

# B-Engrossed House Bill 2518

Ordered by the Senate June 15  
Including House Amendments dated May 19 and Senate Amendments  
dated June 15

Sponsored by Representative ROBLAN; Representatives BARKER, BEYER, BUCKLEY, D EDWARDS, GARRARD, GELSER, GREENLICK, HARKER, HOLVEY, NATHANSON, RILEY, STIEGLER, THATCHER, WHISNANT, Senators BATES, BURDICK, JOHNSON, MORRISETTE

## 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.

Exempts from definition of "gift," for purposes of ethics laws, specified program material, specified expenses for attendance at conference and reasonable expenses paid to public school employee for accompanying students on educational trip. **Removes requirement that not-for-profit corporation receive specified amount of funding from for-profit organization for reasonable expenses paid by not-for-profit corporation to be exempt from definition of "gift."**

Makes technical changes to definition of "relative" for purposes related to receipt of gifts under ethics law.

**Changes date on which person who ceases to be public official may have direct beneficial financial interest in public contract from two years after date person ceases to be public official to two years after date on which contract was authorized.**

Repeals provision that imposes additional sanctions on public official or candidate for failure to file statement of economic interest.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to government ethics; creating new provisions; amending ORS 244.020, 244.047, 244.175 and  
3 244.350 and sections 28 and 29, chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30); repeal-  
4 ing ORS 244.380 and section 22, chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30); and  
5 declaring an emergency.

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

7 **SECTION 1.** ORS 244.020 is amended to read:

8 244.020. As used in this chapter, unless the context requires otherwise:

9 (1) "Actual conflict of interest" means any action or any decision or recommendation by a per-  
10 son acting in a capacity as a public official, the effect of which would be to the private pecuniary  
11 benefit or detriment of the person or the person's relative or any business with which the person  
12 or a relative of the person is associated unless the pecuniary benefit or detriment arises out of cir-  
13 cumstances described in subsection (11) of this section.

14 (2) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise,  
15 association, organization, self-employed individual and any other legal entity operated for economic  
16 gain but excluding any income-producing not-for-profit corporation that is tax exempt under section  
17 501(c) of the Internal Revenue Code with which a public official or a relative of the public official  
18 is associated only as a member or board director or in a nonremunerative capacity.

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

20 (a) Any private business or closely held corporation of which the person or the person's relative

**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 is a director, officer, owner or employee, or agent or any private business or closely held corpo-  
2 ration in which the person or the person's relative owns or has owned stock, another form of equity  
3 interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding cal-  
4 endar year;

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

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

10 (d) For public officials required to file a statement of economic interest under ORS 244.050, any  
11 business listed as a source of income as required under ORS 244.060 (3).

12 (4) "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 (5)(a) "Gift" means something of economic value given to a public official or a relative or  
16 member of the household of the public official:

17 (A) 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 or  
19 members of the household of public officials on the same terms and conditions; or

20 (B) For valuable consideration less than that required from others who are not public officials.

21 (b) "Gift" does not mean:

22 (A) Contributions as defined in ORS 260.005.

23 (B) Gifts from relatives or members of the household of the public official.

24 (C) An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item,  
25 wall memento or similar item, with a resale value reasonably expected to be less than \$25.

26 (D) Informational **or program** material, publications or subscriptions related to the recipient's  
27 performance of official duties.

28 (E) Admission provided to or the cost of food or beverage consumed by a public official, or a  
29 member of the household or staff of the public official when accompanying the public official, at a  
30 reception, meal or meeting held by an organization before whom the public official appears to speak  
31 or to answer questions as part of a scheduled program.

32 (F) Reasonable expenses paid by any unit of the federal government, a state or local government,  
33 a Native American tribe that is recognized by federal law or formally acknowledged by a state, a  
34 membership organization to which a public body as defined in ORS 174.109 pays membership dues  
35 or a not-for-profit corporation that is tax exempt under section 501(c)(3) of the Internal Revenue  
36 Code [*and that receives less than five percent of its funding from for-profit organizations or entities*],  
37 for attendance at a convention, fact-finding mission or trip, **conference** or other meeting if the  
38 public official is scheduled to deliver a speech, make a presentation, participate on a panel or rep-  
39 resent state government as defined in ORS 174.111, a local government as defined in ORS 174.116  
40 or a special government body as defined in ORS 174.117.

41 (G) Contributions made to a legal expense trust fund established under ORS 244.209 for the  
42 benefit of the public official.

43 (H) Reasonable food, travel or lodging expenses provided to a public official, a relative of the  
44 public official accompanying the public official, a member of the household of the public official ac-  
45 companying the public official or a staff member of the public official accompanying the public offi-

1 cial, when the public official is representing state government as defined in ORS 174.111, a local  
2 government as defined in ORS 174.116 or a special government body as defined in ORS 174.117:

3 (i) On an officially sanctioned trade-promotion or fact-finding mission; or

4 (ii) In officially designated negotiations, or economic development activities, where receipt of the  
5 expenses is approved in advance.

6 (I) Food or beverage consumed by a public official acting in an official capacity:

7 (i) In association with the review, approval, execution of documents or closing of a borrowing,  
8 investment or other financial transaction, including any business agreement between state govern-  
9 ment as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special govern-  
10 ment body as defined in ORS 174.117 and a private entity or public body as defined in ORS 174.109;

11 (ii) While engaged in due diligence research or presentations by the office of the State Treasurer  
12 related to an existing or proposed investment or borrowing; or

13 (iii) While engaged in a meeting of an advisory, governance or policy-making body of a corpo-  
14 ration, partnership or other entity in which the office of the State Treasurer has invested moneys.

15 (J) Waiver or discount of registration expenses or materials provided to a public official at a  
16 continuing education event that the public official may attend to satisfy a professional licensing  
17 requirement.

18 (K) Expenses provided by one public official to another public official for travel inside this state  
19 to or from an event that bears a relationship to the receiving public official's office and at which  
20 the official participates in an official capacity.

21 (L) Food or beverage consumed by a public official at a reception where the food or beverage  
22 is provided as an incidental part of the reception and no cost is placed on the food or beverage.

23 (M) Entertainment provided to a public official or a relative or member of the household of the  
24 public official that is incidental to the main purpose of another event.

25 (N) Entertainment provided to a public official or a relative or member of the household of the  
26 public official where the public official is acting in an official capacity while representing state  
27 government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special  
28 government body as defined in ORS 174.117 for a ceremonial purpose.

29 **(O) Reasonable expenses paid to a public school employee for accompanying students on  
30 an educational trip.**

31 (6) "Honorarium" means a payment or something of economic value given to a public official in  
32 exchange for services upon which custom or propriety prevents the setting of a price. Services in-  
33 clude, but are not limited to, speeches or other services rendered in connection with an event.

34 (7) "Income" means income of any nature derived from any source, including, but not limited to,  
35 any salary, wage, advance, payment, dividend, interest, rent, honorarium, return of capital,  
36 forgiveness of indebtedness, or anything of economic value.

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

40 (9) "Member of the household" means any person who resides with the public official.

41 (10) "Planning commission" means a county planning commission created under ORS chapter 215  
42 or a city planning commission created under ORS chapter 227.

43 (11) "Potential conflict of interest" means any action or any decision or recommendation by a  
44 person acting in a capacity as a public official, the effect of which could be to the private pecuniary  
45 benefit or detriment of the person or the person's relative, or a business with which the person or

1 the person's relative is associated, unless the pecuniary benefit or detriment arises out of the fol-  
2 lowing:

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

5 (b) Any action in the person's official capacity which would affect to the same degree a class  
6 consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or  
7 other group including one of which or in which the person, or the person's relative or business with  
8 which the person or the person's relative is associated, is a member or is engaged.

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

11 (12) "Public office" has the meaning given that term in ORS 260.005.

12 (13) "Public official" means any person who, when an alleged violation of this chapter occurs,  
13 is serving the State of Oregon or any of its political subdivisions or any other public body as defined  
14 in ORS 174.109 as an elected official, appointed official, employee, agent or otherwise, irrespective  
15 of whether the person is compensated for the services.

16 (14) "Relative" means:

17 (a) The spouse of the public official;

18 (b) The domestic partner of the public official;

19 (c) Any children of the public official or of the public official's spouse;

20 (d) Siblings, spouses of siblings or parents of the public official or of the public official's spouse;

21 (e) Any individual for whom the public official has a legal support obligation; or

22 (f) Any individual for whom the public official provides benefits arising from the public official's  
23 public employment or from whom the public official receives benefits arising from that individual's  
24 employment.

25 (15) "Statement of economic interest" means a statement as described by ORS 244.060, 244.070  
26 or 244.100.

27 (16) "Zoning commission" means an entity to which is delegated at least some of the discre-  
28 tionary authority of a planning commission or governing body relating to zoning and land use mat-  
29 ters.

30 **SECTION 2.** ORS 244.020, as amended by section 1 of this 2009 Act and section 2, chapter 68,  
31 Oregon Laws 2009 (Enrolled Senate Bill 30), is amended to read:

32 244.020. As used in this chapter, unless the context requires otherwise:

33 (1) "Actual conflict of interest" means any action or any decision or recommendation by a per-  
34 son acting in a capacity as a public official, the effect of which would be to the private pecuniary  
35 benefit or detriment of the person or the person's relative or any business with which the person  
36 or a relative of the person is associated unless the pecuniary benefit or detriment arises out of cir-  
37 cumstances described in subsection (12) of this section.

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

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

44 (a) Any private business or closely held corporation of which the person or the person's relative  
45 is a director, officer, owner or employee, or agent or any private business or closely held corpo-

1 ration in which the person or the person's relative owns or has owned stock, another form of equity  
2 interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding cal-  
3 endar year;

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

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

9 (d) For public officials required to file a statement of economic interest under ORS 244.050, any  
10 business listed as a source of income as required under ORS 244.060 (3).

11 (4) "Candidate" means an individual for whom a declaration of candidacy, nominating petition  
12 or certificate of nomination to public office has been filed or whose name is printed on a ballot or  
13 is expected to be or has been presented, with the individual's consent, for nomination or election to  
14 public office.

15 (5) "Development commission" means any entity that has the authority to purchase, develop,  
16 improve or lease land or the authority to operate or direct the use of land. This authority must be  
17 more than ministerial.

18 (6)(a) "Gift" means something of economic value given to a public official, a candidate or a rel-  
19 ative or member of the household of the public official or candidate:

20 (A) Without valuable consideration of equivalent value, including the full or partial forgiveness  
21 of indebtedness, which is not extended to others who are not public officials or candidates or the  
22 relatives or members of the household of public officials or candidates on the same terms and con-  
23 ditions; or

24 (B) For valuable consideration less than that required from others who are not public officials  
25 or candidates.

26 (b) "Gift" does not mean:

27 (A) Contributions as defined in ORS 260.005.

28 (B) Gifts from relatives or members of the household of the public official or candidate.

29 (C) An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item,  
30 wall memento or similar item, with a resale value reasonably expected to be less than \$25.

31 (D) Informational or program material, publications or subscriptions related to the recipient's  
32 performance of official duties.

33 (E) Admission provided to or the cost of food or beverage consumed by a public official, or a  
34 member of the household or staff of the public official when accompanying the public official, at a  
35 reception, meal or meeting held by an organization when the public official represents state gov-  
36 ernment as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special gov-  
37 ernment body as defined in ORS 174.117.

38 (F) Reasonable expenses paid by any unit of the federal government, a state or local government,  
39 a Native American tribe that is recognized by federal law or formally acknowledged by a state, a  
40 membership organization to which a public body as defined in ORS 174.109 pays membership dues  
41 or a not-for-profit corporation that is tax exempt under section 501(c)(3) of the Internal Revenue  
42 Code, for attendance at a convention, fact-finding mission or trip, conference or other meeting if the  
43 public official is scheduled to deliver a speech, make a presentation, participate on a panel or rep-  
44 resent state government as defined in ORS 174.111, a local government as defined in ORS 174.116  
45 or a special government body as defined in ORS 174.117.

1 (G) Contributions made to a legal expense trust fund established under ORS 244.209 for the  
2 benefit of the public official.

3 (H) Reasonable food, travel or lodging expenses provided to a public official, a relative of the  
4 public official accompanying the public official, a member of the household of the public official ac-  
5 companying the public official or a staff member of the public official accompanying the public offi-  
6 cial, when the public official is representing state government as defined in ORS 174.111, a local  
7 government as defined in ORS 174.116 or a special government body as defined in ORS 174.117:

8 (i) On an officially sanctioned trade-promotion or fact-finding mission; or

9 (ii) In officially designated negotiations, or economic development activities, where receipt of the  
10 expenses is approved in advance.

11 (I) Food or beverage consumed by a public official acting in an official capacity:

12 (i) In association with the review, approval, execution of documents or closing of a borrowing,  
13 investment or other financial transaction, including any business agreement between state govern-  
14 ment as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special govern-  
15 ment body as defined in ORS 174.117 and a private entity or public body as defined in ORS 174.109;

16 (ii) While engaged in due diligence research or presentations by the office of the State Treasurer  
17 related to an existing or proposed investment or borrowing; or

18 (iii) While engaged in a meeting of an advisory, governance or policy-making body of a corpo-  
19 ration, partnership or other entity in which the office of the State Treasurer has invested moneys.

20 (J) Waiver or discount of registration expenses or materials provided to a public official or  
21 candidate at a continuing education event that the public official or candidate may attend to satisfy  
22 a professional licensing requirement.

23 (K) Expenses provided by one public official to another public official for travel inside this state  
24 to or from an event that bears a relationship to the receiving public official's office and at which  
25 the official participates in an official capacity.

26 (L) Food or beverage consumed by a public official or candidate at a reception where the food  
27 or beverage is provided as an incidental part of the reception and no cost is placed on the food or  
28 beverage.

29 (M) Entertainment provided to a public official or candidate or a relative or member of the  
30 household of the public official or candidate that is incidental to the main purpose of another event.

31 (N) Entertainment provided to a public official or a relative or member of the household of the  
32 public official where the public official is acting in an official capacity while representing state  
33 government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special  
34 government body as defined in ORS 174.117 for a ceremonial purpose.

35 (O) Anything of economic value offered to or solicited or received by a public official or candi-  
36 date, or a relative or member of the household of the public official or candidate:

37 (i) As part of the usual and customary practice of the person's private business, or the person's  
38 employment or position as a volunteer with a private business, corporation, partnership,  
39 proprietorship, firm, enterprise, franchise, association, organization, not-for-profit corporation or  
40 other legal entity operated for economic value; and

41 (ii) That bears no relationship to the public official's or candidate's holding of, or candidacy for,  
42 the official position or public office.

43 [(O)] (P) Reasonable expenses paid to a public school employee for accompanying students on  
44 an educational trip.

45 (7) "Honorarium" means a payment or something of economic value given to a public official in

1 exchange for services upon which custom or propriety prevents the setting of a price. Services in-  
2 clude, but are not limited to, speeches or other services rendered in connection with an event.

3 (8) "Income" means income of any nature derived from any source, including, but not limited to,  
4 any salary, wage, advance, payment, dividend, interest, rent, honorarium, return of capital,  
5 forgiveness of indebtedness, or anything of economic value.

6 (9) "Legislative or administrative interest" means an economic interest, distinct from that of the  
7 general public, in:

8 (a) Any matter subject to the decision or vote of the public official acting in the public official's  
9 capacity as a public official; or

10 (b) Any matter that would be subject to the decision or vote of the candidate who, if elected,  
11 would be acting in the capacity of a public official.

12 (10) "Member of the household" means any person who resides with the public official or can-  
13 didate.

14 (11) "Planning commission" means a county planning commission created under ORS chapter 215  
15 or a city planning commission created under ORS chapter 227.

16 (12) "Potential conflict of interest" means any action or any decision or recommendation by a  
17 person acting in a capacity as a public official, the effect of which could be to the private pecuniary  
18 benefit or detriment of the person or the person's relative, or a business with which the person or  
19 the person's relative is associated, unless the pecuniary benefit or detriment arises out of the fol-  
20 lowing:

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

23 (b) Any action in the person's official capacity which would affect to the same degree a class  
24 consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or  
25 other group including one of which or in which the person, or the person's relative or business with  
26 which the person or the person's relative is associated, is a member or is engaged.

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

29 (13) "Public office" has the meaning given that term in ORS 260.005.

30 (14) "Public official" means any person who, when an alleged violation of this chapter occurs,  
31 is serving the State of Oregon or any of its political subdivisions or any other public body as defined  
32 in ORS 174.109 as an elected official, appointed official, employee or agent, irrespective of whether  
33 the person is compensated for the services.

34 (15) "Relative" means:

35 (a) The spouse of the public official or candidate;

36 [(b) *The domestic partner of the public official or candidate;*]

37 [(c)] (b) Any children of the public official or of the public official's spouse [*or domestic*  
38 *partner;*];

39 [(d)] (c) Any children of the candidate or of the candidate's spouse [*or domestic partner;*];

40 [(e)] (d) Siblings, spouses of siblings or parents of the public official or of the public official's  
41 spouse [*or domestic partner;*];

42 [(f)] (e) Siblings, spouses of siblings or parents of the candidate or of the candidate's spouse [*or*  
43 *domestic partner;*];

44 [(g)] (f) Any individual for whom the public official or candidate has a legal support obligation;

45 [(h)] (g) Any individual for whom the public official provides benefits arising from the public

1 official's public employment or from whom the public official receives benefits arising from that in-  
2 dividual's employment; or

3 [(i)] (h) Any individual from whom the candidate receives benefits arising from that individual's  
4 employment.

5 (16) "Statement of economic interest" means a statement as described by ORS 244.060 or 244.070.

6 (17) "Zoning commission" means an entity to which is delegated at least some of the discre-  
7 tionary authority of a planning commission or governing body relating to zoning and land use mat-  
8 ters.

9 **SECTION 3.** ORS 244.175 is amended to read:

10 244.175. As used in ORS 244.177 and 244.179:

11 (1) "Governing body" has the meaning given that term in ORS 192.610.

12 (2) "Member of the household" means any person who resides with the public official.

13 (3) "Public body" has the meaning given that term in ORS 174.109.

14 (4) "Relative" means the spouse [*or domestic partner*] of the public official, any children of the  
15 public official or of the public official's spouse [*or domestic partner*], and brothers, sisters, half  
16 brothers, half sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law,  
17 fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren or parents of the public of-  
18 ficial or of the public official's spouse [*or domestic partner*].

19 **SECTION 4.** ORS 244.350 is amended to read:

20 244.350. (1) The Oregon Government Ethics Commission may impose civil penalties not to ex-  
21 ceed:

22 (a) Except as provided in paragraph (b) of this subsection, \$5,000 for violation of any provision  
23 of this chapter or any resolution adopted under ORS 244.160.

24 (b) \$25,000 for violation of ORS 244.045.

25 (2)(a) Except as provided in paragraph (b) of this subsection, the commission may impose civil  
26 penalties not to exceed \$1,000 for violation of any provision of ORS 192.660.

27 (b) A civil penalty may not be imposed under this subsection if the violation occurred as a result  
28 of the governing body of the public body acting upon the advice of the public body's counsel.

29 (3) The commission may impose civil penalties not to exceed \$250 for violation of ORS 293.708.  
30 A civil penalty imposed under this subsection is in addition to and not in lieu of a civil penalty that  
31 may be imposed under subsection (1) of this section.

32 (4)(a) The commission may impose civil penalties on a person who fails to file the statement  
33 required under ORS 244.050, 244.100 or 244.217. In enforcing this subsection, the commission is not  
34 required to follow the procedures in ORS 244.260 before finding that a violation of ORS 244.050,  
35 244.100 or 244.217 has occurred.

36 (b) Failure to file the required statement in timely fashion is prima facie evidence of a violation  
37 of ORS 244.050, 244.100 or 244.217.

38 (c) The commission may impose a civil penalty of \$10 for each of the first 14 days the statement  
39 is late beyond the date set by law, or by the commission under ORS 244.050, and \$50 for each day  
40 thereafter. The maximum penalty that may be imposed under this subsection is \$5,000.

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

43 (5) In lieu of or in conjunction with finding a violation of law or any resolution or imposing a  
44 civil penalty under this section, the commission may issue a written letter of reprimand, explanation  
45 or education.



1       **SECTION 4a.** ORS 244.047 is amended to read:

2       244.047. (1) As used in this section:

3       (a) “Public body” has the meaning given that term in ORS 174.109.

4       (b) “Public contract” has the meaning given that term in ORS 279A.010.

5       (2) Except as provided in subsection [(3)] (4) of this section, a person [*may not, for two years*  
6 *after the person*] **who** ceases to hold a position as a public official[,] **may not** have a direct beneficial  
7 financial interest in a public contract [*that was authorized by:*] **described in subsection (3) of this**  
8 **section for two years after the date the contract was authorized.**

9       **(3) Subsection (2) of this section applies to a public contract that was authorized by:**

10      (a) The person acting in the capacity of a public official; or

11      (b) A board, commission, council, bureau, committee or other governing body of a public body  
12 of which the person was a member when the contract was authorized.

13      [(3)] (4) Subsection (2) of this section does not apply to a person who was a member of a board,  
14 commission, council, bureau, committee or other governing body of a public body when the contract  
15 was authorized, but who did not participate in the authorization of the contract.

16       **SECTION 5.** Section 28, chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30), is amended to  
17 read:

18       **Sec. 28.** (1) Section 26 [*of this 2009 Act*], **chapter 68, Oregon Laws 2009 (Enrolled Senate Bill**  
19 **30)**, the amendments to sections 8b and 9e, chapter 877, Oregon Laws 2007, by sections 24 and 25  
20 [*of this 2009 Act*], **chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30)**, and the amendments  
21 to ORS 171.745, 171.750, 244.010, 244.020, 244.025, 244.040, 244.042, 244.050, [244.060,] 244.070,  
22 [244.100,] 244.105, 244.110, 244.255, 244.282, 244.290, 244.320, [244.350, 244.380,] 244.390, 293.708 and  
23 441.540 by sections 1 to **5, 7, 9 to 15, 17 to 21 and 23** [*of this 2009 Act*], **chapter 68, Oregon Laws**  
24 **2009 (Enrolled Senate Bill 30)**, become operative on January 1, 2010.

25       (2) The Oregon Government Ethics Commission may adopt rules or take any other action before  
26 the operative date specified in subsection (1) of this section that is necessary to enable the com-  
27 mission to exercise, on or after the operative date specified in subsection (1) of this section, all the  
28 duties, functions and powers conferred upon the commission by [*this 2009 Act*] **chapter 68, Oregon**  
29 **Laws 2009 (Enrolled Senate Bill 30)**.

30       **SECTION 6.** Section 29, chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30), is amended to  
31 read:

32       **Sec. 29.** (1) The amendments to ORS 244.025 and 244.040 by sections 3 and 4 [*of this 2009 Act*],  
33 **chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30)**, apply to gifts solicited, received or of-  
34 fered on or after January 1, 2010.

35       (2) The amendments to ORS 244.060, 244.100 and 244.350 by sections 6, 8 and 16 [*of this 2009*  
36 *Act*], **chapter 68, Oregon Laws 2009 (Enrolled Senate Bill 30)**, apply to statements filed with the  
37 Oregon Government Ethics Commission on or after [*January 1, 2010*] **the effective date of this 2009**  
38 **Act.**

39       (3) The amendments to ORS 244.050 by section 5 [*of this 2009 Act*], **chapter 68, Oregon Laws**  
40 **2009 (Enrolled Senate Bill 30)**, apply to statements required to be filed with the Oregon Govern-  
41 ment Ethics Commission for reporting periods beginning on or after January 1, 2010.

42       (4) The amendments to ORS 244.282 and 244.320 by sections 12 and 15 [*of this 2009 Act*], **chapter**  
43 **68, Oregon Laws 2009 (Enrolled Senate Bill 30)**, apply to activities that occur on or after January  
44 1, 2010.

45       **SECTION 7.** ORS 244.380 and section 22, chapter 68, Oregon Laws 2009 (Enrolled Senate

1 **Bill 30) (amending ORS 244.380), are repealed.**

2 **SECTION 8. (1) The amendments to ORS 244.020 by section 1 of this 2009 Act apply to**  
3 **expenses paid for activities that occur on or after the effective date of this 2009 Act.**

4 **(2) The amendments to ORS 244.047 by section 4a of this 2009 Act apply to a person who**  
5 **ceases to hold a position as a public official on or after the effective date of this 2009 Act.**

6 **SECTION 9. The amendments to ORS 244.020 and 244.175 by sections 2 and 3 of this 2009**  
7 **Act become operative on January 1, 2010.**

8 **SECTION 10. This 2009 Act being necessary for the immediate preservation of the public**  
9 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
10 **on its passage.**

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