

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1197
(Representatives Pyle, Hanson, Ostlie, Roers Jones, Wagner)
(Senators Dwyer, Patten, K. Roers)

AN ACT to amend and reenact section 46-05-01 of the North Dakota Century Code, relating to publication of legal notices by newspapers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-05-01 of the North Dakota Century Code is amended and reenacted as follows:

46-05-01. Newspapers qualified to do legal printing - File copies with state historical society - Publishing notices in adjoining county.

1. As used in this section:
 - a. "E-edition" means a digital facsimile of a newspaper print edition which is substantially the same in both format and content as the print edition.
 - b. "Publish" means the dissemination in the print edition of a qualified newspaper or in the newspaper's e-edition if it has one, or in both.
2. Before anya newspaper in this state is qualified to publish anya legal notice or anya matter required by law to be printed or published in somea newspaper in the state, or any public notice for anya political subdivision within this state, the newspaper must:
 - 1- a. Have been established in a regular and continuous circulation of at least one year, with a bona fide subscription list of at least one hundred fifty regular subscribers;
 - 2- b. Be nonsectarian and printed in English; and
 - 3- c. Have been admitted to the United States mails and have complied with the requirements of the federal laws governing periodicals mailing privileges for at least one year.
3. The owner or publisher of each legal newspaper shall send to the state historical society, to the address designated by the director, one copy of each print and e-edition issue of the newspaper. In a county in which no newspaper is published, anya notice required by law to be published may be published in a newspaper published in an adjoining county and having a general circulation in the county.

Dennis E. Johnson
Speaker of the House

Paul Schmitt
President of the Senate

Bruce F. Reed
Chief Clerk of the House

Manda Morgan
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1197.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 45 Nays 2 Absent 0

Bruce F. Reed
Chief Clerk of the House

Received by the Governor at 10:55 A.M. on March 14, 2023.

Approved at 8:49 P.M. on March 14, 2023.

Doug Burgum
Governor

Filed in this office this 15th day of March, 2023,

at 2:58 o'clock P. M.

Michael Howe
Secretary of State