

Requested by Senator PHAM K

**PROPOSED AMENDMENTS TO
SENATE BILL 686**

1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages
2 2 through 12 and insert:

3 **“SECTION 1. As used in sections 1 to 9 of this 2025 Act:**

4 **“(1) ‘Access’ means to acquire, crawl or index content.**

5 **“(2) ‘Advertising revenue’ means revenue generated through the**
6 **sale of digital advertising impressions that are served to customers in**
7 **this state through an online platform, regardless of whether those**
8 **impressions are served on Internet websites or accessed through online**
9 **or mobile applications.**

10 **“(3)(a) ‘Covered platform’ means an online platform that at any**
11 **point during a 12-month period:**

12 **“(A) Has at least 50 million monthly active users or subscribers in**
13 **the United States on the online platform; and**

14 **“(B) Is owned or controlled by a person with:**

15 **“(i) Net annual sales or a market capitalization in the United States**
16 **that is greater than \$550 billion, adjusted annually for inflation since**
17 **2025 based on the Consumer Price Index for All Urban Consumers,**
18 **West Region (All Items), as published by the Bureau of Labor Statis-**
19 **tics of the United States Department of Labor; or**

20 **“(ii) At least 1 billion worldwide monthly active users on the online**
21 **platform.**

1 **“(b) ‘Covered platform’ does not mean:**

2 **“(A) An organization exempt from federal income taxation under**
3 **section 501(c)(3) of the Internal Revenue Code, as amended.**

4 **“(B) A business that earns at least 50 percent of its annual revenue,**
5 **as calculated at the level of the ultimate corporate parent, from the**
6 **manufacturing and sales to consumers of company-branded devices**
7 **and hardware.**

8 **“(4) ‘Digital journalism provider’ means a publisher or eligible**
9 **broadcaster that discloses its ownership to the public.**

10 **“(5) ‘Editorial content’ means content that is subject to an editorial**
11 **process for error correction and clarification, including a transparent**
12 **process for reporting errors or complaints to the publication.**

13 **“(6) ‘Eligible broadcaster’ means a person that:**

14 **“(a) Holds or operates under a license issued by the Federal Com-**
15 **munications Commission under subchapter III, chapter 5, Title 47 of**
16 **the United States Code, and has held or operated under the license for**
17 **the previous two years;**

18 **“(b) Engages professionals to create, edit, produce and distribute**
19 **original content concerning local, regional, national or international**
20 **matters of public interest through activities, including conducting**
21 **interviews, observing current events, analyzing documents and other**
22 **information or fact-checking through multiple firsthand or second-**
23 **hand news sources;**

24 **“(c) Updates its content on at least a weekly basis; and**

25 **“(d) Uses an editorial process for error correction and clarification,**
26 **including a transparent process for reporting errors or complaints to**
27 **the station.**

28 **“(7) ‘Freelancer’ means a natural person, or an organization com-**
29 **posed of no more than one natural person, hired or retained as a bona**
30 **fide independent contractor by a digital journalism provider to perform**

1 the functions described in subsection (8)(b) of this section for the pri-
2 mary purpose of producing content for an Oregon audience.

3 “(8) ‘News journalist’ means a natural person who is:

4 “(a) Employed for an average of at least 30 hours per week during
5 a calendar quarter as an employee of a digital journalism provider; and

6 “(b) Responsible for gathering, developing, preparing, directing the
7 recording of, producing, collecting, photographing, recording, writing,
8 editing, reporting, designing, presenting or publishing original news
9 or information that concerns local, regional, national or international
10 matters of public interest.

11 “(9) ‘Online platform’ means an Internet website, online or mobile
12 application, digital assistant or online service that:

13 “(a) Accesses news articles, works of journalism or other content,
14 or portions thereof, generated, created, produced or owned by a digital
15 journalism provider; and

16 “(b) Aggregates, displays, provides, distributes or directs users to
17 content described in paragraph (a) of this subsection.

18 “(10) ‘Publisher’ means a person that publishes a qualifying publi-
19 cation.

20 “(11) ‘Qualified arbitrator’ means an arbitration organization that
21 has arbitration rules and procedures established for at least one year
22 prior to the initiation of the arbitration.

23 “(12) ‘Qualifying publication’ means an Internet website, online or
24 mobile application or other digital service that:

25 “(a) Provides information to an Oregon audience and has provided
26 information to an Oregon audience for the previous two years;

27 “(b) Performs a public information function comparable to that
28 traditionally served by newspapers and other periodical news publica-
29 tions;

30 “(c) Engages professionals to create, edit, produce and distribute

1 original content or original content for which a valid license has been
2 obtained concerning local, regional, national or international matters
3 of public interest through activities, including conducting interviews,
4 observing current events, analyzing documents and other information
5 or fact-checking through multiple firsthand or secondhand news
6 sources;

7 “(d) Updates its content on at least a weekly basis;

8 “(e) Has an editorial process for error correction and clarification,
9 including a transparent process for reporting errors or complaints to
10 the publication;

11 “(f) Meets one of the following criteria:

12 “(A) Generated at least \$100,000 in annual revenue from its editorial
13 content in the previous calendar year;

14 “(B) Had an International Standard Serial Number assigned to an
15 affiliated periodical before January 1, 2025; or

16 “(C) Is owned or controlled by an organization exempt from federal
17 income taxation under section 501(c)(3) of the Internal Revenue Code,
18 as amended;

19 “(g) Has at least 51 percent of its editorial content consisting of
20 information about topics of current local, regional, national or inter-
21 national public interest; and

22 “(h) Is not controlled or wholly or partially owned by one of the
23 following:

24 “(A) An entity that is a foreign power or an agent of a foreign
25 power, as defined in 50 U.S.C. 1801;

26 “(B) An entity that is designated as a foreign terrorist organization
27 pursuant to 8 U.S.C. 1189;

28 “(C) An entity that is a terrorist organization, as defined in 8 U.S.C.
29 1182;

30 “(D) An entity that is designated as a specially designated global

1 **terrorist organization under federal Executive Order 13224;**

2 **“(E) An entity that is an affiliate of an entity described in subpar-**
3 **agraph (A), (B), (C) or (D) of this paragraph; or**

4 **“(F) An entity that has been convicted of violating, or attempting**
5 **to violate, 18 U.S.C. 2331, 2332b or 2339A.**

6 **“(13) ‘Representative’ means a labor organization designated as the**
7 **exclusive bargaining representative of news journalists or support staff**
8 **for the purposes of collective bargaining in accordance with applicable**
9 **state or federal law.**

10 **“(14) ‘Support staff’ means a natural person who performs non-**
11 **executive functions, such as payroll, human resources, fundraising**
12 **and grant support, advertising and sales, community events and part-**
13 **nerships, technical support, sanitation or security.**

14 **“SECTION 2. (1) A covered platform shall elect and carry out one**
15 **of the following requirements:**

16 **“(a) For a covered platform with:**

17 **“(A) Six billion or more worldwide monthly active users, pay at**
18 **least \$104 million annually to compensate digital journalism providers**
19 **for accessing the Internet websites of the providers primarily for an**
20 **Oregon audience; or**

21 **“(B) Less than 6 billion worldwide monthly active users, pay at least**
22 **\$18 million annually to compensate digital journalism providers for**
23 **accessing the Internet websites of the providers primarily for an**
24 **Oregon audience; or**

25 **“(b) Participate in a final arbitration process under section 5 of this**
26 **2025 Act and, within 30 days of the award, fully pay 90 percent of the**
27 **arbitration award, if any, to the administrator engaged pursuant to**
28 **section 3 (1) of this 2025 Act, and 10 percent of the arbitration award**
29 **to the Oregon Civic Information Consortium established under section**
30 **10 of this 2025 Act.**

1 “(2) The amount to be paid under subsection (1)(a)(A) or (B) of this
2 section shall be adjusted annually for inflation since 2025 based on the
3 Consumer Price Index for All Urban Consumers, West Region (All
4 Items), as published by the Bureau of Labor Statistics of the United
5 States Department of Labor. Ten percent of the amount paid under
6 subsection (1)(a)(A) or (B) of this section shall be distributed annually
7 to the Oregon Civic Information Consortium established under section
8 10 of this 2025 Act. The remaining 90 percent of the amount paid under
9 subsection (1)(a)(A) or (B) of this section shall be distributed annually
10 to digital journalism providers as follows:

11 “(a) No less than one percent of the amount shall be paid to digital
12 journalism providers that would receive less than \$25,000 under para-
13 graph (b) of this subsection to be distributed annually proportionally
14 by the number of news journalists and, subject to section 6 (1)(b)(B)
15 of this 2025 Act, freelancers who, in the previous calendar year, were
16 employed by each digital journalism provider for the primary purpose
17 of producing content for an Oregon audience among those digital
18 journalism providers, in addition to the amount those providers would
19 receive pursuant to paragraph (b) of this subsection; and

20 “(b) The amount remaining after payment under paragraph (a) of
21 this subsection shall be distributed proportionally by the number of
22 news journalists who, in the previous calendar year, were employed
23 by each digital journalism provider for the primary purpose of
24 producing content for an Oregon audience.

25 “SECTION 3. (1)(a) A covered platform shall make distributions
26 pursuant to section 2 of this 2025 Act by engaging an approved claims
27 administrator to distribute the annual payments to digital journalism
28 providers.

29 “(b) In selecting an approved claims administrator, the covered
30 platform shall ensure that the administrator is well qualified to per-

1 form the distribution and has administered multiple settlements in
2 this state that comply with complex civil litigation class action
3 settlement guidelines in at least three state or federal courts in this
4 state.

5 “(c) The costs of the claims administrator shall be paid in addition
6 to the amounts paid under section 2 of this 2025 Act.

7 “(2) An administrator distributing payments pursuant to subsection
8 (1) of this section shall:

9 “(a) Prepare an annual statement of account related to the distrib-
10 ution activities, certified by a certified public accountant;

11 “(b) Identify a point of contact for digital journalism provider in-
12 quiries with timely redress;

13 “(c) Establish policies to resolve disputes, guard against fraud and
14 abuse and ensure that any indistributable funds are reallocated among
15 participating digital journalism providers after a reasonable holding
16 period pursuant to section 2 of this 2025 Act; and

17 “(d) Publish on the administrator’s website an annual report de-
18 tailing nonconfidential operations of the fund, including the digital
19 journalism providers that received compensation and the amounts
20 paid. The administrator shall provide the report to the covered plat-
21 form and the covered platform shall also publish the report on the
22 covered platform’s website.

23 “(3) A covered platform shall identify a point of contact for elec-
24 tronic mail or other electronically communicated digital journalism
25 provider inquiries. A digital journalism provider that wishes to receive
26 an annual payment pursuant to section 2 (1)(a) of this 2025 Act shall
27 submit notice to the point of contact. The notice shall include, at a
28 minimum, the name of the digital journalism provider, the number
29 of news journalists and freelancers employed or claimed pursuant to
30 section 6 of this 2025 Act and a contact person for the digital

1 journalism provider. The covered platform may institute reasonable
2 measures to verify that the notice was sent by an actual represen-
3 tative of the digital journalism provider.

4 “(4) A final arbitration award under section 5 of this 2025 Act to a
5 jointly participating group of digital journalism providers shall be
6 distributed proportionally by the number of news journalists and,
7 subject to section 6 (1)(b)(B) of this 2025 Act, freelancers, who, in the
8 previous calendar year, were employed by each participating provider
9 for the primary purpose of producing content for an Oregon audience.

10 “(5)(a) The amount of any compensation received by a digital
11 journalism provider through a commercial agreement for access to
12 content by the covered platform that was offset pursuant to section 5
13 (7)(c)(C) of this 2025 Act shall be deducted from its allocation accord-
14 ingly.

15 “(b) A digital journalism provider may request payment under this
16 section, or a grant under section 12 of this 2025 Act, but not both.

17 “(6)(a) A digital journalism provider that disagrees with the deter-
18 mination of its eligibility or the amount of compensation awarded may
19 seek a review of the determination as follows:

20 “(A) The digital journalism provider shall seek redress through the
21 dispute resolution process established pursuant to subsection (2)(c) of
22 this section.

23 “(B) If the digital journalism provider disagrees with the result of
24 the dispute resolution process, the digital journalism provider may
25 initiate an arbitration of the dispute by a qualified arbitrator.

26 “(b) Any challenge pursuant to paragraph (a) of this subsection
27 shall be made within 10 days of receiving notice of the eligibility de-
28 cision or compensation determination to be challenged.

29 “(c) In an arbitration pursuant to paragraph (a) of this subsection,
30 the claims administrator or covered platform, as applicable, shall pay

1 the costs of the qualified arbitrator.

2 “(7) A digital journalism provider may not be denied compensation
3 under this section on the basis that the provider publishes or broad-
4 casts, in whole or in part, in a language other than English.

5 “SECTION 4. (1) A covered platform shall compile and post on the
6 covered platform’s website a list of digital journalism providers that
7 the platform accessed for an Oregon audience during the preceding 12
8 months.

9 “(2) A covered platform shall provide a list described under sub-
10 section (1) of this section to any digital journalism provider upon re-
11 quest within three days after the request is submitted and shall
12 establish a designated electronic mail address to which a request may
13 be submitted.

14 “(3) A digital journalism provider may not be excluded from a list
15 described under subsection (1) of this section or the arbitration under
16 section 5 of this 2025 Act on the basis that the provider publishes or
17 broadcasts, in whole or in part, in a language other than English.

18 “SECTION 5. (1)(a) In an arbitration initiated pursuant to section
19 2 (1)(b) of this 2025 Act, the arbitrator shall determine the percentage
20 of the covered platform’s advertising revenue to be remitted to par-
21 ticipating digital journalism providers on an annual basis pursuant to
22 this section.

23 “(b) Digital journalism providers shall jointly participate in a final
24 offer arbitration process with a covered platform described under this
25 section to determine a single percentage of the covered platform’s
26 advertising revenue from which the distributions described under sec-
27 tion 3 (4) of this 2025 Act will be allotted. Covered platforms may not
28 participate jointly in a final offer arbitration process.

29 “(c) Within 30 days after a covered platform posts the list of digital
30 journalism providers pursuant to section 4 (1) of this 2025 Act, by a

1 majority vote, participating digital journalism providers shall establish
2 rules and procedures to govern decision-making regarding the arbi-
3 tration proposal or any settlement reached pursuant to subsection (3)
4 of this section. Each digital journalism provider shall be entitled to
5 one vote on any matter submitted to a vote of the members.

6 “(d) The covered platform or digital journalism providers may ini-
7 tiate a final offer arbitration with a qualified arbitrator for an arbi-
8 tration panel to determine the percentage of the covered platform’s
9 advertising revenue remitted to the participating digital journalism
10 providers.

11 “(2) Nothing in this section shall be interpreted as preventing a
12 digital journalism provider from being individually represented in the
13 joint arbitration process in subsection (1) of this section.

14 “(3) Prior to the commencement of the final offer arbitration, there
15 shall be 60 days of mediation between the covered platforms and digital
16 journalism providers to reach a settlement. If no agreement is
17 reached, the final offer arbitration shall commence 10 days after the
18 conclusion of the mediation period. If an agreement is reached
19 through mediation, the arbitrator may approve the agreement, in
20 which case the group will not proceed to arbitration.

21 “(4) The arbitration procedure authorized by this section shall be
22 decided by a panel of three arbitrators affiliated with the qualified
23 arbitrator under the rules of the arbitrator except to the extent they
24 conflict with this section.

25 “(5) The covered platform and the digital journalism providers shall
26 each pay one-half of the costs of administering the arbitration pro-
27 ceeding, including arbitrator compensation, expenses and administra-
28 tive fees. The costs for the digital journalism providers shall be
29 deducted from the amount awarded before the calculation in section
30 3 (4) of this 2025 Act.

1 **“(6) During a final offer arbitration proceeding under this section,**
2 **all of the following shall apply:**

3 **“(a)(A)(i) Digital journalism providers and the covered platform**
4 **may demand the production of business records that are relevant to**
5 **the single percentage of a covered platform’s advertising revenue to**
6 **be awarded to participating digital journalism providers and that are**
7 **nonprivileged, reasonably necessary and reasonably accessible without**
8 **undue expense.**

9 **“(ii) A covered platform seeking the production of business records**
10 **of a digital journalism provider that qualifies for a distribution pur-**
11 **suant to section 2 (1)(b) of this 2025 Act shall be limited to one request**
12 **for documents and information, and the covered platform requesting**
13 **the information shall, within 10 days, reimburse the provider for the**
14 **reasonable costs of production, including reasonable attorney fees.**

15 **“(B) Documents and information described in subparagraph (A) of**
16 **this paragraph shall be exchanged not later than 30 days after the date**
17 **the demand is filed.**

18 **“(b) Digital journalism providers and the covered platform shall**
19 **each submit a final offer proposal for the remuneration that the dig-**
20 **ital journalism providers should receive, on an annual basis, from the**
21 **covered platform for access to the Internet websites or other digital**
22 **services of the digital journalism providers for an Oregon audience**
23 **based on the value that access provides to the platform. The final offer**
24 **proposals shall include backup materials sufficient to permit the other**
25 **party to replicate the proffered valuation.**

26 **“(c) A final offer proposal pursuant to this section may not address**
27 **whether or how the covered platform or any digital journalism pro-**
28 **vider displays, ranks, distributes, suppresses, promotes, throttles, la-**
29 **bels, filters or curates the content of the digital journalism providers**
30 **or any other person.**

1 **“(7)(a) Not later than 60 days after the date arbitration proceedings**
2 **begin pursuant to subsection (3) of this section, the arbitration panel**
3 **shall determine which of the parties’ final offer proposals to accept**
4 **pursuant to subsection (6)(b) of this section. The arbitration panel**
5 **shall accept one of the two offers without modification.**

6 **“(b) In making a determination pursuant to paragraph (a) of this**
7 **subsection, the arbitration panel shall:**

8 **“(A) Refrain from considering any value conferred upon any digital**
9 **journalism provider by the covered platform for distributing or aggregating**
10 **its content, other than monetary compensation agreed to by the**
11 **digital journalism provider in a written commercial agreement with**
12 **the platform, as an offset to the value created by that digital**
13 **journalism provider, unless the covered platform does not automat-**
14 **ically access and extract information from a digital journalism**
15 **provider’s Internet website.**

16 **“(B) Consider past incremental revenue contributions as a guide to**
17 **the future incremental revenue contribution by any digital journalism**
18 **provider.**

19 **“(C) Consider the pricing, terms and conditions of any available,**
20 **comparable commercial agreements between parties granting access**
21 **to digital content, including pricing, terms and conditions relating to**
22 **price, duration, territory and the value of data generated directly or**
23 **indirectly by the content, accounting for any material disparities in**
24 **negotiating power between the parties to those commercial agree-**
25 **ments.**

26 **“(D) If submitted with a final offer proposal, consider the digital**
27 **journalism provider’s previous compliance with section 6 of this 2025**
28 **Act, if applicable.**

29 **“(E) Issue a standard binding arbitration award of the percentage**
30 **of the covered platform’s advertising revenue remitted to participating**

1 **digital journalism providers.**

2 **“(c) Within 15 days of accepting a final offer proposal, the arbi-**
3 **tration panel shall issue an order setting forth the final amount that**
4 **the covered platform shall pay. The order shall:**

5 **“(A) Set forth the amount of the final offer accepted by the arbi-**
6 **tration panel.**

7 **“(B) Require the covered platform to pay the final offer amount on**
8 **an annual basis.**

9 **“(C)(i) If applicable, authorize the covered platform to reduce the**
10 **total payment by the total amount of all commercial agreements the**
11 **covered platform has with any participating digital journalism pro-**
12 **vider that participated in the arbitration for the covered period.**

13 **“(ii) To receive an offset under this subparagraph, the covered**
14 **platform shall provide to the arbitration panel copies of all of the**
15 **commercial agreements for which it seeks an offset.**

16 **“(iii) The covered platform may offset its annual payment for a**
17 **payment made pursuant to a commercial agreement only by the**
18 **amount actually paid under that agreement each year.**

19 **“(D) Include the date of the order.**

20 **“(d) Any party to the arbitration proceeding may elect to appeal the**
21 **decision of the arbitration panel on the grounds of a procedural ir-**
22 **regularity.**

23 **“(8) If the covered platform and digital journalism providers reach**
24 **a settlement in lieu of arbitration, the settlement does not waive a**
25 **digital journalism provider’s obligations under section 6 of this 2025**
26 **Act.**

27 **“(9) No less than one percent of each arbitration award shall be paid**
28 **to digital journalism providers that would receive less than \$25,000, to**
29 **be distributed annually proportionally by the number of news jour-**
30 **nalists and, subject to section 6 (1)(b)(B) of this 2025 Act, freelancers**

1 who, in the previous calendar year, were employed by each digital
2 journalism provider for the primary purpose of producing content for
3 an Oregon audience among those digital journalism providers, in ad-
4 dition to the amount those providers would receive under subsection
5 (7)(a) of this section.

6 “(10)(a) Any party to the proceeding may elect to reinstate the ar-
7 bitration process on a date no fewer than 24 months from the date of
8 the arbitration order.

9 “(b) The order shall remain in effect until the issuance of a super-
10 seding order.

11 **“SECTION 6. (1)(a) Except as provided in paragraph (b) of this**
12 **subsection, a digital journalism provider shall spend at least 70 percent**
13 **of funds received under sections 1 to 7 of this 2025 Act on news jour-**
14 **nalists and support staff employed by the digital journalism provider.**

15 “(b)(A) A digital journalism provider with five or fewer employees
16 shall spend at least 50 percent of funds received pursuant to sections
17 1 to 7 of this 2025 Act on news journalists and support staff employed
18 by the digital journalism provider.

19 “(B) For the purpose of calculating an allocation from a covered
20 platform pursuant to section 2 (1)(a) and (2) of this 2025 Act and sec-
21 tion 3 (4) of this 2025 Act, or for establishing a digital journalism
22 provider’s minimum allocation to news journalists and support staff
23 pursuant to this section, a digital journalism provider with five or
24 fewer employees may elect to count dollars spent on the equivalent
25 functions performed by news journalists as follows:

26 “(i) The digital journalism provider shall employ at least one news
27 journalist for the primary purpose of producing content for an Oregon
28 audience.

29 “(ii) A digital journalism provider may elect to count each \$40,000
30 spent by the provider in the previous calendar year to compensate

1 **freelancers performing the functions described in section 1 (8)(b) of**
2 **this 2025 Act as employing the equivalent of one news journalist, up**
3 **to a maximum of \$160,000 or the equivalent of four news journalists,**
4 **with those amounts adjusted annually for inflation since 2025 based**
5 **on the Consumer Price Index for All Urban Consumers, West Region**
6 **(All Items), as published by the Bureau of Labor Statistics of the**
7 **United States Department of Labor. In no instance may the total**
8 **number of news journalists and freelancers claimed pursuant to this**
9 **subparagraph exceed the number of natural persons compensated by**
10 **the digital journalism provider.**

11 **“(2) No later than 30 days after the end of an arbitration proceeding**
12 **described in section 5 of this 2025 Act, reaching a settlement in lieu**
13 **of an arbitration proceeding or receiving a payment pursuant to sec-**
14 **tion 2 (1)(a) and (2) of this 2025 Act, the digital journalism provider**
15 **shall provide notification in writing of its plan to comply with sub-**
16 **section (1) of this section to the news journalists and support staff**
17 **employed by the digital journalism provider and any representatives**
18 **of those news journalists or support staff.**

19 **“(3) The digital journalism provider’s plan to comply with sub-**
20 **section (1) of this section shall include a good faith estimate of the**
21 **number of news journalists and support staff, respectively, if any, ex-**
22 **pected to be hired, details regarding proposed compensation adjust-**
23 **ments, if any, and a disclosure if either hiring or compensation**
24 **adjustments are not expected.**

25 **“SECTION 7. (1) No later than one year after the end of an arbi-**
26 **tration proceeding described in section 5 of this 2025 Act, reaching a**
27 **settlement in lieu of an arbitration proceeding or receiving a payment**
28 **pursuant to section 2 (1)(a) and (2) of this 2025 Act, and each year**
29 **thereafter, a digital journalism provider shall compile a report that**
30 **includes the following:**

1 “(a) An attestation as to whether the digital journalism provider
2 has complied with section 6 (1) of this 2025 Act;

3 “(b) The text of the digital journalism provider’s plan to comply
4 with section 6 (1) of this 2025 Act;

5 “(c) The total number of payments received from covered platforms
6 under sections 1 to 7 of this 2025 Act;

7 “(d) The name of each covered platform paying the digital
8 journalism provider a payment under sections 1 to 7 of this 2025 Act
9 and a description of how the digital journalism provider spent the
10 payment, including any amount of payments under sections 1 to 7 of
11 this 2025 Act remaining unspent; and

12 “(e) The total number of news journalists and support staff, re-
13 spectively, employed by the digital journalism provider, including the
14 number of news journalists and support staff hired or terminated, re-
15 spectively, during the previous year.

16 “(2) No later than one year after the end of an arbitration pro-
17 ceeding described in section 5 of this 2025 Act, reaching a settlement
18 in lieu of an arbitration proceeding or receiving a payment pursuant
19 to section 2 (1)(a) and (2) of this 2025 Act, and each year thereafter,
20 the digital journalism provider shall publish a copy of the report de-
21 scribed in subsection (1) of this section online in a text-searchable
22 format and provide a copy to the news journalists and support staff
23 employed by the digital journalism provider, to any representatives of
24 those news journalists or support staff and to the covered platforms
25 making payments under sections 1 to 7 of this 2025 Act to the digital
26 journalism provider.

27 “(3) If a digital journalism provider fails to comply with this sec-
28 tion, a covered platform may withhold payments under sections 1 to
29 7 of this 2025 Act until the digital journalism provider has provided a
30 copy of the report to the covered platform and has published a copy

1 of the report online pursuant to subsection (2) of this section.

2 **“SECTION 8. (1) Nothing in sections 1 to 7 of this 2025 Act shall be**
3 **construed as amending or repealing the ability of a digital journalism**
4 **provider or a covered platform to avail itself of an existing remedy at**
5 **law.**

6 **“(2) A digital journalism provider may seek and obtain injunctive**
7 **relief to compel compliance with sections 1 to 7 of this 2025 Act, and**
8 **court costs and reasonable attorney fees shall be awarded to a pre-**
9 **vailing provider.**

10 **“SECTION 9. Sections 1 to 7 of this 2025 Act do not:**

11 **“(1) Modify, impair, expand or in any way alter rights pertaining**
12 **to Title 17 of the United States Code or the Lanham Act (15 U.S.C. 1051**
13 **et seq.); or**

14 **“(2) Abridge or impair rights otherwise reserved by news journal-**
15 **ists, support staff or their representatives according to applicable law**
16 **or existing collective bargaining agreements.**

17 **“SECTION 10. (1)(a) There is established as a nonprofit corporation**
18 **the Oregon Civic Information Consortium. The purpose of the con-**
19 **sortium is to support Oregon news content providers, journalism,**
20 **news, public information projects and public interest initiatives that**
21 **address Oregonians’ civic information needs by providing grants from**
22 **proceeds generated pursuant to section 2 of this 2025 Act.**

23 **“(b) The University of Oregon shall house and provide back-office**
24 **support to the consortium. The consortium shall be a collaborative**
25 **effort among Oregon journalistic publications, news outlets, member**
26 **universities and nonprofit and community organizations related to the**
27 **purpose of sections 1 to 7 of this 2025 Act.**

28 **“(2) The consortium shall have a board of directors. The board shall**
29 **set strategic priorities and metrics to guide the consortium’s grant**
30 **programs and other initiatives. The board shall consist of 13 members**

1 appointed by the Governor and subject to confirmation by the Senate
2 in the manner prescribed in ORS 171.562 and 171.565, as follows:

3 “(a) Five members employed in the news media industry or Oregon
4 journalistic publications;

5 “(b) Three members representing nonprofit or community organ-
6 izations;

7 “(c) One member representing a labor union for working journal-
8 ists;

9 “(d) One member from a society of professional journalism;

10 “(e) One member representing the digital technology sector;

11 “(f) One member representing the University of Oregon; and

12 “(g) One member representing another public university in this
13 state.

14 “(3) The term of office of each member described in subsection (2)
15 of this section is four years. Before the expiration of the term of a
16 member, the Governor shall appoint a successor whose term begins
17 on January 1 of the following year. A member may be reappointed. If
18 there is a vacancy for any cause, the Governor shall make an ap-
19 pointment to become immediately effective for the unexpired term.

20 “(4) The board shall select one of its members as chairperson and
21 another as vice chairperson for such terms and with such duties and
22 powers as the board considers necessary for performance of the func-
23 tions of those offices.

24 “(5) A majority of members of the board constitutes a quorum for
25 the transaction of business.

26 “(6) The board shall meet at times and places specified by the
27 chairperson or by a majority of the members of the board.

28 “(7) The board shall hold public hearings annually in different ge-
29 ographical regions of this state. The public hearings shall provide a
30 forum for the board to report on how the public funds that the con-

1 consortium receives are spent and to gather public input on what the
2 consortium's mission should be and whether the consortium is meet-
3 ing its mission. Public input shall be used to assess whether the
4 consortium's grant-making metrics or process for issuing grants needs
5 to be changed.

6 “(8) Members of the board are not entitled to compensation, but
7 may be reimbursed for actual and necessary travel and other expenses
8 incurred by them in the performance of their official duties in the
9 manner and amounts provided for in ORS 292.495. Claims for expenses
10 shall be paid out of such funds as may be available to the board.

11 “(9) On or before September 1 of each year, the board shall submit
12 a report on the activities of the consortium in the manner provided
13 by ORS 192.245, and may include recommendations for legislation,
14 regulations or policies, to the Governor and the interim committees
15 of the Legislative Assembly related to higher education. The report
16 must include, at a minimum:

17 “(a) A list of all grant applicants and approved grant applicants;

18 “(b) The grant amounts of approved grant applicants;

19 “(c) The amount of matching funds and types of in-kind contribu-
20 tions provided to approved grant applicants; and

21 “(d) A status report on the activities funded by an approved grant
22 applicant.

23 **“SECTION 11. (1) The Oregon Civic Information Consortium board**
24 **of directors described under section 10 of this 2025 Act shall appoint**
25 **and employ an executive director and fix the executive director's**
26 **compensation and conditions of employment. The executive director**
27 **shall be the chief executive, administrative and operational officer of**
28 **the consortium and shall direct and supervise the administrative af-**
29 **fairs and the general management of the consortium. The executive**
30 **director shall oversee the consortium's day-to-day operations, which**

1 includes working with the board to meet the consortium’s goals and
2 grant-making requirements, hiring and managing program officers
3 and administrative staff pursuant to subsection (2) of this section,
4 acting as spokesperson for the consortium’s work and raising funds
5 from external sources. The executive director shall attend all meetings
6 of the board.

7 “(2)(a) The executive director shall employ one or more program
8 officers who are experienced practitioners with a strong understanding
9 of the local journalism field, community-based organizations, and fis-
10 cal and grants management. The executive director shall strive to ap-
11 point program officers that represent this state’s racial, ethnic, gender
12 and geographic diversity within any limits allowed under law. The
13 program officers shall manage the grant-making process, in accord-
14 ance with the consortium’s goals. The grant-making process shall in-
15 clude soliciting, recommending and processing grant proposals,
16 working with grantees to ensure work on grant project ideas and di-
17 recting public engagement and evaluation efforts.

18 “(b) The executive director shall employ administrative staff to
19 provide operational support for the consortium, including office man-
20 agement, support for the executive director and program officers, co-
21 ordination among member universities, payment to grantees, human
22 resources and logistics.

23 **“SECTION 12. (1) The Oregon Civic Information Consortium estab-**
24 **lished under section 10 of this 2025 Act shall establish criteria for**
25 **making grants. The consortium shall make available on the**
26 **consortium’s website the grant-making criteria and other relevant**
27 **documents.**

28 “(2) The consortium shall provide grants for projects that achieve
29 the following goals:

30 “(a) Serve the public interest, improve civic information and in-

1 **crease availability of local news content in this state.**

2 **“(b) Enhance the quality and availability of timely, reliable local**
3 **news supporting local reporting and investigative journalism, with at-**
4 **tention to underserved areas and meeting the information needs of**
5 **low-income and racial and ethnic communities, through culturally**
6 **specific and multilingual content and other means.**

7 **“(c) Develop stronger journalism networks through shared practices**
8 **and partnerships, support training of journalism students and working**
9 **professionals and support job creation and career advancement op-**
10 **portunities related to local journalism.**

11 **“(d) Other related goals to be determined by the consortium’s board**
12 **of directors.**

13 **“(3) A grant issued by the consortium shall be in the form of a**
14 **grant agreement. A grant agreement shall include a provision estab-**
15 **lishing a set of metrics for assessing the goals contained in the**
16 **agreement to ensure evaluation of a grantee project on how well those**
17 **goals are being met and any other relevant accountability measures.**
18 **The set of metrics shall be established by the consortium’s board of**
19 **directors in coordination with the consortium’s executive director and**
20 **program officers. The agreement shall include the expectations stated**
21 **between the consortium and the grantee, which shall include, but not**
22 **be limited to, a statement that:**

23 **“(a) The grantee shall be independent from the influence of the**
24 **state, a member university and any other grantor or contributor of**
25 **funds or outside source; and**

26 **“(b) Any grantor or other contributor of funds to the grantee shall**
27 **acknowledge in writing the grantor’s or contributor’s understanding**
28 **that the grant or donation does not entitle the grantor or contributor**
29 **to dictate or influence the content of any work the grantee produces**
30 **or may produce.”.**

