

2023 South Dakota Legislature

Senate Bill 80**AMENDMENT 80A
FOR THE INTRODUCED BILL**

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~~In the case of a legal newspaper for a municipality of the first class or a
13 county having a population greater than fifty thousand, maintain a minimum of
14 two hundred paid online subscribers and distribute an associated print edition at
15 least fifty weeks per year with a circulation of at least five hundred copies,
16 regardless of whether the print edition is made available to the public for a paid
17 subscription or for free.

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

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