

Senate Bill 686

Sponsored by Senator PHAM K, Representative WALTERS, Senator GELSER BLOUIN; Senators CAMPOS, GOLDEN, Representatives BOWMAN, CHAICHI, GAMBA (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Makes online platforms choose to pay online news providers or donate to a group for civic information. Creates a group for civic information to give grants. (Flesch Readability Score: 63.4).

Requires online platforms to pay digital journalism providers or donate to the Oregon Civic Information Consortium. Allows an online platform to use an arbitration process to determine the percentage of an online platform's advertising revenue to be remitted to digital journalism providers.

Prohibits an online platform from retaliating against digital journalism providers. Requires online platforms to report annually certain information about compensation paid to digital journalism providers.

Establishes the Oregon Civic Information Consortium to advance research and innovation in media and technology. Directs that each public university shall participate in the consortium. Directs the consortium to award grants for applicants that seek to improve civic information.

A BILL FOR AN ACT

1
2 Relating to civic information.

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

4 **SECTION 1. As used in sections 1 to 10 of this 2025 Act:**

5 (1) **"Access" means to acquire, crawl or index content.**

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

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

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

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

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

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

16 (b) **"Covered platform" does not mean:**

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

18 (B) **A business that earns less than 50 percent of its annual revenue, as calculated at the level of the ultimate corporate parent, from its online platform, advertising and search ser-**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 vices.

2 (4) **“Digital journalism provider” means a publisher or eligible broadcaster that discloses**
3 **its ownership to the public.**

4 (5) **“Eligible broadcaster” means a person that:**

5 (a) **Holds or operates under a license issued by the Federal Communications Commission**
6 **under subchapter III, chapter 5, Title 47 of the United States Code, and has held or operated**
7 **under the license for the prior two years;**

8 (b) **Engages professionals to create, edit, produce and distribute original content con-**
9 **cerning local, regional, national or international matters of public interest through activities,**
10 **including conducting interviews, observing current events, analyzing documents and other**
11 **information or fact checking through multiple firsthand or secondhand news sources;**

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

13 (d) **Uses an editorial process for error correction and clarification, including a transpar-**
14 **ent process for reporting errors or complaints to the station.**

15 (6) **“News journalist” means a natural person who is:**

16 (a) **Employed for an average of at least 30 hours per week during a calendar quarter by**
17 **a digital journalism provider; and**

18 (b) **Responsible for gathering, developing, preparing, directing the recording of, produc-**
19 **ing, collecting, photographing, recording, writing, editing, reporting, designing, presenting**
20 **or publishing original news or information that concerns local, regional, national or inter-**
21 **national matters of public interest.**

22 (7) **“Online platform” means an Internet website, online or mobile application, digital**
23 **assistant or online service that:**

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

26 (b) **Aggregates, displays, provides, distributes or directs users to content described in**
27 **paragraph (a) of this subsection.**

28 (8) **“Publisher” means a person that publishes a qualifying publication.**

29 (9) **“Qualified arbitrator” means an arbitration organization that has arbitration rules**
30 **and procedures established for at least one year prior to the initiation of the arbitration.**

31 (10) **“Qualifying publication” means an Internet website, online or mobile application or**
32 **other digital service that:**

33 (a) **Does not primarily display, provide, distribute or offer content generated, created,**
34 **produced or owned by an eligible broadcaster;**

35 (b) **Provides information to an Oregon audience and has provided information to an**
36 **Oregon audience for the previous two years;**

37 (c) **Performs a public information function comparable to that traditionally served by**
38 **newspapers and other periodical news publications;**

39 (d) **Engages professionals to create, edit, produce and distribute original content or ori-**
40 **ginal content for which a valid license has been obtained concerning local, regional, national**
41 **or international matters of public interest through activities, including conducting inter-**
42 **views, observing current events, analyzing documents and other information or fact checking**
43 **through multiple firsthand or secondhand news sources;**

44 (e) **Updates its content on at least a weekly basis;**

45 (f) **Has an editorial process for error correction and clarification, including a transparent**

1 process for reporting errors or complaints to the publication;

2 (g) Meets one of the following criteria:

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

5 (B) Had an International Standard Serial Number assigned to an affiliated periodical be-
6 fore January 1, 2025; or

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

9 (h) Has at least 25 percent of its editorial content consisting of information about topics
10 of current local, regional, national or international public interest; and

11 (i) Is not controlled or wholly or partially owned by one of the following:

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

14 (B) An entity that is designated as a foreign terrorist organization pursuant to 8 U.S.C.
15 1189;

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

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

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

21 (F) An entity that has been convicted of violating, or attempting to violate, 18 U.S.C.
22 2331, 2332b or 2339A.

23 (11) “Representative” means a labor organization designated as the exclusive bargaining
24 representative of news journalists or support staff for the purposes of collective bargaining
25 in accordance with applicable state or federal law.

26 (12) “Support staff” means a natural person who performs nonexecutive functions, such
27 as payroll, human resources, fundraising and grant support, advertising and sales, commu-
28 nity events and partnerships, technical support, sanitation or security.

29 **SECTION 2.** A covered platform shall elect and carry out one of the following require-
30 ments:

31 (1) Pay at least \$___ annually to compensate digital journalism providers for accessing
32 the Internet websites of the providers for an Oregon audience. The amount to be paid under
33 this subsection shall be adjusted annually for inflation since 2025 based on the Consumer
34 Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau
35 of Labor Statistics of the United States Department of Labor. The amount paid under this
36 subsection shall be distributed annually to digital journalism providers as follows:

37 (a) No less than one percent of the amount shall be paid to:

38 (A) Digital journalism providers that would receive less than \$25,000 under paragraph (b)
39 of this subsection to be distributed annually proportionally by the number of news journal-
40 ists; and

41 (B) Subject to section 7 (1)(b)(B) of this 2025 Act, freelancers who, in the previous cal-
42 endar year, were employed by each qualifying publication for the primary purpose of
43 producing content for an Oregon audience among those digital journalism providers, in ad-
44 dition to the amount those providers would receive pursuant to paragraph (b) of this sub-
45 section; and

1 **(b) The amount remaining after payment under paragraph (a) of this subsection shall be**
 2 **distributed proportionally by the number of news journalists and, subject to section 7**
 3 **(1)(b)(B) of this 2025 Act, freelancers, who, in the previous calendar year, were employed by**
 4 **each qualifying publication for the primary purpose of producing content for an Oregon au-**
 5 **dience;**

6 **(2) Participate in a final arbitration process under section 5 of this 2025 Act and fully pay**
 7 **the arbitration award, if any, to the administrator engaged pursuant to section 3 (1) of this**
 8 **2025 Act within 30 days of the award, or to each participating digital journalism provider**
 9 **within 90 days of the award; or**

10 **(3) Donate at least \$___ annually to the Oregon Civic Information Consortium estab-**
 11 **lished under section 11 of this 2025 Act. The amount to be donated under this subsection**
 12 **shall be adjusted annually for inflation since 2025 based on the Consumer Price Index for All**
 13 **Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics**
 14 **of the United States Department of Labor.**

15 **SECTION 3. (1) A covered platform shall make distributions pursuant to section 2 of this**
 16 **2025 Act by one of the following methods:**

17 **(a)(A) Engaging an approved claims administrator to distribute the annual payments to**
 18 **digital journalism providers.**

19 **(B) In selecting an approved claims administrator the covered platform shall ensure that**
 20 **the administrator is well qualified to perform the distribution and has administered multiple**
 21 **settlements in this state that comply with complex civil litigation class action settlement**
 22 **guidelines in at least three state or federal courts in this state.**

23 **(C) The costs of the claims administrator shall be paid in addition to the amounts paid**
 24 **under section 2 of this 2025 Act.**

25 **(b) Distributing the annual payments to digital journalism providers itself, the costs of**
 26 **which shall be paid in addition to the amounts paid under section 2 of this 2025 Act.**

27 **(2) An administrator distributing payments pursuant to subsection (1)(a) of this section**
 28 **or a covered platform distributing payments pursuant to subsection (1)(b) of this section:**

29 **(a) Prepare an annual statement of account related to the distribution activities, certified**
 30 **by a certified public accountant;**

31 **(b) Identify a point of contact for digital journalism provider inquiries with timely re-**
 32 **dress;**

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

36 **(d) Publish on the administrator's website an annual report detailing nonconfidential op-**
 37 **erations of the fund, including the digital journalism providers that received compensation**
 38 **and the amounts paid. If the covered platform has engaged a claims administrator to dis-**
 39 **tribute the payments, the administrator shall provide the report to the covered platform and**
 40 **the covered platform shall also publish the report on the covered platform's website.**

41 **(3) A covered platform shall identify a point of contact for electronic mail or other elec-**
 42 **tronically communicated digital journalism provider inquiries. A digital journalism provider**
 43 **that wishes to receive an annual payment pursuant to section 2 (1) of this 2025 Act shall**
 44 **submit notice to the point of contact. The notice shall include, at a minimum, the name of**
 45 **the digital journalism provider, the number of news journalists employed or claimed pursuant**

1 to section 7 of this 2025 Act and a contact person for the publication. The covered platform
2 may institute reasonable measures to verify that the notice was sent by an actual repre-
3 sentative of the publication.

4 (4) A covered platform distributing payments pursuant to subsection (1)(b) of this section
5 shall retain a qualified auditor to examine relevant books and records with respect to the
6 distributions as part of an annual audit.

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

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

15 (7)(a) A digital journalism provider that disagrees with the determination of its eligibility
16 or the amount of compensation awarded may seek a review of the determination as follows:

17 (A)(i) If the covered platform has retained a claims administrator, the digital journalism
18 provider shall seek redress through the dispute resolution process established pursuant to
19 subsection (2)(c) of this section.

20 (ii) If the digital journalism provider disagrees with the result of the dispute resolution
21 process, the digital journalism provider may initiate an arbitration of the dispute by a qual-
22 ified arbitrator.

23 (B) If the covered platform has not retained a claims administrator, the digital
24 journalism provider may initiate an arbitration of the dispute by a qualified arbitrator.

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

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

30 (8) A digital journalism provider may not be denied compensation under this section on
31 the basis that the provider publishes or broadcasts, in whole or in part, in a language other
32 than English.

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

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

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

43 **SECTION 5.** (1)(a) In an arbitration initiated pursuant to section 2 (2) of this 2025 Act,
44 the arbitrator shall determine the percentage of the covered platform's advertising revenue
45 to be remitted to participating digital journalism providers on an annual basis pursuant to

1 this section.

2 (b) Digital journalism providers shall jointly participate in a final offer arbitration pro-
3 cess with a covered platform described under this section to determine a single percentage
4 of the covered platform's advertising revenue from which the distributions described under
5 section 3 (5) of this 2025 Act will be allotted. Covered platforms may not participate jointly
6 in a final offer arbitration process.

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

13 (d) The covered platform or digital journalism providers may initiate a final offer arbi-
14 tration with a qualified arbitrator for an arbitration panel to determine the percentage of the
15 covered platform's advertising revenue remitted to the participating digital journalism pro-
16 viders.

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

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

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

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

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

35 (a)(A)(i) Digital journalism providers and the covered platform may demand the pro-
36 duction of business records that are relevant to the single percentage of a covered platform's
37 advertising revenue to be awarded to participating digital journalism providers and that are
38 nonprivileged, reasonably necessary and reasonably accessible without undue expense.

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

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

1 **(b) Digital journalism providers and the covered platform shall each submit a final offer**
2 **proposal for the remuneration that the digital journalism providers should receive, on an**
3 **annual basis, from the covered platform for access to the Internet websites or other digital**
4 **services of the digital journalism providers for an Oregon audience based on the value that**
5 **access provides to the platform. The final offer proposals shall include backup materials**
6 **sufficient to permit the other party to replicate the proffered valuation.**

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

11 **(7)(a) Not later than 60 days after the date arbitration proceedings begin pursuant to**
12 **subsection (3) of this section, the arbitration panel shall determine which of the parties' final**
13 **offer proposals to accept pursuant to subsection (6)(b) of this section. The arbitration panel**
14 **shall accept one of the two offers without modification.**

15 **(b) In making a determination pursuant to paragraph (a) of this subsection, the arbi-**
16 **tration panel shall:**

17 **(A) Refrain from considering any value conferred upon any digital journalism provider**
18 **by the covered platform for distributing or aggregating its content, other than monetary**
19 **compensation agreed to by the digital journalism provider in a written commercial agree-**
20 **ment with the platform, as an offset to the value created by that digital journalism provider,**
21 **unless the covered platform does not automatically access and extract information from a**
22 **digital journalism provider's Internet website.**

23 **(B) Consider past incremental revenue contributions as a guide to the future incremental**
24 **revenue contribution by any digital journalism provider.**

25 **(C) Consider the pricing, terms and conditions of any available, comparable commercial**
26 **agreements between parties granting access to digital content, including pricing, terms and**
27 **conditions relating to price, duration, territory and the value of data generated directly or**
28 **indirectly by the content, accounting for any material disparities in negotiating power be-**
29 **tween the parties to those commercial agreements.**

30 **(D) If submitted with a final offer proposal, consider the digital journalism provider's**
31 **previous compliance with section 7 of this 2025 Act, if applicable.**

32 **(E) Issue a standard binding arbitration award of the percentage of the covered**
33 **platform's advertising revenue remitted to participating digital journalism providers.**

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

36 **(A) Set forth the amount of the final offer accepted by the arbitration panel.**

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

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

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

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

1 (D) Include the date of the order.

2 (d) Any party to the arbitration proceeding may elect to appeal the decision of the arbit-
3 ration panel on the grounds of a procedural irregularity.

4 (8) If the covered platform and digital journalism providers reach a settlement in lieu of
5 arbitration, the settlement does not waive a digital journalism provider's obligations under
6 section 7 of this 2025 Act.

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

14 (10)(a) Any party to the proceeding may elect to reinstate the arbitration process on a
15 date no fewer than 24 months from the date of the order of the arbitration order.

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

17 **SECTION 6.** (1) A covered platform may not retaliate against a digital journalism pro-
18 vider for asserting its rights under sections 1 to 10 of this 2025 Act by refusing to access
19 content or changing the ranking, identification, modification, branding or placement of the
20 content of the digital journalism provider on the covered platform.

21 (2) A digital journalism provider that is retaliated against may bring a civil action against
22 the covered platform.

23 (3) This section does not prohibit a covered platform from, or impose liability on a cov-
24 ered platform for, enforcing its terms of service against a journalism provider.

25 **SECTION 7.** (1)(a) Except as provided in paragraph (b) of this subsection, a digital
26 journalism provider shall spend at least 70 percent of funds received under sections 1 to 8
27 of this 2025 Act on news journalists and support staff employed by the digital journalism
28 provider.

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

32 (B) For the purpose of calculating an allocation from a covered platform pursuant to
33 section 2 (1) of this 2025 Act and section 3 (5) of this 2025 Act, or for establishing a digital
34 journalism provider's minimum allocation to news journalists and support staff pursuant to
35 this section, a digital journalism provider with five or fewer employees may elect to count
36 dollars spent on the equivalent functions performed by news journalists as follows:

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

39 (ii) A digital journalism provider may elect to count each \$40,000 spent by the provider
40 in the previous calendar year to compensate other natural persons performing the functions
41 defined by section 1 (6)(b) of this 2025 Act as employing the equivalent of one news journalist,
42 up to a maximum of \$160,000 or the equivalent of four news journalists, with those amounts
43 adjusted annually for inflation since 2025 based on the Consumer Price Index for All Urban
44 Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the
45 United States Department of Labor. In no instance may the total number of news journalists

1 and their equivalents claimed pursuant to this sub-subparagraph exceed the number of na-
2 tural persons compensated by the digital journalism provider.

3 (2) No later than 30 days after the end of an arbitration proceeding described in section
4 5 of this 2025 Act, reaching a settlement in lieu of an arbitration proceeding or receiving a
5 payment pursuant to section 2 (1) of this 2025 Act, the digital journalism provider shall pro-
6 vide notification in writing of its plan to comply with subsection (1) of this section to the
7 news journalists and support staff employed by the digital journalism provider and any rep-
8 resentatives of those news journalists or support staff.

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

13 **SECTION 8.** (1) No later than one year after the end of an arbitration proceeding de-
14 scribed in section 5 of this 2025 Act, reaching a settlement in lieu of an arbitration pro-
15 ceeding or receiving a payment pursuant to section 2 (1) of this 2025 Act, and each year
16 thereafter, a digital journalism provider shall compile a report that includes the following:

17 (a) An attestation as to whether the digital journalism provider has complied with section
18 7 (1) of this 2025 Act;

19 (b) The text of the digital journalism provider's plan to comply with section 7 (1) of this
20 2025 Act;

21 (c) The total number of payments received from covered platforms under sections 1 to 8
22 of this 2025 Act;

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

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

30 (2) No later than one year after the end of an arbitration proceeding described in section
31 5 of this 2025 Act, reaching a settlement in lieu of an arbitration proceeding or receiving a
32 payment pursuant to section 2 (1) of this 2025 Act, and each year thereafter, the digital
33 journalism provider shall publish a copy of the report described in subsection (1) of this
34 section online in a text-searchable format and provide a copy to the news journalists and
35 support staff employed by the digital journalism provider, to any representatives of those
36 news journalists or support staff and to the covered platforms making payments under
37 sections 1 to 8 of this 2025 Act to the digital journalism provider.

38 (3) If a digital journalism provider fails to comply with this section, a covered platform
39 may withhold payments under sections 1 to 8 of this 2025 Act until the digital journalism
40 provider has provided a copy of the report to the covered platform and has published a copy
41 of the report online pursuant to subsection (2) of this section.

42 **SECTION 9.** (1) Nothing in sections 1 to 8 of this 2025 Act shall be construed as amending
43 or repealing the ability of a digital journalism provider or a covered platform to avail itself
44 of an existing remedy at law.

45 (2) A digital journalism provider may seek and obtain injunctive relief to compel compli-

1 ance with sections 1 to 8 of this 2025 Act, and court costs and reasonable attorney fees shall
2 be awarded to a prevailing provider.

3 **SECTION 10.** Sections 1 to 8 of this 2025 Act do not:

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

6 (2) Abridge or impair rights otherwise reserved by news journalists, support staff or their
7 representatives according to applicable law or existing collective bargaining agreements.

8 **SECTION 11.** (1)(a) There is established as a nonprofit corporation the Oregon Civic In-
9 formation Consortium. The purpose of the consortium is to advance research and innovation
10 in the field of media and technology to benefit this state's civic life and evolving information
11 needs.

12 (b) Each public university listed in ORS 352.002, is a member of the consortium.

13 (c) The consortium shall be a collaborative effort among the member universities. Each
14 member university shall focus its initiatives on one area of expertise, and the board of di-
15 rectors of the consortium shall decide on each member university's focus of expertise to al-
16 low for greater collaboration among member universities, decrease competition for grants
17 and reduce redundancy of efforts. Member universities may collaborate on projects together,
18 as well as seek out other academic institutions to partner with on seeking grants.

19 (2) The consortium shall have a board of directors. The board shall set strategic priorities
20 and metrics to guide the consortium's grant programs and other initiatives. The board shall
21 consist of 11 members as follows:

22 (a) Seven members each representing a public university listed in ORS 352.002; and

23 (b) Four members with experience in the media or technology sector appointed by the
24 Governor, subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and
25 171.565.

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

31 (4) The board shall select one of its members as chairperson and another as vice chair-
32 person for such terms and with such duties and powers as the board considers necessary for
33 performance of the functions of those offices.

34 (5) A majority of members of the board constitutes a quorum for the transaction of
35 business.

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

38 (7) The board shall hold public hearings annually in different geographical regions of this
39 state. The public hearings shall provide a forum for the board to report on how the public
40 funds that the consortium receives are spent and to gather public input on what the
41 consortium's mission should be and whether the consortium is meeting its mission. Public
42 input shall be used to assess whether the consortium's grant-making metrics or process for
43 issuing grants needs to be changed.

44 (8) Members of the board are not entitled to compensation, but may be reimbursed for
45 actual and necessary travel and other expenses incurred by them in the performance of their

1 official duties in the manner and amounts provided for in ORS 292.495. Claims for expenses
2 shall be paid out of such funds as may be available to the board.

3 (9) On or before September 1 of each year, the board shall submit a report on the activ-
4 ities of the consortium in the manner provided by ORS 192.245, and may include recommen-
5 dations for legislation, regulations or policies, to the Governor and the interim committees
6 of the Legislative Assembly related to higher education. The report must include, at a mini-
7 mum:

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

9 (b) The grant amounts of approved grant applicants;

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

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

13 **SECTION 12.** (1) The Oregon Civic Information Consortium board of directors described
14 under section 11 of this 2025 Act shall appoint and employ an executive director and fix the
15 executive director's compensation and conditions of employment. The executive director
16 shall be the chief executive, administrative and operational officer of the consortium and
17 shall direct and supervise the administrative affairs and the general management of the
18 consortium. The executive director shall oversee the consortium's day-to-day operations,
19 which includes working with the board to meet the consortium's goals and grant-making
20 requirements, hiring and managing program officers and administrative staff pursuant to
21 subsection (2) of this section, acting as spokesperson for the consortium's work and raising
22 funds from external sources. The executive director shall attend all meetings of the board.

23 (2)(a) The executive director shall employ program officers who shall be experienced
24 practitioners with a strong understanding of the media or civic technology fields. The exec-
25 utive director shall strive to appoint program officers that represent this state's racial,
26 ethnic, gender and geographic diversity within any limits allowed under law. The program
27 officers shall manage the grant-making process, in accordance with the consortium's goals.
28 The grant-making process shall include soliciting, recommending and processing grant pro-
29 posals, working with grantees to ensure work on grant project ideas and directing public
30 engagement and evaluation efforts.

31 (b) The executive director shall employ no more than three administrative staff to pro-
32 vide operational support for the consortium, including office management, support for the
33 executive director and program officers, coordination among member universities, payment
34 to grantees, human resources and logistics.

35 (3) One member university shall be responsible for housing the consortium and providing
36 back-office support.

37 **SECTION 13.** (1) To be eligible for a grant from the Oregon Civic Information Consortium
38 established under section 11 of this 2025 Act, a grant proposal application shall include, at a
39 minimum:

40 (a) Evidence of a collaboration between (a) at least one member of the faculty or graduate
41 student of a member university and at least one local community organization, media or-
42 ganization or technology-based organization;

43 (b) Information demonstrating that the collaboration would be a mutually respectful
44 partnership wherein all community and member university participants invest in a project
45 designed to serve the consortium's mission and the goals cited pursuant to subsection (3)

1 of this section; and

2 (c) Proof that the member university or universities in total will provide an amount of
 3 funding or make an in-kind contribution having a value that matches 10 percent of the
 4 amount of grant funding for which the applicant has applied, if an application is sponsored
 5 by one or more member universities. For a grant proposal application sponsored by a mem-
 6 ber university housing the consortium and providing back-office support pursuant to section
 7 12 (3) of this 2025 Act, the costs of that housing and support to that member university shall
 8 count towards the funding or in-kind contribution match from that member university.

9 (2) The consortium shall make available on the consortium’s website the grant-making
 10 criteria and other relevant documents.

11 (3) The consortium shall provide grants for projects that achieve the following goals:

12 (a) Improve the quantity and quality of civic information in communities of this state;

13 (b) Provide residents enhanced access to useful government data and public information
 14 through innovative applications, platforms and technologies;

15 (c) Train students, professionals and community members in the practice of community
 16 storytelling, journalism and media production;

17 (d) Nurture better civic engagement and dialogue inside and between communities in this
 18 state;

19 (e) Meet the information needs of low-income communities and racial and ethnic com-
 20 munities that have been underserved by the media; and

21 (f) Invest in research and practices that can help media outlets become more closely
 22 connected to their audiences and more sustainable without government support.

23 (4) A grant issued by the consortium shall be in the form of a grant agreement. A grant
 24 agreement shall include a provision establishing a set of metrics for assessing the goals
 25 contained in the agreement to ensure evaluation of a grantee project on how well those goals
 26 are being met and any other relevant accountability measures. The set of metrics shall be
 27 established by the consortium’s board of directors in coordination with the consortium’s
 28 executive director and program officers. The agreement shall include the expectations stated
 29 between the consortium and the grantee, which shall include, but not be limited to, a state-
 30 ment that:

31 (a) The grantee shall be independent from the influence of the state, a member university
 32 and any other grantor or contributor of funds or outside source; and

33 (b) Any grantor or other contributor of funds to the grantee shall acknowledge in writing
 34 the grantor’s or contributor’s understanding that the grant or donation does not entitle the
 35 grantor or contributor to dictate or influence the content of any work the grantee produces
 36 or may produce.

37 _____