

N/MA State of the States Member Briefing

January 30, 2025



N/MA Policy Team

Danielle Coffey, President and CEO

Neil Quinter, Senior Vice President, Global Government Affairs
Compensation, AI

Regan Smith, Senior Vice President & General Counsel
Copyright, AI

Emily Emery, Vice President, Government Affairs
Privacy, Tax

Holly Lubart, Vice President, Government Affairs
Advertising, Automatic Renewal, Environment, Labor, Postal, Public Notice, Trade

Charlotte McBirney, Senior Counsel & Director of Public Policy
First Amendment, Free Press

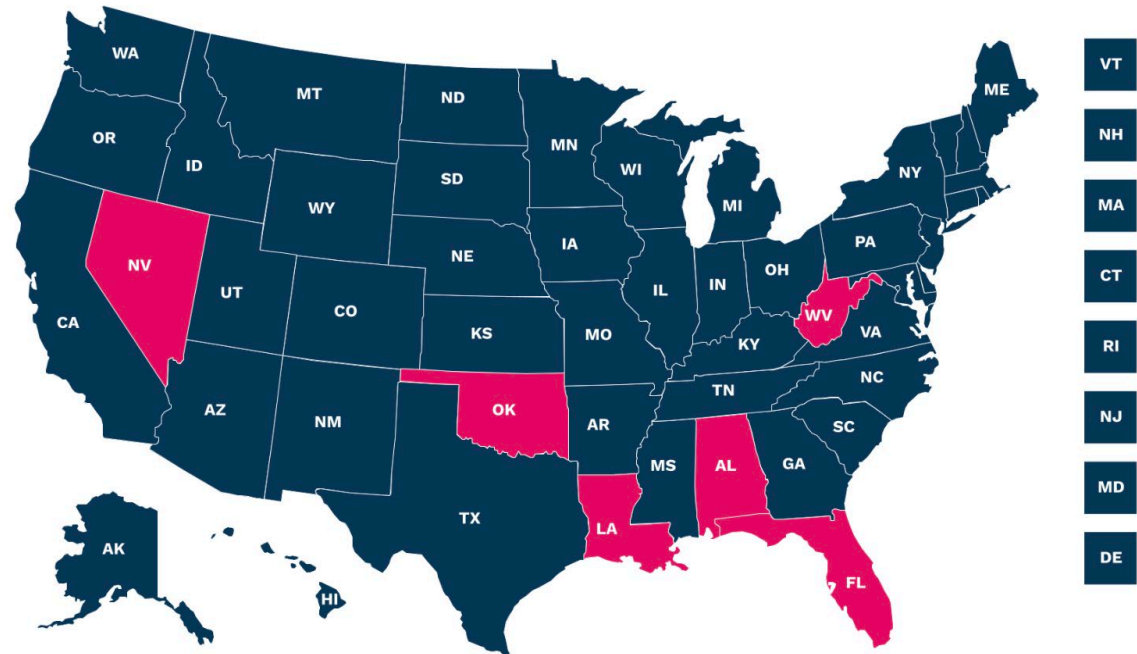


State Legislative Session Status

- Governors
 - 27 Republicans
 - 23 Democrats
- State Control
 - 23 Republican
 - 15 Democrats
 - 11 Divided Gov / Leg
- 3 Split Legislatures
 - MI – D Senate, R House
 - MN – D Senate, Tied House
 - PA – R Senate, D House

2025 State Legislative Session Status

■ Legislature in regular session ■ Legislature not in session ■ In special session



Source: MultiState. Data as of January 23, 2025

M

Compensation

- California
 - Governor Newsom-Google agreement
 - Total of \$280M-\$360M over five years
 - \$45M in first year to fund, divided by journalists
 - \$30 million from state
 - \$15 million from Google
 - Newsom included in budget
 - Looking for administrative home
- Oregon
 - Senator Pham bill, with Civic Information Consortium
- Illinois
 - Sponsor Senator Stadelman considering options
- New York
 - A07811/S07866 Kelles/May bill
- Washington
 - SB 5400, establishing local news journalism corps
 - Workforce education investment surcharge, \$20 million for corps



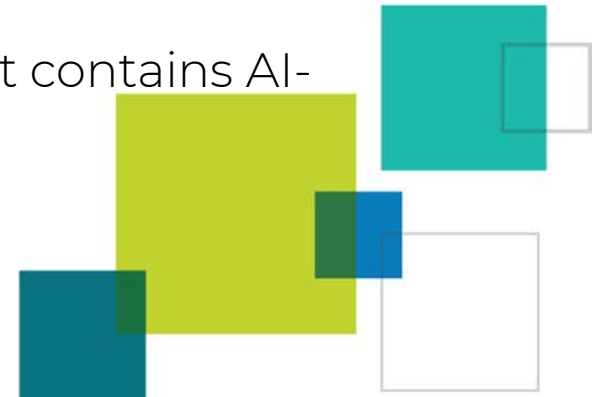
Artificial Intelligence

Transparency bills

- New York
- Other states:
 - WA HB 1168 (High level summary of the datasets)
 - MD HB 823 (Sources or owners of the data) Hearing 2/18
 - VA HB 2250 (tabled in subcommittee) Opt-out

Use of AI in publishing

- Hawaii—SB 1618:
 - Would establish a journalistic ethics commission
 - Includes "Prominently label[ing] a story, video, or audio segment that contains AI-generated or AI-manipulated content"

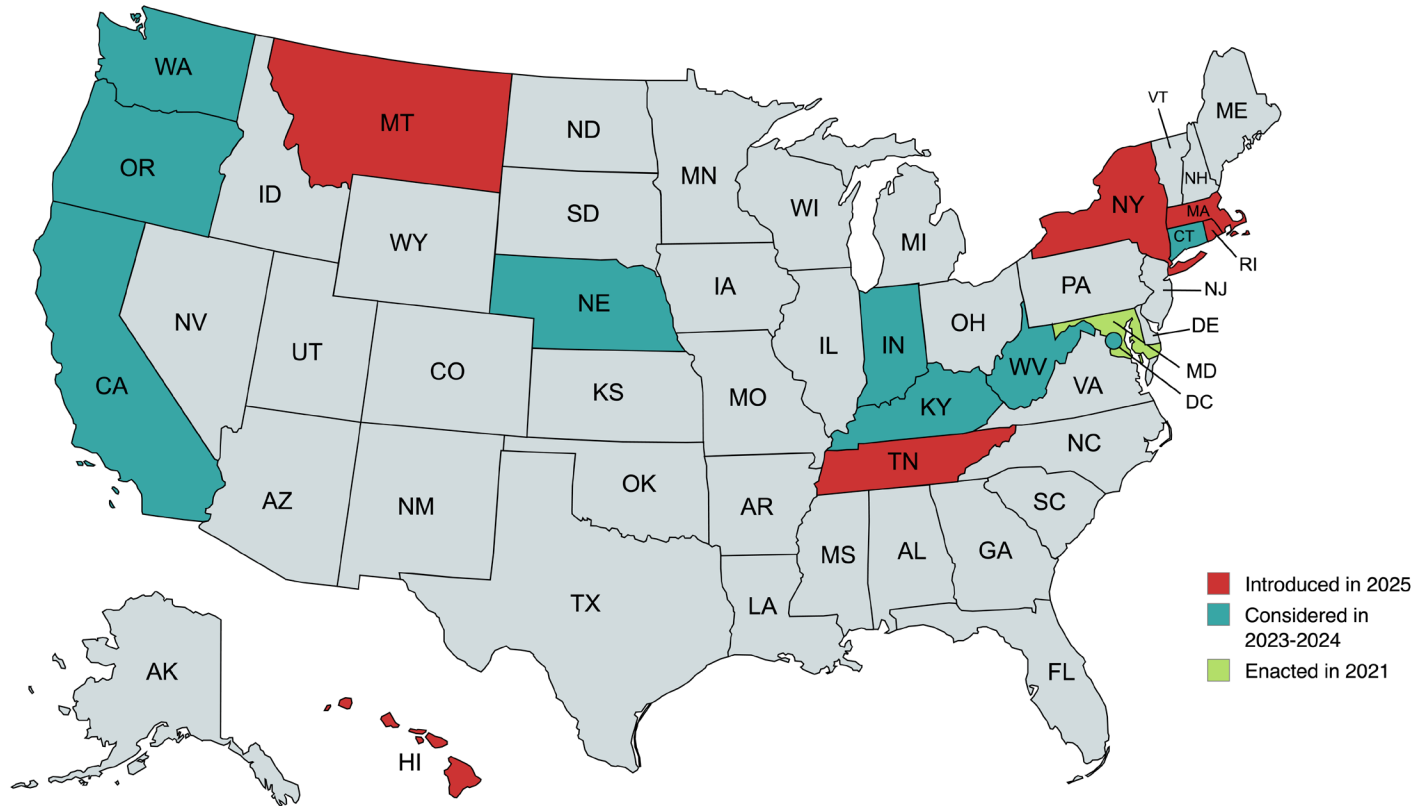


Tax Credit Initiatives

- Implementation
 - California
 - Illinois
 - New York
- Other states exploring
 - Massachusetts
 - New York
 - Pennsylvania
 - Washington

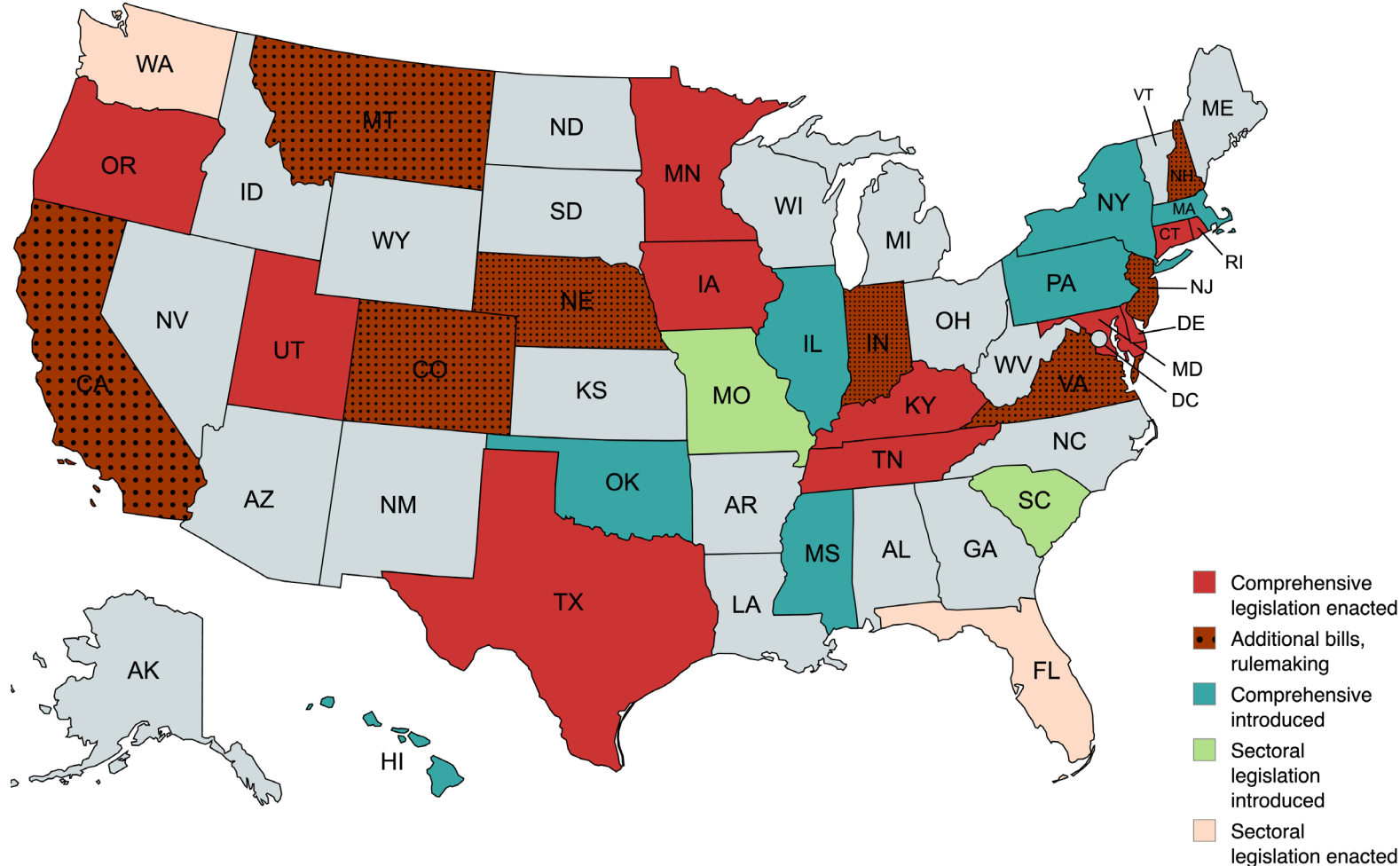


Personal Data and Digital Ad Taxes



- Maryland DATA Law
 - Litigation
 - Legislation
- Introduced in 2025
 - Rhode Island, Massachusetts and Montana
 - Additional states expected

Data Privacy and Online Safety



- 2024 Recap: Sectoral Expansion
 - 200+ data privacy bills considered
 - 19 states have enacted comprehensive
- 2025 Projection: Patchwork Grows

Data Privacy and Online Safety

- 2025 N/MA PRIORITIES

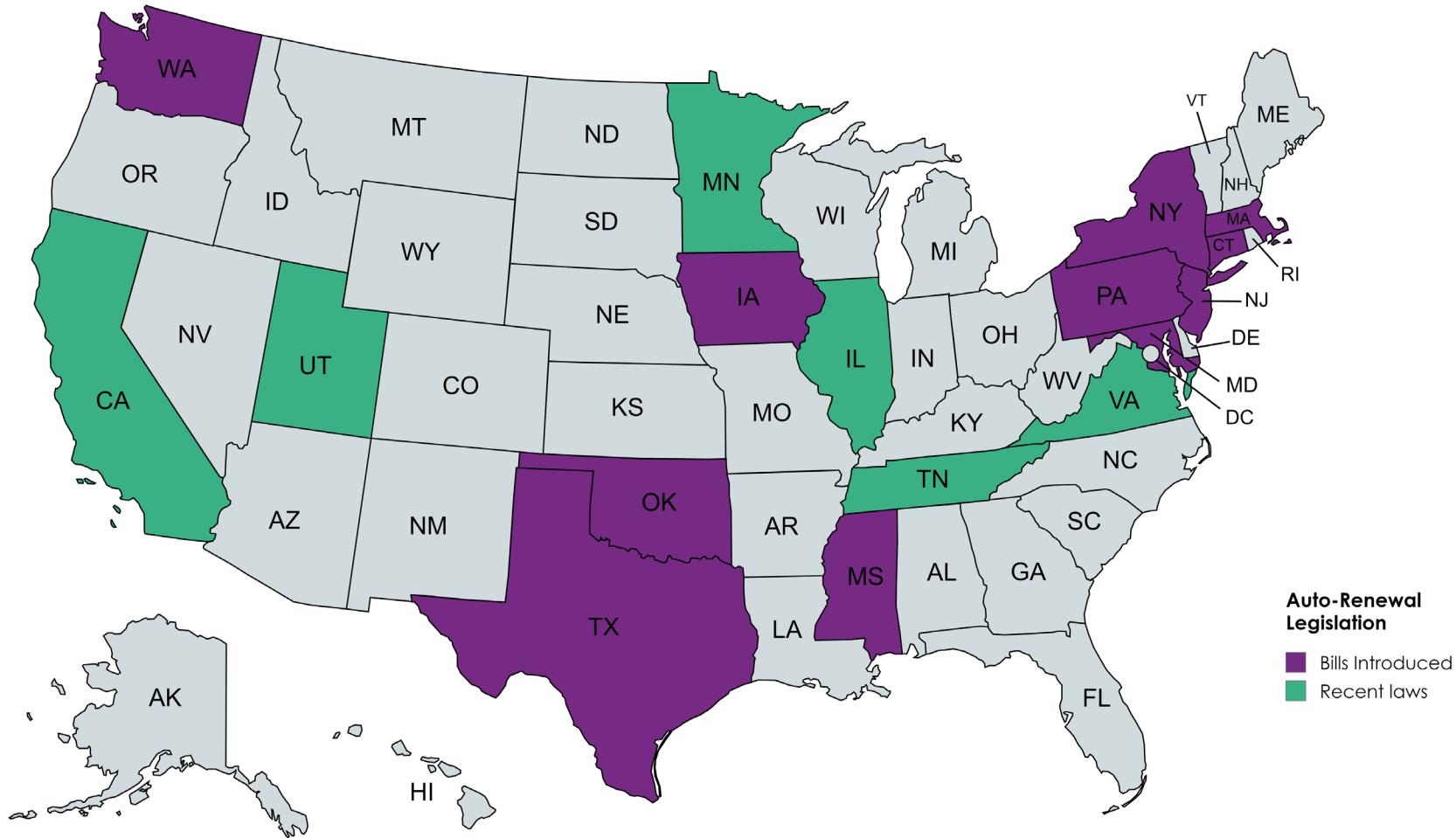
- Federal framework: outlook uncertain
- Trends:
 - data minimization
 - sectoral (health, children)
 - AI impact (automated decision making and inferences)
- Rulemaking: impact on patchwork
- Litigation: ramping up

- EARLY ACTIVITY 2025

- Virginia
- New York HIPA
- California
 - Legislature
 - CPPA



Subscription Renewal



Subscription Renewal

- New laws

- CA, AB 2863

- Signed into law September 2024, Effective date July 1, 2025
 - Successfully removed language requiring separate consent
 - Successfully worked to preserve discount offers

- IL, SB 2764

- Signed into law, July 9, 2024; Effective date, January 1, 2025

- MN, Conference Report

- Signed into law, May 31, 2024; Effective date, January 1, 2025

- TN, H 1832/SB 1894

- Signed into law, May 9, 2024; Effective date, July 1, 2024

- UT, HB 174

- Signed into law, March 13, 2024; Effective date, January 1, 2025

- VA, HB 744

- Signed into law, April 4, 2024; Effective date, July 1, 2024



Subscription Renewal

- State Updates - 12 states have introduced bills
 - CT HB 5559, SB 609
 - IA SF 121
 - MA SD 485, HD 1083
 - MD HB 107, SB 49
 - Hearings on 1/21 & 1/23
 - MS HB 875, SB 2498
 - NJ AB 3766, SB 3877, SB 3928
 - NY A 1221, SB 2149
 - OK HB 1851
 - PA HB 45, HB 129
 - TN HB 420, SB 302
 - TX HB 860, SB 838
 - WA SB 5207
 - Hearing on 1/23



Environmental

- Extended Producer Responsibility Legislation
 - Places financial responsibility of packaging and products for disposal on producer
 - Goals:
 - Waste reduction
 - Reduced public spending on waste management
 - Innovations in product design
 - Covered products may include paper or packaging
 - Monitoring implementation in CA, CO, ME & OR
 - New laws in CT, IL, MD, MN, NH



Environmental

- Extended Producer Responsibility Legislation
 - NJ
 - AB 4902
 - January 27th hearing
 - EPR Needs Assessment Study Commission advanced
 - SB 3398
 - February 10th hearing
 - SB 208 & AB 2094
 - Packaging
 - NY
 - Not in Governor's budget
 - WA
 - HB 1150, Recycling Reform Act (Hearing on 1/21)
 - HB 1607 & SB 5502 (Hearing on 1/29)



Public Notice



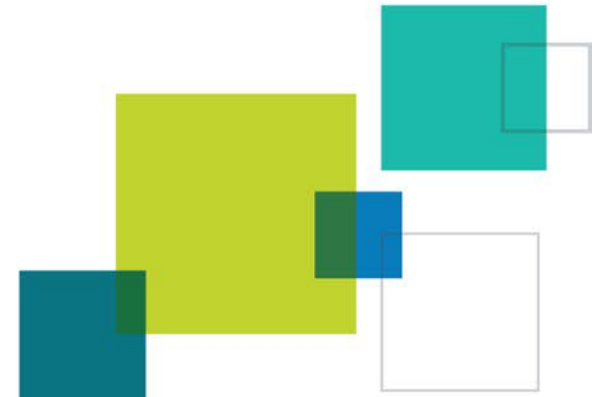
- New laws
 - NJ AB 5151
 - Signed into law December 31, 2024
 - Temporary
 - Permits continued use of newspapers for publishing required public notices until March 1, 2025
 - AB 4759
- Pending
 - CA
 - Governor Newsom vetoed bill in September 2024
 - ID
 - HB 33, Allows for electronic publication on state controller's website
 - IL
 - SB 29, Allows municipalities to publish on municipal websites
 - MA
 - H.D. 1039
 - Permits City to publish through digital means



Public Notice



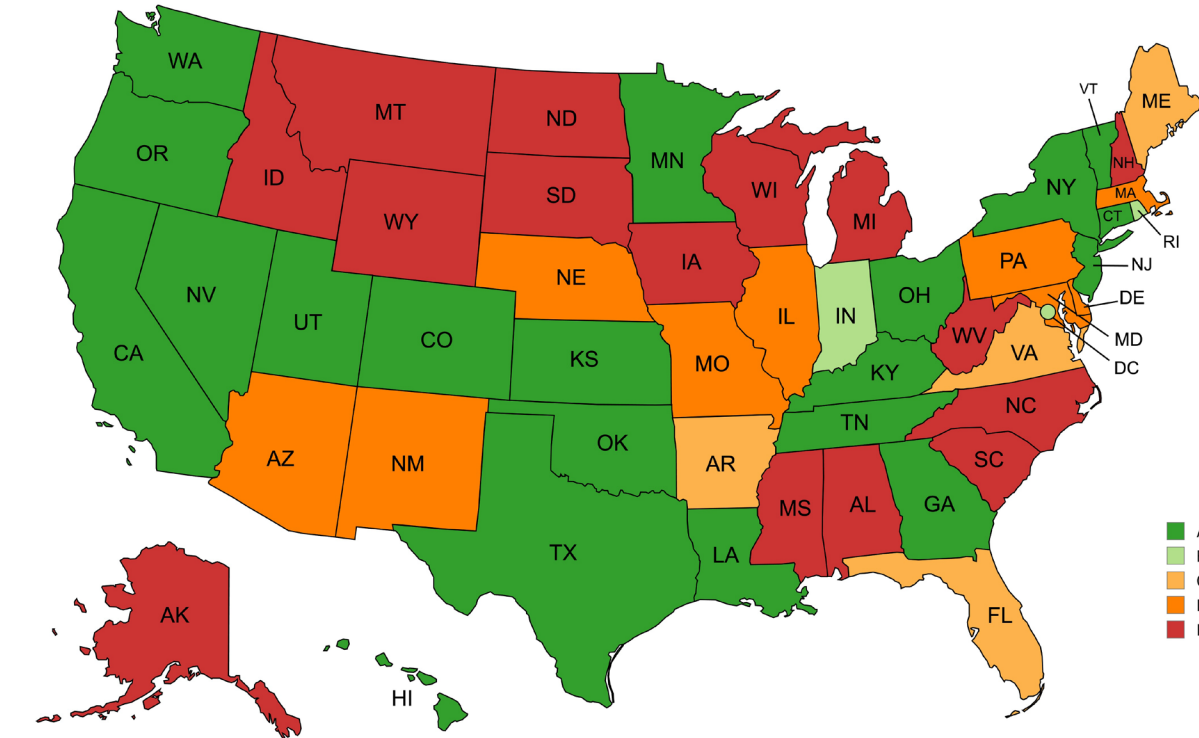
- Pending
 - MD
 - HB 74
 - Allows for publication in print or digital formats
 - MS
 - SB 2831, SB 2832, SB 2836
 - Modernizes public notices for counties and municipalities, allows online publication as alternative
- OK
 - HB 2166, Revises criteria for legal newspapers (OPA support)
 - HB 2167, Revises fees and procedures (OPA support)
 - HB 2025, Counties & county officers
- TX
 - HB 1080, Allows use of alternative media
- WY
 - HB 298
 - Transition to centralized electronic notice system for public notices by January 1, 2030, replacing newspaper publications



Anti-SLAPP Modernization

■ Current state of the law

- 35 states and the District of Columbia have an anti-SLAPP law
 - Ohio signed into law S.B. 237 on 1/8
- 15 states do not have an anti-SLAPP law:
 - Alabama
 - Alaska
 - Idaho
 - Iowa
 - Michigan
 - Mississippi
 - Montana
 - New Hampshire
 - North Carolina
 - North Dakota
 - South Carolina
 - South Dakota
 - West Virginia
 - Wisconsin
 - Wyoming



Source: <https://www.ifs.org/anti-slapp-report/>

Anti-SLAPP Modernization

■ State Updates

■ New bills introduced:

- IA S.F. 47 (reported fav out of committee 1/28)*
- ID S. 1001 (passed Senate 1/27)*
- IL S.B. 1181 (intro 1/24)*, H.B. 1077 (pre-filed 12/23/24)*
- MA S.D. 2183 (intro 1/17), H.D. 3111 (intro 1/16), S.D. 176 (intro 1/9)
- MD H.B. 0434 (Hearing 2/12), S.B. 0167 (hearing 1/15)
- MO S.B. 503 (pre-filed 12/13/24)*, H.B. 83 (2nd reading 1/9)*, S.B. 352 (1st reading 1/8)*, H.B. 1092 (intro 1/28)*
- MS H.B. 1504 (intro 1/20)*
- MT H.B. 292 (Hearing 1/28)*
- NE L.B. 493 (intro 1/21)*
- NH H.B. 391 (Hearing 2/5)
- SC H.B. 3305 (pre-filed 12/5/24)*
- VT H. 107 (intro 1/28)
- WY H.B. 0223 (intro 1/16)

■ Carried over from last year:

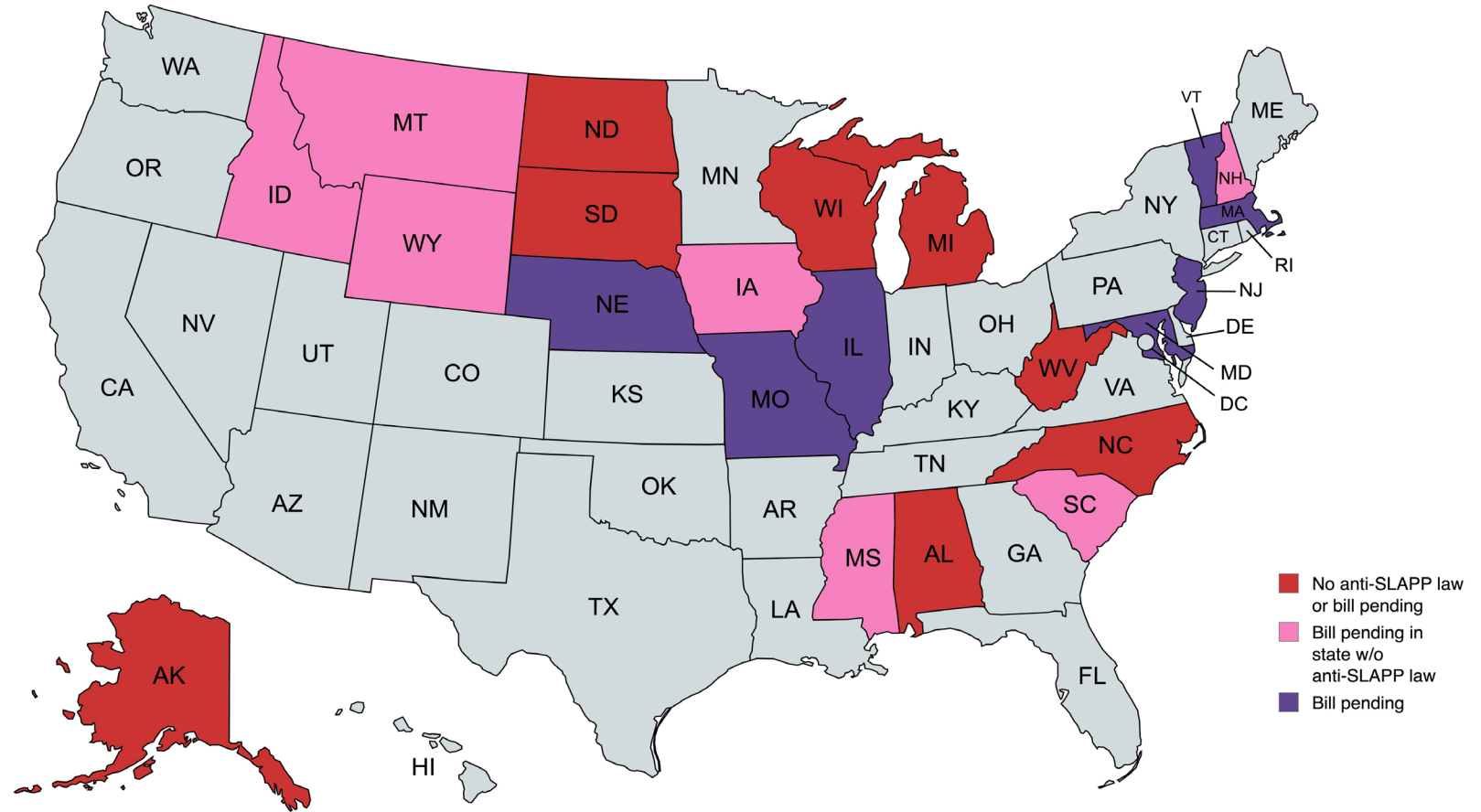
- NJ S. 3758 (pre-filed 10/7/24), A. 4857 (intro 9/23/24), S. 1732 (intro 1/9/24)

* = UPEPA



Anti-SLAPP Modernization

- 25 pending bills across 14 states
 - Bills in 7 states w/o anti-SLAPP laws
 - 11 R-led, 8 D-led
- Bad bill to watch:
 - TX S.B. 336
- Potential new bills ahead:
 - Michigan, West Virginia, Wisconsin, New York.
 - Federal bill: 'The Free Speech Protection Act'



Conclusion

- Q&A
- Upcoming State of the States:
 - Thursday, February 27
 - Thursday, March 27
 - Thursday, April 24
 - Thursday, May 22
 - Thursday, June 26

