

SB 437 STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By: Leslie Porter, LPRO Analyst

Meeting Dates: 3/19

WHAT THE MEASURE DOES:

The measure removes the definitions for, and related to, a "newspaper." It creates the term "news publication." It allows the publication of public notices in a news publication, instead of in a newspaper, and makes conforming changes. If a county, city, district, or other jurisdiction does not have a news publication, it removes the requirement that the notice be published in a news publication of the nearest county, city, district, or other jurisdiction, and instead allows it to be. It changes language for the compensation for the publication of legal notices from being newspaper specific. And, it repeals sections of law related to the publication on weekdays in a daily newspaper, notice by telegraph, and payment for newspaper publication of states laws or notices.

Detailed Summary

Sections 1, 3 to 5, and 7 to 17

- Remove definitions for, and related to, a "newspaper"
- Create the term, and definition for the term, "news publication" which includes aspects of the definition for "newspaper"
- Add "news publication" to current language
- Change all references of "newspaper" to "news publication" and change references from "printed" to "published."

Section 2: Publication of public notices

- Allows the publication of any public notice of any description to be published in a news publication instead of in a newspaper
- If a county, city, district, or jurisdiction (local government) does not have a news publication for a public notice to be published in, it removes the requirement that it be published in a news publication of the nearest local government, and instead allows it to be

Section 6: Compensation for the publication of legal notices

- Changes language for the compensation for the publication of legal notices from being newspaper specific, to not exceeding the average rate charged local advertisers not under contract to a newspaper or new publication.
- Removes newspaper-specific language regarding font size

Section 18: Repeal

- Repeals sections of law related to the publication on weekdays in a daily newspaper, notice by telegraph, and payment for newspaper publication of states laws or notices.

Fiscal impact: The measure may have a fiscal impact, but a statement has not yet been issued

Revenue impact: The measure may have a revenue impact, but a statement has not yet been issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

This summary has not been adopted or officially endorsed by action of the committee.

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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 A (2023) changed definitions to allow the publication of legal notices in both printed newspapers and digital newspapers. It also allowed a newspaper to be exempt from certain requirements for its number of bona fide subscribers, or for 12 months of continuous publication, if the newspaper recognized as best suited for publication of public notices ceases to operate and no suitable alternative exists.