

# Chapter 61

2022 Regular Session

**Subject** Qualified newspaper requirements expanded

**Bill** H.F. 3682/S.F. 3457

**Analyst** Chelsea Griffin

**Date** May 23, 2022

## Overview

This act amends various provisions in chapter 331A of Minnesota Statutes, which governs qualified newspapers. It addresses issues faced by modern-day newspapers, such as e-editions, formatting requirements, circulation thresholds, and the availability of statewide public notice websites.

All sections are effective August 1, 2022.

## Summary

Section	Description
1	<b>Political subdivision.</b> Adds cities and towns to the definition of “political subdivision” for the purposes of the chapter. This language is added because of the repeal of the definition of “municipality” in section 11.
2	<b>Publish.</b> Defines the term “publish” for purposes of the chapter. Publish applies to both print editions and e-editions of a newspaper.
3	<b>General circulation.</b> Defines the term “general circulation” for purposes of the chapter. A newspaper must distribute more than a nominal percentage of its total print circulation in a particular geographic area to qualify as a general circulation newspaper.
4	<b>E-edition.</b> Defines the term “e-edition” for purposes of the chapter. An e-edition of a newspaper must be substantially the same in format and content as the print edition.
5	<b>Qualification.</b> Removes formatting criteria tied to public subsidies and population in the newspaper service area. Requires publication in addition to distribution to the qualified

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	newspaper criteria. Deletes language specifying that news of local interest must be of interest to the community the newspaper serves. Replaces delivery thresholds tied to population with a requirement that a qualified newspaper be of general circulation in the area to which a public notice is directed or where it is likely that the person to whom a public notice is directed will become aware of the notice. Requires a qualified newspaper to be located in either the county where a political subdivision that is publishing a public notice is located or a neighboring county. Clarifying language changes are made throughout.
6	<b>Publication; suspension; changes.</b> Allows consolidation of a newspaper with a newspaper published in an adjoining county, or the change of the office of issue within the county or in an adjoining county, to not affect the qualification or validation of a newspaper.
7	<b>Posting notices on website.</b> Requires a newspaper that maintains a website to post all notices on the Minnesota Newspaper Association's statewide public notice website in addition to its website at no cost to the advertiser. The newspaper's website must include a link to its online public notices section, which must be accessible to the public at no cost. Failure to post a public notice on the statewide public notice website does not affect the validity of the public notice.
8	<b>Joint bidding.</b> Makes technical changes to the criteria for joint bids to be considered competitive and lawful.
9	<b>Errors in publication.</b> Requires a political subdivision to not be charged for the publication of a public notice when an error occurs in the publication that is the fault of the newspaper.
10	<b>All operations except some hospitals, nursing homes.</b> Increases the amount for individual disbursements that are not required to be published if the disbursements aggregating \$1,000 or more to any person or entity are in a schedule of major disbursements and are made a part of and published with the financial statement.
11	<b>Repealer.</b> Repeals the definition of "municipality." The definition of municipality is added to the definition of "political subdivision" in section 1. Under current law, "municipality" is only used in the definition of "political subdivision" in this chapter.



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