

HOUSE AMENDMENTS TO HOUSE BILL 3564

By COMMITTEE ON JUDICIARY

April 10

1 On page 1 of the printed bill, line 13, restore the bracketed material and delete the boldfaced
2 material.

3 Delete lines 19 through 30.

4 On page 2, delete lines 1 through 25 and insert:

5 “**SECTION 3.** ORS 31.215 is amended to read:

6 “31.215. (1) [*The*] **A** demand for correction or retraction [*shall*] **of a defamatory statement**
7 **must** be in writing, signed by the defamed person or the attorney of the person and be delivered
8 to the publisher of the defamatory statement, either personally, by registered mail or by certified
9 mail with return receipt at the publisher’s place of business or residence within [20] **40** days after
10 the defamed person receives actual knowledge of the defamatory statement. The demand [*shall*]
11 **must** specify which statements are false and defamatory and request that they be corrected or re-
12 tracted. The demand may also refer to the sources from which the true facts may be ascertained
13 with accuracy.

14 “[*(2) The publisher of the defamatory statement shall have not more than two weeks after receipt*
15 *of the demand for correction or retraction in which to investigate the demand; and, after making such*
16 *investigation, the publisher shall publish the correction or retraction in:*]

17 “[*(a) The first issue thereafter published, in the case of newspapers, magazines or other printed*
18 *periodicals.*]

19 “[*(b) The first broadcast or telecast thereafter made, in the case of radio or television stations.*]

20 “[*(c) The first public exhibition thereafter made, in the case of motion picture theaters.*]

21 “**(2) The publisher of the allegedly defamatory statement shall investigate the demand for**
22 **correction or retraction within two weeks after receiving the demand. If the publisher agrees**
23 **to the demand for correction or retraction, and the defamatory statement was published via:**

24 “**(a) A printed newspaper, magazine or other periodical, the publisher shall publish the**
25 **correction or retraction in the first issue thereafter made.**

26 “**(b) An electronic newspaper, magazine or other periodical, the publisher shall imme-**
27 **diately place a link to the correction or retraction on any page containing the defamatory**
28 **statement or retract the defamatory statement by removing the defamatory statement from**
29 **the electronic newspaper, magazine or other periodical.**

30 “**(c) A radio or television station, the publisher shall publish the correction or retraction**
31 **in the first broadcast or telecast thereafter made.**

32 “**(d) A motion picture theater, the publisher shall publish the correction or retraction in**
33 **the first public exhibition thereafter made.**

34 “**(3) Except when the publisher removes the defamatory statement under subsection (2)(b)**
35 **of this section:**

1 “(a) [*The*] **A** correction or retraction [*shall*] **must** consist of a statement by the publisher sub-
2 stantially to the effect that the defamatory statements previously made are not factually supported
3 and that the publisher regrets the original publication [*thereof*] **of the defamatory statements**.

4 “[(4)] **(b)** The correction or retraction [*shall*] **must** be published in substantially as conspicuous
5 a manner as the defamatory statement.”.

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