CHAPTER 46-04
DISTRIBUTION OF PUBLIC DOCUMENTS

46-04-01. Official distribution of state laws - Secretary of state to control.

Each member of the legislative assembly and each constitutional officer of the state and each judge of the supreme and district courts for the use of their respective offices and departments is entitled to receive from the state a copy of any publication of the laws of the state and of any compilation or codification thereof published under authority of the state. The district court in every county in the state is entitled to a copy of such publications. The codification of laws of the state received by each member of the legislative assembly is subject to section 54-03-23. The secretary of state shall designate other offices and agencies of the state that are entitled to receive copies of any such publication of the laws for the use of such state offices and agencies and also shall determine the number of copies of any publication to be received by any recipient in a distribution under the provisions of this section, if more than one copy is needed by such recipient for official use. All agencies that are funded entirely from special state funds or federal funds must be charged for the actual cost of each copy of such publications that the agency requests.

46-04-02. State libraries entitled to receive copy of state laws.

The state libraries shall receive copies of the session laws, compilations, or codifications as follows:

1. The supreme court law library, five copies.
2. The law library of the state university and the school of mines, fifty copies.
3. The library in each state institution of higher education and junior college which receives state support, one copy.

46-04-03. Distribution of session laws, compilations, and codifications by secretary of state.

The secretary of state, as soon as conveniently can be done after the publication of any session laws, compilations, or codifications, shall cause copies thereof to be distributed as provided in sections 46-04-01 and 46-04-02. The secretary of state, in addition, shall furnish to the legislative assembly such additional copies as are necessary upon resolution of the respective branches or committees thereof and shall furnish to each member of the legislative assembly, upon demand therefor, such current volumes of laws as have not been obtained through service in previous sessions.

46-04-04. Session laws, compilations, and codifications remain property of state.

Except as otherwise provided by law, each copy of laws, compilations, or codifications furnished to any officer, department, or agency of the state, or to the legislative assembly, its officers, or committees is and must remain the property of the state and must be surrendered to the secretary of state or to the recipient's successor in office.

46-04-05. Distribution of session laws, compilations, and codifications to county officers.

The board of county commissioners of each county, immediately after the publication of any session laws, codes, or compilations, shall cause a copy thereof to be furnished to the following county officers:

1. Auditor.
2. State's attorney.
3. Ex officio clerk of court.
4. Sheriff.

If any of the offices legally have been combined in the county, only one copy of the session laws, codes, or compilations need be furnished for the offices so combined. Provided, however, that such codifications and copies of the session laws remain the permanent property of the county.

46-04-06. Distribution of session laws, compilations, and codifications in municipalities.

Repealed by S.L. 1951, ch. 275, § 17.

46-04-07. Marking session laws, codifications, and compilations - Distinctive color and wording.

All session laws, compilations, and codifications distributed under sections 46-04-01 to 46-04-04, except those issued to a member of the legislative assembly through service, must be bound in some distinctive and unusual color, and must be marked plainly in large letters on the outside covers with the words "Property of the State of North Dakota".

46-04-08. Retention of ownership of session laws, compilations, and codifications distributed by municipalities.

Each copy of laws, compilations, or codifications distributed by a county or other municipality forever must remain the property thereof, and, at the end of an officer's term, must be delivered by each officer to that officer's successor.

46-04-09. Unauthenticated edition of session laws - Distribution.

Repealed by S.L. 1951, ch. 275, § 17.

46-04-10. Duties of secretary of state - Exchange of laws with other states.

The secretary of state may distribute copies of all laws passed by each legislative assembly and all compilations or codifications of the same, whenever it seems desirable:

1. In exchange for like publications of other states.
2. To replace copies lost or damaged in official use.
3. To provide copies as needed to state officers, boards, commissions, institutions, or agencies of the state.
4. To provide copies as needed to the national conference of commissioners on uniform state laws.

46-04-11. Distribution of executive documents.

Repealed by S.L. 1963, ch. 346, § 73.

46-04-12. Distribution of journals.

Copies of the permanent journal must be distributed in accordance with the rules of the senate and house of representatives of the state of North Dakota.

46-04-13. Secretary of state to furnish documents to state and United States officials.

Repealed by S.L. 1963, ch. 346, § 73.

46-04-14. Secretary of state to forward laws to counties.

As soon as the laws of each session of the legislative assembly are printed and ready for distribution, the secretary of state shall forward those to which each county is entitled to the county auditor of the county.

46-04-15. Delivery of laws and documents by county auditor.

The county auditor shall deliver such publications to such persons and institutions as are entitled to receive them, when requested so to do, and shall take receipts therefor and file the same in the county auditor's office subject to inspection.

46-04-16. Officers to deliver volumes of laws to successors.

Whenever any person is elected to fill any of the county, township, or district offices in this state, such person, before taking possession of the office, shall procure from the county auditor of that person's county a copy of the receipts filed with such auditor by the outgoing officer for any volumes of the laws of this state. Such copy of the receipt must be exhibited by the person

so elected to that person's predecessor in office at the time the person assumes the duties of office, and the person shall require from that predecessor all the volumes of laws which the predecessor may have received as shown by such receipt. Such officer after having received from the predecessor the volumes of laws shall make out duplicate receipts of the same, one of which receipts the person shall give to the predecessor in office and the other of which the person shall transmit forthwith to the county auditor of the county, who shall file the same in the auditor's office.

46-04-17. Where laws, journals, and documents preserved.

All copies of the journals, executive documents, and laws which are not distributed under this title must be preserved in the office of the secretary of state, subject to distribution as provided by law or rules of the senate and house of representatives.

46-04-18. Secretary of state to sell certain laws.

During the biennium immediately after publication, the secretary of state must sell copies of the session laws for the cost of publication and handling plus ten percent. In subsequent bienniums the secretary of state may determine and set a price for the copies of the session laws not sold in the biennium immediately after their publication. The price set should maximize the recovery of the cost of publication and handling and minimize the number of volumes subject to disposal under section 46-04-19. All moneys received under the provisions of this section must be paid over to the state treasurer and credited to the general fund.

46-04-19. Secretary of state may dispose of laws.

The secretary of state may dispose of all volumes of the laws that are ten or more years old, except one volume of each that must be retained for historical purposes.

46-04-20. Destruction of public records.

Repealed by S.L. 1971, ch. 512, § 2.