English; ~~and~~
15 3. ~~Have been admitted to the United States mails and have complied with the~~
16 ~~requirements of the federal laws governing periodicals mailing privileges for at~~
17 ~~least one year.~~

18 In the county where no newspaper having the above-prescribed qualifications is published, any
19 newspaper at the county seat of that county is entitled to publish the legal notices even though
20 it may not have been established one year. The owner or publisher of each legal newspaper
21 shall send to the state historical board, to the address designated by the secretary, two copies
22 of each issue of the newspaper. In a county in which no newspaper is published, any notice
23 required by law to be published may be published in a newspaper published in an adjoining
24 county and having a general circulation in the county.