On September 30, 2020, the Governor signed Assembly Bill 323 (“AB 323”), which is intended to support local journalism. Part of the new law focuses on California’s official advertising, requiring the Department of General Services publish by July 1 each year information relating to payments of placement marketing and outreach advertising material by each state agency.

The latter part of the bill expands exemptions of the application of Assembly Bill 5 (“AB 5”) to newspaper carriers. Specifically, AB 323 expands the exemption applicable to newspaper carriers by removing the condition that a newspaper carrier works under contract either with a newspaper publisher or newspaper distributor. AB 5, passed last year and codified and expanded the California Supreme Court case Dynamex Operations West v. Superior Court, creates a presumption that a worker is an employee unless specific requirements are met to allow the individual to act as an independent contractor. AB 323’s exemption from AB 5 for newspaper carriers expires in 2022.
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