

HB 3167 -3 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 2/9, 3/23

WHAT THE MEASURE DOES:

Modifies definitions of "bona fide subscriber" and "newspaper" and defines "digital facsimile newspaper" as an online newspaper delivered in electronic form formatted identically to the printed newspaper to allow for publication of legal notices in digital facsimile newspaper.

ISSUES DISCUSSED:

- New newspapers not able to meet threshold required for legal notices
- Importance of public notices
- What happens when there is no newspaper

EFFECT OF AMENDMENT:

-3 Replaces the measure. Modifies definitions of "bona fide subscriber" and "newspaper" and adds definition of "digital newspaper" to allow for publication of legal notices in digital newspaper. Defines digital newspaper as online newspaper delivered in electronic form formatted similarly to the printed newspaper and produced in archivable format. Specifies that newspaper conducts consistent, regular coverage of local news and at least 25 percent is locally and originally composed regardless of whether newspaper is produced or printed in local area. Allows newspaper to be exempt from certain requirements for number of bona fide subscribers or for 12 months of continuous publication if newspaper recognized as best suited for public notice publication ceases to operate and no suitable alternative exists. Declares emergency, effective on passage.

BACKGROUND:

ORS Chapter 193 establishes the requirements for legal notices in newspaper publications and radio and television broadcasts. For newspapers, public notices shall be published in any newspaper, as defined by statute, that is published within the county, city, district, or jurisdiction where the action, suit, or other proceeding is pending or is to be commenced. If no newspaper meeting the definition is published in the county, city, district, or jurisdiction, public notice must be given in the nearest published newspaper or in any publication that is published at least once a month in the county, city, district, or jurisdiction.

House Bill 3167 changes the definitions to allow publication of legal notices in both printed newspapers and digital facsimile newspapers.