

HB 3564-2  
(LC 4328)  
3/28/25 (MNJ/ps)

Requested by Representative HARBICK

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3564**

1 On page 1 of the printed bill, line 13, restore the bracketed material and  
2 delete the boldfaced 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**  
7 **defamatory statement must** be in writing, signed by the defamed person  
8 or the attorney of the person and be delivered to the publisher of the  
9 defamatory statement, either personally, by registered mail or by certified  
10 mail with return receipt at the publisher’s place of business or residence  
11 within [20] **40** days after the defamed person receives actual knowledge of the  
12 defamatory statement. The demand [*shall*] **must** specify which statements are  
13 false and defamatory and request that they be corrected or retracted. The  
14 demand may also refer to the sources from which the true facts may be as-  
15 certained with accuracy.

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

20 “[*(a) The first issue thereafter published, in the case of newspapers, maga-*  
21 *zines or other printed periodicals.*]

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

3       “(c) *The first public exhibition thereafter made, in the case of motion pic-*  
4       *ture theaters.*]

5       **“(2) The publisher of the allegedly defamatory statement shall in-**  
6       **vestigate the demand for correction or retraction within two weeks**  
7       **after receiving the demand. If the publisher agrees to the demand for**  
8       **correction or retraction, and the defamatory statement was published**  
9       **via:**

10      **“(a) A printed newspaper, magazine or other periodical, the pub-**  
11      **lisher shall publish the correction or retraction in the first issue**  
12      **thereafter made.**

13      **“(b) An electronic newspaper, magazine or other periodical, the**  
14      **publisher shall immediately place a link to the correction or retraction**  
15      **on any page containing the defamatory statement or retract the**  
16      **defamatory statement by removing the defamatory statement from the**  
17      **electronic newspaper, magazine or other periodical.**

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

21      **“(d) A motion picture theater, the publisher shall publish the cor-**  
22      **rection or retraction in the first public exhibition thereafter made.**

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

25      **“(a) [The] A correction or retraction [shall] must** consist of a statement  
26      by the publisher substantially to the effect that the defamatory statements  
27      previously made are not factually supported and that the publisher regrets  
28      the original publication *[thereof]* **of the defamatory statements.**

29      **“[(4)] (b) The correction or retraction [shall] must** be published in sub-  
30      stantially as conspicuous a manner as the defamatory statement.”.

