

Sixty-ninth
Legislative Assembly
of North Dakota

**SECOND ENGROSSMENT
with House Amendments**

REENGROSSED SENATE BILL NO. 2069

Introduced by

State and Local Government Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 46-05-09 of the North Dakota Century Code,
2 relating to publication requirements for legal notices.

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

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

6 **46-05-09. Publication of legal notices on website.**

7 1. When a legal notice is required by law to be published in a newspaper, if the request
8 for publication is submitted to:

9 a. A newspaper, the newspaper also shall publish the notice on a statewide legal
10 notices website maintained by the North Dakota newspaper association and on
11 the newspaper's website in a location open and free to the public, if the
12 newspaper maintains a website, at no additional cost to the entity placing the
13 notice.

14 b. The North Dakota newspaper association, the association shall publish the notice
15 on a statewide legal notices website maintained by the North Dakota newspaper
16 association and provide an affidavit of publication.

17 2. If an insubstantial error in the notice occurs as a result of placement on the website
18 and the error is the fault of the newspaper, the error does not affect the validity and
19 effectiveness of the notice.

20 3. A notice required by law which is published on a statewide legal notices website
21 maintained by the North Dakota newspaper association or on a website maintained by

- 1 the proper governmental unit, fulfills the publication requirement if a newspaper fails to
- 2 publish the notice required by law.