

Enrolled House Bill 3167

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

CHAPTER

AN ACT

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

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

SECTION 1. ORS 193.010 is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed by House April 3, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate June 22, 2023

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State