

# **SOUTH DAKOTA LEGISLATIVE RESEARCH COUNCIL**

## **2021 South Dakota Legislature**

FISCAL NOTE 2021-FN1050A HOUSE LOCAL GOVERNMENT ENGROSSED

HB 1050, An Act to modify certain publishing requirements in official newspapers.

Currently, public notice rates for newspapers under 9,000 circulation are calculated using a line rate, and newspapers over 9,000 circulation are calculated using a column inch rate. HB 1050, as amended, would set rates to be \$3.15 per column inch for newspapers under 9,000 circulation and \$6 per column inch for newspapers with more than 9,000 circulation. The bill would repeal the 10% discount for minutes published by school districts, municipalities, and counties in weekly newspapers.

The fiscal estimate of the bill could vary considerably for the State, municipalities, counties, and school districts due to differing rate structures, newspaper formatting, and location of the newspaper. Therefore, a specific change in expenses due to the bill cannot be determined, at this time.

### **State**

Each state agency does not account for legal notice expenses in the same sub-object. Agencies utilize accounts 5204430 publishing, 5204360 advertising-newspaper, or 5204030 legal document fees when accounting for legal notice expenses. Without a standardized method of accounting for legal notices on the accounting system, an exact fiscal estimate cannot be determined for general, federal, or other funds.

### **Political Subdivisions**

Most legal notices published by municipalities, counties, and school districts are for minutes. The repeal of the discount for publishing minutes could lead to an increase for all political subdivisions.

A number of state agencies, counties, municipalities, and school boards were contacted regarding information for this fiscal note. The South Dakota Newspaper Association provided examples of how the bill would affect some legal notices.

APPROVED BY: /s/ Reed Holwegner  
Director, Legislative Research Council

DATE: 2/2/2021