



2023 South Dakota Legislature

Senate Bill 80

Introduced by: **Senator Wheeler**

1 **An Act to amend the requirements to be a legal newspaper.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 17-2-2.2 be AMENDED:**

4 **17-2-2.2.** A legal newspaper shall, for at least one year prior to publication of legal
5 and official notices, be intended for distribution and circulation to the general public,
6 without regard to business, trade, or profession and must either:

7 (1) maintain~~Maintain~~ a definite price of not less than fifty percent of its published price,
8 ~~and shall be paid for by no less than fifty percent of those to whom it is distributed.~~
9 ~~Such legal newspaper shall, and~~ have a minimum paid circulation of at least two
10 hundred ~~and be intended for distribution and circulation to the general public,~~
11 ~~without regard to business, trade, or profession; or~~

12 (2) Maintain a minimum of two hundred paid online subscribers and distribute an
13 associated print edition at least fifty weeks per year with a circulation of at least
14 five hundred copies regardless of whether the print edition is made available to the
15 public for a paid subscription or for free.

16 An owner or agent of any newspaper qualifying under subdivision 2 of this section
17 must annually sign an affidavit stating the newspaper complies with this section. The
18 affidavit must be printed in the newspaper in the month of October and must be filed with
19 the governing body of each local jurisdiction that has designated the paper as a legal
20 newspaper.

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