

# Senate Bill 497

Sponsored by COMMITTEE ON RULES (at the request of Oregon Law Commission)

## 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**.

Requires all judicial officers, city and county elected officials, members of city or county planning, zoning or development commissions and chief executive officers of cities and counties to file statement of economic interest with Oregon Government Standards and Practices Commission.

Allows filing of amended statement of economic interest.

Expands definitions of "relative" and "member of household."

Modifies required contents of statement of economic interest. Directs person filing statement to list names of adult members of person's household and adult relatives who do not reside with person.

Requires public officials and candidates to file quarterly statements with commission listing gifts with value exceeding \$15 received from person with legislative or administrative interest, food, lodging or travel expenses with aggregate value exceeding \$75, honoraria of money exceeding \$15 and each source of income exceeding aggregate amount of \$1,000 from source that does business with or has legislative or administrative interest in governmental agency served by public official or candidate.

Requires person with legislative or administrative interest who gives gift with value exceeding \$15 to public official, candidate or relative to report gift to commission and to notify recipient of value of gift. Sets schedule for filing reports. Prescribes content of reports.

Updates language in statutory provisions relating to filing of statements by State Treasurer and employees of State Treasurer, filing of ethics information by members of Congress, filing of notices of conflicts of interest and provision of ethics information to newly elected or appointed public officials.

Directs Oregon Government Standards and Practices Commission to make statements filed under ethics laws available for public inspection and copying.

Repeals provisions allowing electors of cities and counties to determine whether officials of city or county must file statements of economic interest with commission.

## A BILL FOR AN ACT

1  
2 Relating to government ethics; creating new provisions; amending ORS 244.020, 244.050, 244.055,  
3 244.060, 244.070, 244.090, 244.100, 244.110, 244.115, 244.130, 244.160, 244.195, 244.290 and 244.300;  
4 and repealing ORS 244.180, 244.190 and 244.201.

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

6 **SECTION 1.** ORS 244.050 is amended to read:

7 244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon  
8 Government Standards and Practices Commission a verified statement of economic interest as re-  
9 quired under this chapter:

10 (a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the  
11 Bureau of Labor and Industries, Superintendent of Public Instruction, district attorneys and mem-  
12 bers of the Legislative Assembly.

13 (b) Any judicial officer, including justices of the peace and municipal judges, except [*municipal*  
14 *judges in those cities where a majority of the votes cast in the subject city in the 1974 general election*  
15 *was in opposition to the ballot measure provided for in section 10, chapter 68, Oregon Laws 1974*  
16 *(special session), and except*] any pro tem judicial officer who does not otherwise serve as a judicial  
17 officer.

18 (c) Any candidate for [*an*] **a public** office designated in paragraph (a) or (b) of this subsection.

**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 (d) The Deputy Attorney General.
- 2 (e) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the  
3 Secretary of the Senate and the Chief Clerk of the House of Representatives.
- 4 (f) The Chancellor and Vice Chancellors of the Oregon University System and the president and  
5 vice presidents, or their administrative equivalents, in each institution under the jurisdiction of the  
6 State Board of Higher Education.
- 7 (g) The following state officers:
- 8 (A) Adjutant General.
- 9 (B) Director of Agriculture.
- 10 (C) Manager of State Accident Insurance Fund Corporation.
- 11 (D) Water Resources Director.
- 12 (E) Director of Department of Environmental Quality.
- 13 (F) Director of Oregon Department of Administrative Services.
- 14 (G) State Fish and Wildlife Director.
- 15 (H) State Forester.
- 16 (I) State Geologist.
- 17 (J) Director of Human Services.
- 18 (K) Director of the Department of Consumer and Business Services.
- 19 (L) Director of the Department of State Lands.
- 20 (M) State Librarian.
- 21 (N) Administrator of Oregon Liquor Control Commission.
- 22 (O) Superintendent of State Police.
- 23 (P) Director of the Public Employees Retirement System.
- 24 (Q) Director of Department of Revenue.
- 25 (R) Director of Transportation.
- 26 (S) Public Utility Commissioner.
- 27 (T) Director of Veterans' Affairs.
- 28 (U) Executive Director of Oregon Government Standards and Practices Commission.
- 29 (V) Director of the State Department of Energy.
- 30 (W) Director and each assistant director of the Oregon State Lottery.
- 31 (h) Any assistant in the Governor's office other than personal secretaries and clerical personnel.
- 32 (i) Every elected city or county official [*except elected officials in those cities or counties where*  
33 *a majority of votes cast in the subject city or county in any election on the issue of filing statements*  
34 *of economic interest under this chapter was in opposition*].
- 35 (j) Every member of a city or county planning, zoning or development commission [*except such*  
36 *members in those cities or counties where a majority of votes cast in the subject city or county at any*  
37 *election on the issue of filing statements of economic interest under this chapter was in opposition to*  
38 *the ballot measure provided for in section 10, chapter 68, Oregon Laws 1974 (special session)*].
- 39 (k) The chief executive officer of a city or county who performs the duties of manager or prin-  
40 cipal administrator of the city or county [*except such employees in those cities or counties where a*  
41 *majority of votes cast in the subject city or county in an election on the issue of filing statements of*  
42 *economic interest under this chapter was in opposition*].
- 43 (L) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
- 44 (m) Every member of a governing body of a metropolitan service district and the executive of-  
45 ficer thereof.

- 1 (n) Each member of the board of directors of the State Accident Insurance Fund Corporation.  
 2 (o) The chief administrative officer and the financial officer of each common and union high  
 3 school district, education service district and community college district.  
 4 (p) Every member of the following state boards and commissions:  
 5 (A) Board of Geologic and Mineral Industries.  
 6 (B) Oregon Economic and Community Development Commission.  
 7 (C) State Board of Education.  
 8 (D) Environmental Quality Commission.  
 9 (E) Fish and Wildlife Commission of the State of Oregon.  
 10 (F) State Board of Forestry.  
 11 (G) Oregon Government Standards and Practices Commission.  
 12 (H) Oregon Health Policy Commission.  
 13 (I) State Board of Higher Education.  
 14 (J) Oregon Investment Council.  
 15 (K) Land Conservation and Development Commission.  
 16 (L) Oregon Liquor Control Commission.  
 17 (M) Oregon Short Term Fund Board.  
 18 (N) State Marine Board.  
 19 (O) Mass transit district boards.  
 20 (P) Energy Facility Siting Council.  
 21 (Q) Board of Commissioners of the Port of Portland.  
 22 (R) Employment Relations Board.  
 23 (S) Public Employees Retirement Board.  
 24 (T) Oregon Racing Commission.  
 25 (U) Oregon Transportation Commission.  
 26 (V) Wage and Hour Commission.  
 27 (W) Water Resources Commission.  
 28 (X) Workers' Compensation Board.  
 29 (Y) Oregon Facilities Authority.  
 30 (Z) Oregon State Lottery Commission.  
 31 (AA) Pacific Northwest Electric Power and Conservation Planning Council.  
 32 (BB) Columbia River Gorge Commission.  
 33 (CC) Oregon Health and Science University Board of Directors.  
 34 (q) The following officers of the State [*Treasury*] **Treasurer**:  
 35 (A) Chief Deputy State Treasurer.  
 36 (B) [*Executive Assistant to*] **Chief of staff for the office of** the State Treasurer.  
 37 (C) Director of the Investment Division.  
 38 (r) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725  
 39 [*and*] **or** 777.915 to 777.953.  
 40 (2) By April 15 next after the date an appointment takes effect, every appointed public official  
 41 on a board or commission listed in subsection (1) of this section shall file with the commission a  
 42 statement of economic interest as required under ORS 244.060, 244.070 and 244.090.  
 43 (3) By April 15 next after the filing deadline for the primary election, each candidate for elective  
 44 public office described in subsection (1) of this section shall file with the commission a statement  
 45 of economic interest as required under ORS 244.060, 244.070 and 244.090.

1 (4) Within 30 days after the filing deadline for the general election, each candidate for elective  
 2 public office described in subsection (1) of this section who was not a candidate in the preceding  
 3 primary election, or who was nominated for elective public office described in subsection (1) of this  
 4 section at the preceding primary election by write-in votes, shall file with the commission a state-  
 5 ment of economic interest as required under ORS 244.060, 244.070 and 244.090.

6 (5) The Legislative Assembly shall maintain a continuing review of the operation of this chapter.

7 (6) Subsections (1) to (5) of this section apply only to persons who are incumbent, elected or  
 8 appointed **public** officials as of April 15 and to persons who are candidates for **public** office on April  
 9 15. *[Those sections]* **Subsections (1) to (5) of this section** also apply to persons who do not become  
 10 candidates until 30 days after the filing deadline for the statewide general election.

11 (7)(a) Failure to file the statement required by this section subjects a person to a civil penalty  
 12 that may be imposed as specified in ORS 183.745, but the enforcement of this subsection does not  
 13 require the Oregon Government Standards and Practices Commission to follow the procedures in  
 14 ORS 244.260 before finding that a violation of this section has occurred.

15 (b) Failure to file the required statement in timely fashion shall be prima facie evidence of a  
 16 violation of this section.

17 (c) If within five days after the date on which the statement is to be filed under this section the  
 18 statement has not been received by the commission, the commission shall notify the public official  
 19 and give the public official not less than 15 days to comply with the requirements of this section.  
 20 If the public official fails to comply by the date set by the commission, the commission may impose  
 21 a civil penalty of \$5 for each day the statement is late beyond the date fixed by the commission.  
 22 The maximum penalty that may be accrued under this section is \$1,000.

23 (d) A civil penalty imposed under this subsection is in addition to and not in lieu of sanctions  
 24 that may be imposed under ORS 244.380.

25 **(8) A public official or candidate for public office may file an amended statement required**  
 26 **by this section not later than the date set by the commission under subsection (7) of this**  
 27 **section or 30 days after the deadline to file the original statement, whichever is later. The**  
 28 **commission may not impose a civil penalty under this section for an amended statement filed**  
 29 **in compliance with this subsection.**

30 **SECTION 2.** ORS 244.020 is amended to read:

31 244.020. As used in this chapter, unless the context requires otherwise:

32 (1) "Actual conflict of interest" means any action or any decision or recommendation by a per-  
 33 son acting in a capacity as a public official, the effect of which would be to the private pecuniary  
 34 benefit or detriment of the person or the person's relative or any business with which the person  
 35 or a relative of the person is associated unless the pecuniary benefit or detriment arises out of cir-  
 36 cumstances described in subsection (14) of this section.

37 (2) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise,  
 38 association, organization, self-employed individual and any other legal entity operated for economic  
 39 gain but excluding any income-producing not-for-profit corporation that is tax exempt under section  
 40 501(c) of the Internal Revenue Code with which a public official or a relative of the public official  
 41 is associated only as a member or board director or in a nonremunerative capacity.

42 (3) "Business with which the person is associated" means:

43 (a) Any private business or closely held corporation of which the person or the person's relative  
 44 is a director, officer, owner or employee, or agent or any private business or closely held corpo-  
 45 ration in which the person or the person's relative owns or has owned stock, another form of equity

1 interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding cal-  
2 endar year;

3 (b) Any publicly held corporation in which the person or the person's relative owns or has  
4 owned \$100,000 or more in stock or another form of equity interest, stock options or debt instru-  
5 ments at any point in the preceding calendar year;

6 (c) Any publicly held corporation of which the person or the person's relative is a director or  
7 officer; or

8 (d) For public officials required to file a statement of economic interest under ORS 244.050, any  
9 business from which 50 percent or more of the total annual income of the person and members of  
10 the person's household is derived during the current calendar year.

11 (4) "Commission" means the Oregon Government Standards and Practices Commission.

12 (5) "Development commission" means any entity which has the authority to purchase, develop,  
13 improve or lease land or the authority to operate or direct the use of land. This authority must be  
14 more than ministerial.

15 (6) "Expenditure" has the meaning given that term in ORS 260.005.

16 (7) "Gift" means something of economic value given to a public official or the public official's  
17 relative without valuable consideration of equivalent value, including the full or partial forgiveness  
18 of indebtedness, which is not extended to others who are not public officials or the relatives of  
19 public officials on the same terms and conditions; and something of economic value given to a public  
20 official or the public official's relative for valuable consideration less than that required from others  
21 who are not public officials. However, "gift" does not mean:

22 (a) Campaign contributions, as described in ORS chapter 260.

23 (b) Gifts from family members.

24 (c) The giving or receiving of food, lodging and travel when participating in an event which  
25 bears a relationship to the public official's office and when appearing in an official capacity, subject  
26 to the reporting requirement of ORS [244.060 (6)] **244.100**.

27 (d) The giving or receiving of food or beverage if the food or beverage is consumed by the public  
28 official or the public official's relatives in the presence of the purchaser or provider thereof.

29 (e) The giving or receiving of entertainment if the entertainment is experienced by the public  
30 official or the public official's relatives in the presence of the purchaser or provider thereof and the  
31 value of the entertainment does not exceed \$100 per person on a single occasion and is not greater  
32 than \$250 in any one calendar year.

33 (8) "Honoraria" means a payment or something of economic value given to a public official in  
34 exchange for services upon which custom or propriety prevents the setting of a price. Services in-  
35 clude, but are not limited to, speeches or other services rendered in connection with an event at  
36 which the public official appears in an official capacity.

37 (9) "Income" means income of any nature derived from any source, including, but not limited to,  
38 any salary, wage, advance, payment, dividend, interest, rent, honoraria, return of capital, forgiveness  
39 of indebtedness, or anything of economic value.

40 (10) "Legislative or administrative interest" means an economic interest, distinct from that of  
41 the general public, in one or more bills, resolutions, regulations, proposals or other matters subject  
42 to the action or vote of a person acting in the capacity of a public official.

43 (11) "Legislative official" means any member or member-elect of the Legislative Assembly, any  
44 member of an agency, board or committee that is part of the legislative branch and any staff person,  
45 assistant or employee thereof.

1 (12) “Member of **the** household” means any *[relative]* **person** who resides with the public official.

2 (13) “Planning commission” means a county planning commission created under ORS chapter 215  
 3 or a city planning commission created under ORS chapter 227.

4 (14) “Potential conflict of interest” means any action or any decision or recommendation by a  
 5 person acting in a capacity as a public official, the effect of which could be to the private pecuniary  
 6 benefit or detriment of the person or the person’s relative, or a business with which the person or  
 7 the person’s relative is associated, unless the pecuniary benefit or detriment arises out of the fol-  
 8 lowing:

9 (a) An interest or membership in a particular business, industry, occupation or other class re-  
 10 quired by law as a prerequisite to the holding by the person of the office or position.

11 (b) Any action in the person’s official capacity which would affect to the same degree a class  
 12 consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or  
 13 other group including one of which or in which the person, or the person’s relative or business with  
 14 which the person or the person’s relative is associated, is a member or is engaged. The commission  
 15 may by rule limit the minimum size of or otherwise establish criteria for or identify the smaller  
 16 classes that qualify under this exception.

17 (c) Membership in or membership on the board of directors of a nonprofit corporation that is  
 18 tax-exempt under section 501(c) of the Internal Revenue Code.

19 (15) “Public official” means any person who, when an alleged violation of this chapter occurs,  
 20 is serving the State of Oregon or any of its political subdivisions or any other public body of the  
 21 state as an officer, employee, agent or otherwise, and irrespective of whether the person is com-  
 22 pensated for such services.

23 (16) “Relative” means:

24 (a) The spouse of the public official[.];

25 **(b) The domestic partner of the public official;**

26 (c) Any children of the public official or of the public official’s spouse[, *and brothers, sisters*];

27 **(d) Siblings, spouses of siblings** or parents of the public official or of the public official’s  
 28 spouse[.];

29 **(e) Any individual for whom the public official has a legal support obligation; and**

30 **(f) Any individual for whom the public official provides benefits arising from the public**  
 31 **official’s public employment or from whom the public official receives benefits arising from**  
 32 **that individual’s employment.**

33 (17) “Statement of economic interest” means a statement as described by ORS 244.060 to 244.080.

34 (18) “Statewide official” means the Secretary of State or Secretary of State-elect, State Treas-  
 35 urer or State Treasurer-elect, Superintendent of Public Instruction or Superintendent-elect of Public  
 36 Instruction, Attorney General or Attorney General-elect and the Commissioner of the Bureau of  
 37 Labor and Industries or the Commissioner-elect of the Bureau of Labor and Industries.

38 (19) “Zoning commission” means an entity to which is delegated at least some of the discre-  
 39 tionary authority of a planning commission or governing body relating to zoning and land use mat-  
 40 ters.

41 **SECTION 3.** ORS 244.060 is amended to read:

42 244.060. The statement of economic interest filed under ORS 244.050[,] shall be on a form pre-  
 43 scribed by the Oregon Government Standards and Practices Commission[, *and*]. The person filing the  
 44 statement shall supply the information required by this section and ORS 244.090, as follows:

45 (1) The *[name]* **names** of all positions as officer of a business and business directorships held

1 by the person or a member of the household of the person during the preceding calendar year, **and**  
 2 **the principal address and a brief description of each business.**

3 (2) All names under which the person and members of the household of the person do business  
 4 **and the principal address and a brief description of each business.**

5 (3) **The names, principal addresses and brief descriptions of the five most significant**  
 6 sources of income received at any time during the preceding calendar year by the person [*or a*] **and**  
 7 **by each** member of the household of the person [*that produce 10 percent or more of the total annual*  
 8 *household income*], **a description of the type of income and the name of the person receiving**  
 9 **the income.**

10 [(4) *The name, principal address and brief description of the source of income from which 50 per-*  
 11 *cent or more of the total annual income of the person and members of the household of the person was*  
 12 *received during the preceding calendar year and whether the source existed during the preceding year,*  
 13 *and whether the source is derived from an entity that now does business or could reasonably be ex-*  
 14 *pected to do business or has legislative or administrative interest in the governmental agency of which*  
 15 *the public official is or the candidate if elected would be a member or over which the public official*  
 16 *has or the candidate if elected would have authority.]*

17 [(5)(a)] (4)(a) [*The listing*] **A list** of all real property in which the public official or candidate  
 18 [*therefor*] **for public office** or a member of the household of the public official or candidate has or  
 19 has had any personal, beneficial ownership interest during the preceding calendar year, any options  
 20 to purchase or sell real property, including a land sales contract, and any other rights of any kind  
 21 in real property located within the geographic boundaries of the governmental agency of which the  
 22 public official [*is*] **holds**, or the candidate if elected would [*be a member*] **hold, any official position**  
 23 or over which the public official [*has*] **exercises**, or the candidate if elected would [*have*] **exercise,**  
 24 **any** authority.

25 (b) This subsection does not require the listing of the principal residence of the public official  
 26 or candidate.

27 [(6)(a) *Notwithstanding ORS 244.020 (7)(c), if a public official has received food, lodging and pay-*  
 28 *ment of travel expenses exceeding \$100 when participating in an event which bears a relationship to*  
 29 *the public official's office and when appearing in an official capacity, the name, nature and business*  
 30 *address of the organization paying the expenses and the date and amount of that expenditure.]*

31 [(b) *Beginning on July 1, 1992, the dollar amount specified in paragraph (a) of this subsection shall*  
 32 *be adjusted annually by the commission based upon the change in the Portland Consumer Price Index*  
 33 *for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United*  
 34 *States Department of Labor or its successor during the preceding 12-month period. The amount deter-*  
 35 *mined under this paragraph shall be rounded to the nearest dollar.]*

36 [(7) *Any honoraria exceeding \$50 received during the preceding calendar year by the person or a*  
 37 *member of the household of the person, the payer of the honoraria and the date and time of the event*  
 38 *for which the honoraria was received.]*

39 (5) **The name of each member of the household of the person who is 18 years of age or**  
 40 **older.**

41 (6) **The name of each relative of the person who is 18 years of age or older and not a**  
 42 **member of the household of the person.**

43 **SECTION 4.** ORS 244.070 is amended to read:

44 244.070. **A public official or candidate for public office shall report** the following additional  
 45 economic interest [*shall be reported*] for the preceding calendar year only if the source of that in-

1 terest is derived from an individual or business *[which]* **that** has been doing business, does business  
 2 or could reasonably be expected to do business with, or has legislative or administrative interest  
 3 in, the governmental agency of which the public official *[is]* **holds**, or the candidate if elected would  
 4 *[be a member]* **hold, any official position** or over which the public official *[has]* **exercises**, or the  
 5 candidate if elected would *[have]* **exercise, any** authority:

6 *[(1) Each source of income over \$1,000, other than a source of income disclosed under ORS 244.060,*  
 7 *whether or not taxable, received by the public official or candidate therefor or a member of the house-*  
 8 *hold of the public official or candidate.]*

9 *[(2)]* **(1)** Each person to whom the public official or candidate *[therefor]* **for public office** or a  
 10 member of the household of the public official or candidate owes or has owed money in excess of  
 11 \$1,000, the interest rate *[thereon]* **on money owed** and the date of the loan, except for debts owed  
 12 to any federal or state regulated financial institution or retail contracts.

13 *[(3)]* **(2)** *[Each business]* **The name**, principal address*[,]* and brief description of *[its]* **the**  
 14 nature*[,]* **of each business** in which the public official or candidate *[therefor]* **for public office** or  
 15 a member of the household of the public official or candidate has or has had a personal, beneficial  
 16 interest or investment, including stocks or other securities, in excess of \$1,000, except for individual  
 17 items involved in a mutual fund or a blind trust, or a time or demand deposit in a financial institu-  
 18 tion, shares in a credit union, or the cash surrender value of life insurance.

19 *[(4)]* **(3)** Each person for whom the public official or candidate **for public office** has performed  
 20 services for a fee in excess of \$1,000, except for any disclosure otherwise prohibited by law or by  
 21 a professional code of ethics.

22 **SECTION 5.** ORS 244.090 is amended to read:

23 244.090. (1) Each public official *[of this state]* or candidate required to *[make]* **file** a statement  
 24 of economic interest **under this chapter** shall *[report by]* **include on the statement the** name any  
 25 compensated lobbyist who, during the preceding calendar year, was associated with a business with  
 26 which the public official or candidate or a member of the household of the public official or candi-  
 27 date was also associated. *[Holding stock in a publicly traded corporation in which the lobbyist also*  
 28 *holds stock is not a relationship for which a statement is required.]*

29 **(2) Subsection (1) of this section does not apply if the only relationship between the public**  
 30 **official or candidate and the lobbyist is that the public official or candidate and lobbyist hold**  
 31 **stock in the same publicly traded corporation.**

32 *[(2)]* **(3)** As used in this section, “lobbyist” has the meaning *[set forth]* **given that term** in ORS  
 33 171.725.

34 **SECTION 6.** ORS 244.100 is amended to read:

35 244.100. *[(1) The Oregon Government Standards and Practices Commission by rule may require the*  
 36 *disclosure and reporting of gifts or other compensation made to or received by a public official or*  
 37 *candidate for elective office.]*

38 *[(2) The commission by rule may exempt from the gift limitation contained in ORS 244.040, any*  
 39 *gift of food or beverage but may require that when gifts of food or beverage exceed a dollar amount*  
 40 *fixed by the commission, the source thereof shall be disclosed on a form prescribed by the*  
 41 *commission.]*

42 **(1) A public official or candidate for public office who is required to file a statement of**  
 43 **economic interest under ORS 244.050 shall file with the Oregon Government Standards and**  
 44 **Practices Commission, according to the schedule set forth in section 8 of this 2007 Act, a**  
 45 **statement showing for the applicable reporting period:**



1 (a) Any gift with a value exceeding \$15 that is subject to the \$100 limit specified in ORS  
 2 244.040 and that was received by the public official or candidate or relative of the public of-  
 3 ficial or candidate. The statement shall include the name of each person who made a gift,  
 4 the date each gift was received, the value of each gift and a description of the nature of each  
 5 gift. If the public official or candidate does not receive notice under subsection (3) of this  
 6 section of the value of the gift, the public official or candidate shall include on the statement  
 7 a good faith estimate of the value of the gift.

8 (b) Notwithstanding ORS 244.020 (7)(c), any food, lodging or travel expenses with an ag-  
 9 gregate value exceeding \$75 received by the public official when participating in an event that  
 10 bears a relationship to the public official's office and when appearing in an official capacity.  
 11 The statement shall include the name, business title and business address of the person  
 12 paying the expenses, the nature of the event and the date and amount of the expenditure.

13 (c) Any honorarium of money exceeding \$15 received by the public official, candidate or  
 14 member of the household of the official or candidate, the payer of each honorarium and the  
 15 date and time of the event for which the honorarium was received.

16 (d) Each source of income exceeding an aggregate amount of \$1,000, whether or not tax-  
 17 able, received by the public official or candidate for public office, or a member of the  
 18 household of the public official or candidate, if the source of that income is derived from an  
 19 individual or business that has been doing business, does business or could reasonably be  
 20 expected to do business with, or has legislative or administrative interest in, the govern-  
 21 mental agency of which the public official holds, or the candidate if elected would hold, any  
 22 official position or over which the public official exercises, or the candidate if elected would  
 23 exercise, any authority.

24 (2) A person who makes a gift with a value exceeding \$15 that is subject to the \$100 limit  
 25 specified in ORS 244.040 to a public official or candidate for public office who is required to  
 26 file a statement of economic interest under ORS 244.050, or to a relative of the public official  
 27 or candidate, shall file a statement of gifts made with the commission according to the  
 28 schedule set forth in section 8 of this 2007 Act. If the person making a gift is a lobbyist  
 29 registered with the commission under ORS 171.725 to 171.785, any gifts subject to this sub-  
 30 section may be reported on statements filed under ORS 171.745. A statement filed under this  
 31 subsection shall include the name and address of the person filing the statement, the name  
 32 of each person who received a gift, the date each gift was made, the value of each gift and  
 33 a description of the nature of each gift. The commission by rule may require additional in-  
 34 formation.

35 (3) In addition to *[any disclosures or reports]* **statements** required under subsections (1) and (2)  
 36 of this section[,]:

37 (a) *[Any]* A person *[or organization that]* **who** provides a public official with food, lodging or  
 38 travel expenses exceeding *[\$50]* **an aggregate value of \$75***[, as described in ORS 244.060 (6),]* shall  
 39 notify the public official in writing of the amount of the expense. **The person shall provide** the  
 40 notice *[shall be sent]* to the public official *[within 10 days from]* **not later than 10 days after** the  
 41 date *[such]* **the** expenses are incurred.

42 (b) A person who makes a gift to a public official or candidate for public office, or to a  
 43 relative of a public official or candidate, that must be listed on a statement filed under sub-  
 44 section (1) of this section shall notify the public official or candidate in writing of the value  
 45 of the gift. The person shall provide the notice not later than five days after the date the

1 person makes the gift.

2 **SECTION 7.** Section 8 of this 2007 Act is added to and made a part of ORS chapter 244.

3 **SECTION 8.** Statements required to be filed with the Oregon Government Standards and  
4 Practices Commission under ORS 244.100 shall be filed in each calendar year:

5 (1) Not later than April 15, for the accounting period beginning January 1 and ending  
6 March 31;

7 (2) Not later than July 15, for the accounting period beginning April 1 and ending June  
8 30;

9 (3) Not later than October 15, for the accounting period beginning July 1 and ending  
10 September 30; and

11 (4) Not later than January 7 of the following calendar year, for the accounting period  
12 beginning October 1 and ending December 31.

13 **SECTION 9.** ORS 244.160 is amended to read:

14 244.160. (1) Any political subdivision in this state, other than a city or county, by resolution  
15 may require any public official of the subdivision to file a verified statement of economic interest[.  
16 *The filing shall be made*] **described in ORS 244.060 and the statements required under ORS**  
17 **244.100** with the Oregon Government Standards and Practices Commission.

18 (2) **The political subdivision shall file a copy of the resolution** [*A copy of the ordinance shall*  
19 *be filed*] with the commission.

20 **SECTION 10.** ORS 244.195 is amended to read:

21 244.195. (1) [*The city recorder or county clerk, respectively, shall provide to every person newly*  
22 *elected or appointed to any city or county office for which statements of financial interest are required*  
23 *under ORS 244.050 information about the requirements of ORS 244.050, 244.060, 244.070, 244.080 and*  
24 *244.090*] **A person designated by a public body as defined in ORS 174.109 shall provide infor-**  
25 **mation explaining the requirements of ORS 244.050, 244.060, 244.070, 244.080, 244.090 and**  
26 **244.100 to each newly elected or appointed public official serving the public body who is re-**  
27 **quired to file a verified statement of economic interest under ORS 244.050 or statements**  
28 **under ORS 244.100. The information must be received by the public official either at the first**  
29 **meeting attended by the** [*new officer*] **public official** or before the [*officer*] **public official** takes the  
30 oath of office, whichever [*is*] **occurs** first.

31 (2) At the time of fulfilling duties under subsection (1) of this section, the [*city recorder or county*  
32 *clerk*] **person designated by the public body** shall provide to each [*new officer*] **newly elected or**  
33 **appointed public official serving the public body** a copy of the statements and explanation pro-  
34 vided to the [*city recorder or county clerk*] **public body** under subsection (3) of this section.

35 (3) The Oregon Government Standards and Practices Commission shall provide copies of the  
36 statements described in ORS 244.060, 244.070, 244.080, [*and*] 244.090 **and 244.100** and an explanation  
37 of the requirements of the law relating to the statements to each [*city recorder and county clerk*]  
38 **public body that is served by a public official who is required to file a statement described**  
39 **in ORS 244.060, 244.070, 244.080, 244.090 or 244.100.**

40 (4) [*Any person described in subsection (1) of this section*] **A newly elected or appointed public**  
41 **official serving a public body** who is not informed of the filing requirements under ORS 244.050,  
42 244.060, 244.070, 244.080, [*and*] 244.090 **and 244.100** and provided with a copy of the statements and  
43 explanation [*described in subsection (3) of*] **as required under** this section before **attending the**  
44 **first meeting or** taking the oath of office may resign that office within 90 days thereafter or before  
45 the next date specified in ORS 244.050 **or 244.100** for the filing of a statement, whichever is

1 *[longer]* **later**, without filing *[any statement]* **a verified statement of economic interest or a**  
 2 **statement required under ORS 244.100** and without **incurring** a sanction or penalty that might  
 3 otherwise be imposed for not filing.

4 **SECTION 11.** ORS 244.055 is amended to read:

5 244.055. (1) In addition to the statement required by ORS 244.050, the State Treasurer and any  
 6 person listed under ORS 244.050 (1)(q) and this subsection shall file quarterly at a time fixed by the  
 7 State Treasurer a trading statement listing all stocks, bonds and other types of securities purchased  
 8 or sold during the preceding quarter:

9 (a) Directors of the Cash Management Division and the Debt Management Division.

10 (b) Equities, fixed income, short term fund, real estate, equities real estate and commercial and  
 11 mortgage real estate investment officers and assistant investment officers.

12 (c) Fixed income and short term fund investment analysts.

13 (2) The statement required by subsection (1) of this section shall be filed for review with the  
 14 State Treasurer, the Attorney General and the Division of Audits of the office of the Secretary of  
 15 State. The content of the statement is confidential.

16 (3) If the State Treasurer or the Chief Deputy State Treasurer determines that a conflict of inter-  
 17 est exists for an officer or employee, the State Treasurer shall subject the person to appropriate  
 18 discipline, including dismissal or termination of the contract, or both, pursuant to rule. If the State  
 19 Treasurer has cause to believe that a violation of this chapter has occurred, the State Treasurer  
 20 shall file a complaint with the Oregon Government Standards and Practices Commission under ORS  
 21 244.260.

22 (4) If the State Treasurer fails to act on an apparent conflict of interest under subsection (3)  
 23 of this section or if the statement of the State Treasurer or the Chief Deputy State Treasurer ap-  
 24 pears to contain a conflict of interest, the Director of the Division of Audits shall report the failure  
 25 or apparent conflict to the Attorney General, who may file a complaint with the commission.

26 *[(5) A person filing the statement required by subsection (1) of this section must verify that the*  
 27 *statement is complete and accurate. A person who intentionally fails to file a complete and accurate*  
 28 *statement commits a Class C felony and may also be subject to ORS 162.075.]*

29 **SECTION 12.** ORS 244.110 is amended to read:

30 244.110. (1) *[Any]* **Each** statement of economic interest required to be filed by ORS 244.050,  
 31 244.060, 244.070, 244.080, 244.090 or 244.100 **and each trading statement required to be filed un-**  
 32 **der ORS 244.055 shall be signed and certified as true by the person required to file it and shall**  
 33 contain *[or be verified by]* a written declaration that *[it]* **the statement** is made under the penalties  
 34 of false swearing. *[Such declaration shall be in lieu of any oath otherwise required.]*

35 (2) *[No person shall willfully make and subscribe any return statement or other document which*  
 36 *contains or is verified by a written declaration that it is made under penalties for false swearing, which*  
 37 *the person does not believe to be true and correct to every matter.]* **A person may not sign and**  
 38 **certify a statement under subsection (1) of this section if the person knows that the state-**  
 39 **ment contains information that is false.**

40 (3) **Violation of subsection (2) of this section is punishable as false swearing under ORS**  
 41 **162.075.**

42 **SECTION 13.** Section 14 of this 2007 Act is added to and made a part of ORS chapter 244.

43 **SECTION 14.** A person who intentionally fails to file a complete and accurate statement  
 44 under ORS 244.055 commits a Class C felony.

45 **SECTION 15.** ORS 244.115 is amended to read:

1       244.115. (1) Each member of Congress from this state and each candidate for [*a seat in*  
2 *Congress*] **nomination or election to the office of United States Representative in Congress**  
3 **or United States Senator** from this state shall file with the Oregon Government Standards and  
4 Practices Commission a copy of the federal ethics filing required under federal law or by congress-  
5 sional rule.

6       (2) **The member or candidate shall file the information required under subsection (1) of**  
7 **this section not later than** [*within*] 30 days after the filing date required under federal law or  
8 congressional rule. If the filing is not made in a timely manner, the commission shall obtain copies  
9 of the filing and indicate [*thereon*] **on the filing** that the filing was not made with the commission  
10 by the member [*of Congress*] or candidate.

11       (3) All [*such*] filings **made under this section** are public records available for public inspection.

12       **SECTION 16.** ORS 244.130 is amended to read:

13       244.130. (1) When a public official gives notice of an actual or potential conflict of interest, **the**  
14 **public body as defined in ORS 174.109 that the public official serves shall record** the actual or  
15 potential conflict [*shall be recorded*] in the official records of the public body[, *and*]. **In addition,** a  
16 notice of the actual or potential conflict and how it was disposed of may in the discretion of the  
17 public body be provided **to** the Oregon Government Standards and Practices Commission within a  
18 reasonable period of time. The commission [*may*] by rule **may** establish criteria for cases in which  
19 [*such information shall, shall not, or may be provided to it*] **notices of conflicts of interest shall,**  
20 **may or may not be provided to the commission.**

21       (2) [*No*] **A** decision or action of any public official or any board or commission on which the  
22 public official serves or agency by which the public official is employed [*shall*] **may not** be voided  
23 by any court solely by reason of the failure of the public official to disclose an actual or potential  
24 conflict of interest.

25       **SECTION 17.** ORS 244.290 is amended to read:

26       244.290. The Oregon Government Standards and Practices Commission shall:

27       (1) Prescribe forms for statements required by this chapter and provide the forms to persons  
28 required to file the statements under this chapter or resolution adopted [*pursuant thereto*] **under**  
29 **this chapter.**

30       (2) Prepare, publish and provide a manual setting forth recommended uniform methods of re-  
31 porting for use by persons filing statements under this chapter or resolution adopted [*pursuant*  
32 *thereto*] **under this chapter.**

33       (3) Develop a filing, coding and cross-indexing system consistent with the purposes of this  
34 chapter.

35       (4) Prepare and publish [*such*] **any** reports [*as*] the commission [*finds*] **determines are** neces-  
36 sary.

37       (5) Adopt rules necessary to carry out its duties under ORS 171.725 to 171.785 and 171.992 and  
38 this chapter, including rules to:

39       (a) Create a procedure under which items before the commission may be treated under a consent  
40 calendar and voted on as a single item;

41       (b) Exempt a public official who is otherwise required to file a statement pursuant to ORS  
42 244.050 from filing the statement if the regularity, number and frequency of the meetings and actions  
43 of the body over which the public official has jurisdiction are so few or infrequent as not to warrant  
44 the public disclosure;

45       (c) Establish an administrative process whereby a person subpoenaed by the commission may

1 obtain a protective order; and

2 (d) List criteria and establish a process for the commission to use prosecutorial discretion to  
 3 decide whether to proceed with an inquiry or investigation.

4 **(6) Accept and file any information voluntarily supplied that exceeds the requirements**  
 5 **of this chapter.**

6 **(7) Make statements and other information filed with the commission available for public**  
 7 **inspection and copying during regular office hours, and make copying facilities available at**  
 8 **a charge not to exceed actual cost.**

9 **SECTION 18.** ORS 244.300 is amended to read:

10 244.300. (1) Records of the Oregon Government Standards and Practices Commission [*shall con-*  
 11 *stitute*] **are** public records of this state.

12 **(2) All information submitted to the Oregon Government Standards and Practices Com-**  
 13 **mission in any statement required under this chapter is a public record.**

14 **SECTION 19.** ORS 244.180, 244.190 and 244.201 are repealed.

15 **SECTION 20.** (1) The amendments to ORS 244.020, 244.050, 244.060, 244.070 and 244.090 by  
 16 sections 1 to 5 of this 2007 Act apply to statements required to be filed with the Oregon  
 17 Government Standards and Practices Commission for reporting periods beginning on or after  
 18 the effective date of this 2007 Act.

19 **(2) Section 8 of this 2007 Act and the amendments to ORS 244.100 by section 6 of this 2007**  
 20 **Act apply to statements required to be filed and notices required to be provided for reporting**  
 21 **periods beginning on or after the effective date of this 2007 Act.**

22 **(3) Section 14 of this 2007 Act and the amendments to ORS 244.055 and 244.110 by sections**  
 23 **11 and 12 of this 2007 Act apply to statements required to be filed on or after the effective**  
 24 **date of this 2007 Act.**

25 **(4) The amendments to ORS 244.195 by section 10 of this 2007 Act apply to copies of**  
 26 **statements and explanations required to be provided to public officials who are elected or**  
 27 **appointed on or after the effective date of this 2007 Act.**

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