

A-Engrossed
House Bill 3167

Ordered by the House March 27
Including House Amendments dated March 27

Sponsored by Representatives MARSH, SMITH G, Senators KNOPP, PATTERSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Modifies definitions to allow for publication of legal notices in digital [*facsimile*] newspaper.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to publication of legal notices; amending ORS 193.010; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 193.010 is amended to read:

5 193.010. As used in this section and [*in*] ORS 193.020:

6 (1) "Bona fide subscriber" means a person who has been a paid subscriber **to a print format**
7 **or a digital newspaper format of a newspaper** for an uninterrupted period of 12 months, such
8 subscription in no case to be over six months in arrears.

9 (2) "**Digital newspaper**" means **an online newspaper delivered in an electronic form that**
10 **is formatted similarly to a printed newspaper and produced in an archivable format.**

11 [(2)] (3) "Newspaper" means a newspaper of general circulation[,]
12 **that meets all of the following requirements:**

13 (a) **Is circulated in a print format or a digital newspaper format.**

14 (b) **Conducts consistent, regular coverage of local news and in which at least 25 percent**
15 **of the total news content is locally and originally composed by the newspaper, regardless of**
16 **whether the newspaper is produced or printed in the local area.**

17 (c) **Is** published in the English language for the dissemination of local or transmitted news or
18 for the dissemination of legal news[.].

19 (d) **Is** made up of at least four pages of at least five columns each, with type matter of a depth
20 of at least 14 inches, or, if smaller pages, then comprising an equivalent amount of type matter[,]
21 *which*].

22 (e)(A) **Except as provided in subparagraph (B) of this paragraph,** has bona fide subscribers
23 representing more than half of the total distribution of [*copies circulated, or distribution verified by*
24 *an independent circulation auditing firm, and which*] **printed newspapers and paid-for digital**
25 **newspapers.**

26 (B) **Subparagraph (A) of this paragraph does not apply during a period, not to exceed 12**
27 **months, after a newspaper that has been generally recognized as best suited for publication**
28 **of public notices in a jurisdiction ceases operation and no other suitable newspaper is pub-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **lished which affords a reasonable alternative for publication of public notices.**

2 **(f)(A) Except as provided in subparagraph (B) of this paragraph,** has been established and
3 regularly and uninterruptedly published at least once a week during a period of at least 12 consec-
4 utive months immediately preceding the first publication of the public notice. Interrupted publication
5 because of labor-management disputes, fire, flood or the elements for a period not to exceed 120
6 days, either before or after a newspaper is qualified for publication of public notices, shall not affect
7 such qualification.

8 **(B) Subparagraph (A) of this paragraph does not apply during a period, not to exceed 12**
9 **months, after a newspaper that has been generally recognized as best suited for publication**
10 **of public notices in a jurisdiction ceases operation and no other suitable newspaper is pub-**
11 **lished which affords a reasonable alternative for publication of public notices.**

12 **SECTION 2. This 2023 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
14 **on its passage.**

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