

SENATE AMENDMENTS TO SENATE BILL 686

By COMMITTEE ON RULES

June 6

- 1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages 2 through 12 and insert:
- 2 **“SECTION 1. As used in sections 1 to 9 of this 2025 Act:**
- 3 **“(1) ‘Access’ means to acquire, crawl or index content.**
- 4 **“(2) ‘Advertising revenue’ means revenue generated through the sale of digital advertis-**
- 5 **ing impressions that are served to customers in this state through an online platform, re-**
- 6 **gardless of whether those impressions are served on Internet websites or accessed through**
- 7 **online or mobile applications.**
- 8 **“(3)(a) ‘Covered platform’ means an online platform that at any point during a 12-month**
- 9 **period:**
- 10 **“(A) Has at least 50 million monthly active users or subscribers in the United States on**
- 11 **the online platform; and**
- 12 **“(B) Is owned or controlled by a person with:**
- 13 **“(i) Net annual sales or a market capitalization in the United States that is greater than**
- 14 **\$550 billion, adjusted annually for inflation since 2025 based on the Consumer Price Index for**
- 15 **All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statis-**
- 16 **tics of the United States Department of Labor; or**
- 17 **“(ii) At least 1 billion worldwide monthly active users on the online platform.**
- 18 **“(b) ‘Covered platform’ does not mean:**
- 19 **“(A) An organization exempt from federal income taxation under section 501(c)(3) of the**
- 20 **Internal Revenue Code, as amended.**
- 21 **“(B) A business that earns at least 50 percent of its annual revenue, as calculated at the**
- 22 **level of the ultimate corporate parent, from the manufacturing and sales to consumers of**
- 23 **company-branded devices and hardware.**
- 24 **“(4) ‘Digital journalism provider’ means a publisher or eligible broadcaster that discloses**
- 25 **its ownership to the public.**
- 26 **“(5) ‘Editorial content’ means content that is subject to an editorial process for error**
- 27 **correction and clarification, including a transparent process for reporting errors or com-**
- 28 **plaints to the publication.**
- 29 **“(6) ‘Eligible broadcaster’ means a person that:**
- 30 **“(a) Holds or operates under a license issued by the Federal Communications Commission**
- 31 **under subchapter III, chapter 5, Title 47 of the United States Code, and has held or operated**
- 32 **under the license for the previous two years;**
- 33 **“(b) Engages professionals to create, edit, produce and distribute original content con-**
- 34 **cerning local, regional, national or international matters of public interest through activities,**
- 35 **including conducting interviews, observing current events, analyzing documents and other**

1 information or fact-checking through multiple firsthand or secondhand news sources;

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

3 “(d) Uses an editorial process for error correction and clarification, including a trans-
4 parent process for reporting errors or complaints to the station.

5 “(7) ‘Freelancer’ means a natural person, or an organization composed of no more than
6 one natural person, hired or retained as a bona fide independent contractor by a digital
7 journalism provider to perform the functions described in subsection (8)(b) of this section for
8 the primary purpose of producing content for an Oregon audience.

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

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

12 “(b) Responsible for gathering, developing, preparing, directing the recording of, produc-
13 ing, collecting, photographing, recording, writing, editing, reporting, designing, presenting
14 or publishing original news or information that concerns local, regional, national or inter-
15 national matters of public interest.

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

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

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

22 “(10) ‘Publisher’ means a person that publishes a qualifying publication.

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

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

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

29 “(b) Performs a public information function comparable to that traditionally served by
30 newspapers and other periodical news publications;

31 “(c) Engages professionals to create, edit, produce and distribute original content or or-
32 iginal content for which a valid license has been obtained concerning local, regional, national
33 or international matters of public interest through activities, including conducting inter-
34 views, observing current events, analyzing documents and other information or fact-checking
35 through multiple firsthand or secondhand news sources;

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

37 “(e) Has an editorial process for error correction and clarification, including a transpar-
38 ent process for reporting errors or complaints to the publication;

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

40 “(A) Generated at least \$100,000 in annual revenue from its editorial content in the pre-
41 vious calendar year;

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

44 “(C) Is owned or controlled by an organization exempt from federal income taxation un-
45 der section 501(c)(3) of the Internal Revenue Code, as amended;

1 “(g) Has at least 51 percent of its editorial content consisting of information about topics
2 of current local, regional, national or international public interest; and

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

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

6 “(B) An entity that is designated as a foreign terrorist organization pursuant to 8 U.S.C.
7 1189;

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

9 “(D) An entity that is designated as a specially designated global terrorist organization
10 under federal Executive Order 13224;

11 “(E) An entity that is an affiliate of an entity described in subparagraph (A), (B), (C) or
12 (D) of this paragraph; or

13 “(F) An entity that has been convicted of violating, or attempting to violate, 18 U.S.C.
14 2331, 2332b or 2339A.

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

18 “(14) ‘Support staff’ means a natural person who performs nonexecutive functions, such
19 as payroll, human resources, fundraising and grant support, advertising and sales, commu-
20 nity events and partnerships, technical support, sanitation or security.

21 “SECTION 2. (1) A covered platform shall elect and carry out one of the following re-
22 quirements:

23 “(a) For a covered platform with:

24 “(A) Six billion or more worldwide monthly active users, pay at least \$104 million annu-
25 ally to compensate digital journalism providers for accessing the Internet websites of the
26 providers primarily for an Oregon audience; or

27 “(B) Less than 6 billion worldwide monthly active users, pay at least \$18 million annually
28 to compensate digital journalism providers for accessing the Internet websites of the pro-
29 viders primarily for an Oregon audience; or

30 “(b) Participate in a final arbitration process under section 5 of this 2025 Act and, within
31 30 days of the award, fully pay 90 percent of the arbitration award, if any, to the adminis-
32 trator engaged pursuant to section 3 (1) of this 2025 Act, and 10 percent of the arbitration
33 award to the Oregon Civic Information Consortium established under section 10 of this 2025
34 Act.

35 “(2) The amount to be paid under subsection (1)(a)(A) or (B) of this section shall be ad-
36 justed annually for inflation since 2025 based on the Consumer Price Index for All Urban
37 Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the
38 United States Department of Labor. Ten percent of the amount paid under subsection
39 (1)(a)(A) or (B) of this section shall be distributed annually to the Oregon Civic Information
40 Consortium established under section 10 of this 2025 Act. The remaining 90 percent of the
41 amount paid under subsection (1)(a)(A) or (B) of this section shall be distributed annually to
42 digital journalism providers as follows:

43 “(a) No less than one percent of the amount shall be paid to digital journalism providers
44 that would receive less than \$25,000 under paragraph (b) of this subsection to be distributed
45 annually proportionally by the number of news journalists and, subject to section 6 (1)(b)(B)

1 of this 2025 Act, freelancers who, in the previous calendar year, were employed by each dig-
2 ital journalism provider for the primary purpose of producing content for an Oregon audience
3 among those digital journalism providers, in addition to the amount those providers would
4 receive pursuant to paragraph (b) of this subsection; and

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

9 “**SECTION 3.** (1)(a) A covered platform shall make distributions pursuant to section 2 of
10 this 2025 Act by engaging an approved claims administrator to distribute the annual pay-
11 ments to digital journalism providers.

12 “(b) In selecting an approved claims administrator, the covered platform shall ensure
13 that the administrator is well qualified to perform the distribution and has administered
14 multiple settlements in this state that comply with complex civil litigation class action
15 settlement guidelines in at least three state or federal courts in this state.

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

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

20 “(a) Prepare an annual statement of account related to the distribution activities, certi-
21 fied by a certified public accountant;

22 “(b) Identify a point of contact for digital journalism provider inquiries with timely re-
23 dress;

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

27 “(d) Publish on the administrator’s website an annual report detailing nonconfidential
28 operations of the fund, including the digital journalism providers that received compensation
29 and the amounts paid. The administrator shall provide the report to the covered platform
30 and the covered platform shall also publish the report on the covered platform’s website.

31 “(3) A covered platform shall identify a point of contact for electronic mail or other
32 electronically communicated digital journalism provider inquiries. A digital journalism pro-
33 vider that wishes to receive an annual payment pursuant to section 2 (1)(a) of this 2025 Act
34 shall submit notice to the point of contact. The notice shall include, at a minimum, the name
35 of the digital journalism provider, the number of news journalists and freelancers employed
36 or claimed pursuant to section 6 of this 2025 Act and a contact person for the digital
37 journalism provider. The covered platform may institute reasonable measures to verify that
38 the notice was sent by an actual representative of the digital journalism provider.

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

44 “(5)(a) The amount of any compensation received by a digital journalism provider through
45 a commercial agreement for access to content by the covered platform that was offset pur-

1 suant to section 5 (7)(c)(C) of this 2025 Act shall be deducted from its allocation accordingly.

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

4 “(6)(a) A digital journalism provider that disagrees with the determination of its eligibil-
5 ity or the amount of compensation awarded may seek a review of the determination as fol-
6 lows:

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

9 “(B) If the digital journalism provider disagrees with the result of the dispute resolution
10 process, the digital journalism provider may initiate an arbitration of the dispute by a qual-
11 ified arbitrator.

12 “(b) Any challenge pursuant to paragraph (a) of this subsection shall be made within 10
13 days of receiving notice of the eligibility decision or compensation determination to be chal-
14 lenged.

15 “(c) In an arbitration pursuant to paragraph (a) of this subsection, the claims adminis-
16 trator or covered platform, as applicable, shall pay the costs of the qualified arbitrator.

17 “(7) A digital journalism provider may not be denied compensation under this section on
18 the basis that the provider publishes or broadcasts, in whole or in part, in a language other
19 than English.

20 “**SECTION 4.** (1) A covered platform shall compile and post on the covered platform’s
21 website a list of digital journalism providers that the platform accessed for an Oregon audi-
22 ence during the preceding 12 months.

23 “(2) A covered platform shall provide a list described under subsection (1) of this section
24 to any digital journalism provider upon request within three days after the request is sub-
25 mitted and shall establish a designated electronic mail address to which a request may be
26 submitted.

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

30 “**SECTION 5.** (1)(a) In an arbitration initiated pursuant to section 2 (1)(b) of this 2025
31 Act, the arbitrator shall determine the percentage of the covered platform’s advertising re-
32 venue to be remitted to participating digital journalism providers on an annual basis pursu-
33 ant to this section.

34 “(b) Digital journalism providers shall jointly participate in a final offer arbitration pro-
35 cess with a covered platform described under this section to determine a single percentage
36 of the covered platform’s advertising revenue from which the distributions described under
37 section 3 (4) of this 2025 Act will be allotted. Covered platforms may not participate jointly
38 in a final offer arbitration process.

39 “(c) Within 30 days after a covered platform posts the list of digital journalism providers
40 pursuant to section 4 (1) of this 2025 Act, by a majority vote, participating digital journalism
41 providers shall establish rules and procedures to govern decision-making regarding the arbi-
42 tration proposal or any settlement reached pursuant to subsection (3) of this section. Each
43 digital journalism provider shall be entitled to one vote on any matter submitted to a vote
44 of the members.

45 “(d) The covered platform or digital journalism providers may initiate a final offer arbi-

1 tration with a qualified arbitrator for an arbitration panel to determine the percentage of the
2 covered platform’s advertising revenue remitted to the participating digital journalism pro-
3 viders.

4 “(2) Nothing in this section shall be interpreted as preventing a digital journalism pro-
5 vider from being individually represented in the joint arbitration process in subsection (1)
6 of this section.

7 “(3) Prior to the commencement of the final offer arbitration, there shall be 60 days of
8 mediation between the covered platforms and digital journalism providers to reach a settle-
9 ment. If no agreement is reached, the final offer arbitration shall commence 10 days after
10 the conclusion of the mediation period. If an agreement is reached through mediation, the
11 arbitrator may approve the agreement, in which case the group will not proceed to arbi-
12 tration.

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

16 “(5) The covered platform and the digital journalism providers shall each pay one-half of
17 the costs of administering the arbitration proceeding, including arbitrator compensation,
18 expenses and administrative fees. The costs for the digital journalism providers shall be de-
19 ducted from the amount awarded before the calculation in section 3 (4) of this 2025 Act.

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

22 “(a)(A)(i) Digital journalism providers and the covered platform may demand the pro-
23 duction of business records that are relevant to the single percentage of a covered platform’s
24 advertising revenue to be awarded to participating digital journalism providers and that are
25 nonprivileged, reasonably necessary and reasonably accessible without undue expense.

26 “(ii) A covered platform seeking the production of business records of a digital journalism
27 provider that qualifies for a distribution pursuant to section 2 (1)(b) of this 2025 Act shall
28 be limited to one request for documents and information, and the covered platform request-
29 ing the information shall, within 10 days, reimburse the provider for the reasonable costs of
30 production, including reasonable attorney fees.

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

33 “(b) Digital journalism providers and the covered platform shall each submit a final offer
34 proposal for the remuneration that the digital journalism providers should receive, on an
35 annual basis, from the covered platform for access to the Internet websites or other digital
36 services of the digital journalism providers for an Oregon audience based on the value that
37 access provides to the platform. The final offer proposals shall include backup materials
38 sufficient to permit the other party to replicate the proffered valuation.

39 “(c) A final offer proposal pursuant to this section may not address whether or how the
40 covered platform or any digital journalism provider displays, ranks, distributes, suppresses,
41 promotes, throttles, labels, filters or curates the content of the digital journalism providers
42 or any other person.

43 “(7)(a) Not later than 60 days after the date arbitration proceedings begin pursuant to
44 subsection (3) of this section, the arbitration panel shall determine which of the parties’ final
45 offer proposals to accept pursuant to subsection (6)(b) of this section. The arbitration panel

1 shall accept one of the two offers without modification.

2 “(b) In making a determination pursuant to paragraph (a) of this subsection, the arbit-
3 ration panel shall:

4 “(A) Refrain from considering any value conferred upon any digital journalism provider
5 by the covered platform for distributing or aggregating its content, other than monetary
6 compensation agreed to by the digital journalism provider in a written commercial agree-
7 ment with the platform, as an offset to the value created by that digital journalism provider,
8 unless the covered platform does not automatically access and extract information from a
9 digital journalism provider’s Internet website.

10 “(B) Consider past incremental revenue contributions as a guide to the future incre-
11 mental revenue contribution by any digital journalism provider.

12 “(C) Consider the pricing, terms and conditions of any available, comparable commercial
13 agreements between parties granting access to digital content, including pricing, terms and
14 conditions relating to price, duration, territory and the value of data generated directly or
15 indirectly by the content, accounting for any material disparities in negotiating power be-
16 tween the parties to those commercial agreements.

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

19 “(E) Issue a standard binding arbitration award of the percentage of the covered
20 platform’s advertising revenue remitted to participating digital journalism providers.

21 “(c) Within 15 days of accepting a final offer proposal, the arbitration panel shall issue
22 an order setting forth the final amount that the covered platform shall pay. The order shall:

23 “(A) Set forth the amount of the final offer accepted by the arbitration panel.

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

25 “(C)(i) If applicable, authorize the covered platform to reduce the total payment by the
26 total amount of all commercial agreements the covered platform has with any participating
27 digital journalism provider that participated in the arbitration for the covered period.

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

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

33 “(D) Include the date of the order.

34 “(d) Any party to the arbitration proceeding may elect to appeal the decision of the ar-
35 bitration panel on the grounds of a procedural irregularity.

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

39 “(9) No less than one percent of each arbitration award shall be paid to digital journalism
40 providers that would receive less than \$25,000, to be distributed annually proportionally by
41 the number of news journalists and, subject to section 6 (1)(b)(B) of this 2025 Act, freelancers
42 who, in the previous calendar year, were employed by each digital journalism provider for the
43 primary purpose of producing content for an Oregon audience among those digital journalism
44 providers, in addition to the amount those providers would receive under subsection (7)(a)
45 of this section.

1 “(10)(a) Any party to the proceeding may elect to reinitiate the arbitration process on a
2 date no fewer than 24 months from the date of the arbitration order.

3 “(b) The order shall remain in effect until the issuance of a superseding order.

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

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

11 “(B) For the purpose of calculating an allocation from a covered platform pursuant to
12 section 2 (1)(a) and (2) of this 2025 Act and section 3 (4) of this 2025 Act, or for establishing
13 a digital journalism provider’s minimum allocation to news journalists and support staff
14 pursuant to this section, a digital journalism provider with five or fewer employees may elect
15 to count dollars spent on the equivalent functions performed by news journalists as follows:

16 “(i) The digital journalism provider shall employ at least one news journalist for the pri-
17 mary purpose of producing content for an Oregon audience.

18 “(ii) A digital journalism provider may elect to count each \$40,000 spent by the provider
19 in the previous calendar year to compensate freelancers performing the functions described
20 in section 1 (8)(b) of this 2025 Act as employing the equivalent of one news journalist, up to
21 a maximum of \$160,000 or the equivalent of four news journalists, with those amounts ad-
22 justed annually for inflation since 2025 based on the Consumer Price Index for All Urban
23 Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the
24 United States Department of Labor. In no instance may the total number of news journalists
25 and freelancers claimed pursuant to this subparagraph exceed the number of natural persons
26 compensated by the digital journalism provider.

27 “(2) No later than 30 days after the end of an arbitration proceeding described in section
28 5 of this 2025 Act, reaching a settlement in lieu of an arbitration proceeding or receiving a
29 payment pursuant to section 2 (1)(a) and (2) of this 2025 Act, the digital journalism provider
30 shall provide notification in writing of its plan to comply with subsection (1) of this section
31 to the news journalists and support staff employed by the digital journalism provider and any
32 representatives of those news journalists or support staff.

33 “(3) The digital journalism provider’s plan to comply with subsection (1) of this section
34 shall include a good faith estimate of the number of news journalists and support staff, re-
35 spectively, if any, expected to be hired, details regarding proposed compensation adjustments,
36 if any, and a disclosure if either hiring or compensation adjustments are not expected.

37 “**SECTION 7.** (1) No later than one year after the end of an arbitration proceeding de-
38 scribed in section 5 of this 2025 Act, reaching a settlement in lieu of an arbitration pro-
39 ceeding or receiving a payment pursuant to section 2 (1)(a) and (2) of this 2025 Act, and each
40 year thereafter, a digital journalism provider shall compile a report that includes the fol-
41 lowing:

42 “(a) An attestation as to whether the digital journalism provider has complied with sec-
43 tion 6 (1) of this 2025 Act;

44 “(b) The text of the digital journalism provider’s plan to comply with section 6 (1) of this
45 2025 Act;

1 “(c) The total number of payments received from covered platforms under sections 1 to
2 7 of this 2025 Act;

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

7 “(e) The total number of news journalists and support staff, respectively, employed by
8 the digital journalism provider, including the number of news journalists and support staff
9 hired or terminated, respectively, during the previous year.

10 “(2) No later than one year after the end of an arbitration proceeding described in section
11 5 of this 2025 Act, reaching a settlement in lieu of an arbitration proceeding or receiving a
12 payment pursuant to section 2 (1)(a) and (2) of this 2025 Act, and each year thereafter, the
13 digital journalism provider shall publish a copy of the report described in subsection (1) of
14 this section online in a text-searchable format and provide a copy to the news journalists and
15 support staff employed by the digital journalism provider, to any representatives of those
16 news journalists or support staff and to the covered platforms making payments under
17 sections 1 to 7 of this 2025 Act to the digital journalism provider.

18 “(3) If a digital journalism provider fails to comply with this section, a covered platform
19 may withhold payments under sections 1 to 7 of this 2025 Act until the digital journalism
20 provider has provided a copy of the report to the covered platform and has published a copy
21 of the report online pursuant to subsection (2) of this section.

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

25 “(2) A digital journalism provider may seek and obtain injunctive relief to compel com-
26 pliance with sections 1 to 7 of this 2025 Act, and court costs and reasonable attorney fees
27 shall be awarded to a prevailing provider.

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

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

31 “(2) Abridge or impair rights otherwise reserved by news journalists, support staff or
32 their representatives according to applicable law or existing collective bargaining agree-
33 ments.

34 “SECTION 10. (1)(a) There is established as a nonprofit corporation the Oregon Civic
35 Information Consortium. The purpose of the consortium is to support Oregon news content
36 providers, journalism, news, public information projects and public interest initiatives that
37 address Oregonians’ civic information needs by providing grants from proceeds generated
38 pursuant to section 2 of this 2025 Act.

39 “(b) The University of Oregon shall house and provide back-office support to the con-
40 sortium. The consortium shall be a collaborative effort among Oregon journalistic publica-
41 tions, news outlets, member universities and nonprofit and community organizations related
42 to the purpose of sections 1 to 7 of this 2025 Act.

43 “(2) The consortium shall have a board of directors. The board shall set strategic priori-
44 ties and metrics to guide the consortium’s grant programs and other initiatives. The board
45 shall consist of 13 members appointed by the Governor and subject to confirmation by the

1 Senate in the manner prescribed in ORS 171.562 and 171.565, as follows:

2 “(a) Five members employed in the news media industry or Oregon journalistic publica-
3 tions;

4 “(b) Three members representing nonprofit or community organizations;

5 “(c) One member representing a labor union for working journalists;

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

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

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

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

10 “(3) The term of office of each member described in subsection (2) of this section is four
11 years. Before the expiration of the term of a member, the Governor shall appoint a successor
12 whose term begins on January 1 of the following year. A member may be reappointed. If
13 there is a vacancy for any cause, the Governor shall make an appointment to become im-
14 mediately effective for the unexpired term.

15 “(4) The board shall select one of its members as chairperson and another as vice
16 chairperson for such terms and with such duties and powers as the board considers neces-
17 sary for performance of the functions of those offices.

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

20 “(6) The board shall meet at times and places specified by the chairperson or by a ma-
21 jority of the members of the board.

22 “(7) The board shall hold public hearings annually in different geographical regions of this
23 state. The public hearings shall provide a forum for the board to report on how the public
24 funds that the consortium receives are spent and to gather public input on what the
25 consortium’s mission should be and whether the consortium is meeting its mission. Public
26 input shall be used to assess whether the consortium’s grant-making metrics or process for
27 issuing grants needs to be changed.

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

32 “(9) On or before September 1 of each year, the board shall submit a report on the ac-
33 tivities of the consortium in the manner provided by ORS 192.245, and may include recom-
34 mendations for legislation, regulations or policies, to the Governor and the interim
35 committees of the Legislative Assembly related to higher education. The report must in-
36 clude, at a minimum:

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

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

39 “(c) The amount of matching funds and types of in-kind contributions provided to ap-
40 proved grant applicants; and

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

42 “**SECTION 11.** (1) The Oregon Civic Information Consortium board of directors described
43 under section 10 of this 2025 Act shall appoint and employ an executive director and fix the
44 executive director’s compensation and conditions of employment. The executive director
45 shall be the chief executive, administrative and operational officer of the consortium and

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

7 “(2)(a) The executive director shall employ one or more program officers who are expe-
8 rienced practitioners with a strong understanding of the local journalism field, community-
9 based organizations, and fiscal and grants management. The executive director shall strive
10 to appoint program officers that represent this state's racial, ethnic, gender and geographic
11 diversity within any limits allowed under law. The program officers shall manage the grant-
12 making process, in accordance with the consortium's goals. The grant-making process shall
13 include soliciting, recommending and processing grant proposals, working with grantees to
14 ensure work on grant project ideas and directing public engagement and evaluation efforts.

15 “(b) The executive director shall employ administrative staff to provide operational sup-
16 port for the consortium, including office management, support for the executive director and
17 program officers, coordination among member universities, payment to grantees, human
18 resources and logistics.

19 “SECTION 12. (1) The Oregon Civic Information Consortium established under section
20 10 of this 2025 Act shall establish criteria for making grants. The consortium shall make
21 available on the consortium's website the grant-making criteria and other relevant docu-
22 ments.

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

24 “(a) Serve the public interest, improve civic information and increase availability of local
25 news content in this state.

26 “(b) Enhance the quality and availability of timely, reliable local news supporting local
27 reporting and investigative journalism, with attention to underserved areas and meeting the
28 information needs of low-income and racial and ethnic communities, through culturally spe-
29 cific and multilingual content and other means.

30 “(c) Develop stronger journalism networks through shared practices and partnerships,
31 support training of journalism students and working professionals and support job creation
32 and career advancement opportunities related to local journalism.

33 “(d) Other related goals to be determined by the consortium's board of directors.

34 “(3) A grant issued by the consortium shall be in the form of a grant agreement. A grant
35 agreement shall include a provision establishing a set of metrics for assessing the goals
36 contained in the agreement to ensure evaluation of a grantee project on how well those goals
37 are being met and any other relevant accountability measures. The set of metrics shall be
38 established by the consortium's board of directors in coordination with the consortium's
39 executive director and program officers. The agreement shall include the expectations stated
40 between the consortium and the grantee, which shall include, but not be limited to, a state-
41 ment that:

42 “(a) The grantee shall be independent from the influence of the state, a member univer-
43 sity and any other grantor or contributor of funds or outside source; and

44 “(b) Any grantor or other contributor of funds to the grantee shall acknowledge in
45 writing the grantor's or contributor's understanding that the grant or donation does not

1 **entitle the grantor or contributor to dictate or influence the content of any work the grantee**
2 **produces or may produce.”.**
3 _____