

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed
Vote: 9 – 0 – 0
Yeas: Barnhart, Berger, Dembrow, Hicks, Holvey, Hoyle, Jenson, Kennemer, Garrett
Nays: 0
Exc.: 0
Prepared By: Erin Seiler, Administrator
Meeting Dates: 6/13, 6/26

WHAT THE MEASURE DOES: Removes requirement that candidate, political committee or petition committee provide notice to Secretary of State if discontinuing statement of organization and closing accounts. Revises requirement that certain electronically filed data be made available on internet to public free of charge. Removes liability of candidate's treasurer for default or violation that occurs in performance of certain duties. Requires Secretary of State to send notice of civil penalty for failure to file campaign finance statement only to candidate. Removes requirement for periodic examination and investigation of randomly selected campaign finance statements. Removes requirement to file statement of expenditure deficit. Requires political committee or petition committee that expects neither aggregate contributions nor aggregate expenditures to exceed \$3,500 to file certificate to that effect with Secretary of State. Removes requirement that candidate file statement or affidavit for contributions from out-of-state political committees upon request.

ISSUES DISCUSSED:

- "Spot check" audits
- Candidate notification regarding issuance of civil penalty
- Process for discontinuing candidate, political committee or petition committee
- Reporting requirement for certain corporations regarding shareholders
- Campaign finance reporting requirements for corporations in other states
- Definition of "persons" in ORS 260.005 (16)
- Legislative history of statute requiring certain corporations file report regarding shareholders

EFFECT OF COMMITTEE AMENDMENT: Restores requirement that certain corporations file report regarding shareholders.

BACKGROUND: Senate Bill 145-B makes a number of technical changes to Oregon's campaign finance statutes (ORS Chapter 260) based on the Secretary of State's identification of several issues during the last election cycle. For example, since 2005, the Elections Division has conducted "spot check" audits of financial transactions reported by political committees. Spot check audits are required by statute to be performed twice a year, yet the Elections Division has only received three requests to review documentation since the time it began performing the audits. In addition, the measure removes the requirement to spot check financial records biannually; applies statutes governing the creation of committees, to the creation of petition committees; increases the threshold for triggering the requirement to file a statement regarding aggregate contributions or expenditures; and allows contributions to petition committees to be used to repay the chief petitioner or the committee for any loans.

From the Desk of
Senator Brian Boquist

6/27/2013 4:29:00 PM

This summary has not been adopted or officially endorsed by action of the committee.

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Beyer, Burdick, Starr, Rosenbaum

Nays: 0

Exc.: Ferrioli

From the Desk of
Senator Brian Boquist

Prepared By: Lori Brocker, Administrator

Meeting Dates: 5/15

WHAT THE MEASURE DOES: Removes requirement that candidate, political committee or petition committee provide notice to Secretary of State if discontinuing statement of organization and closing accounts. Revises requirement that certain electronically filed data be made available on internet to public free of charge. Removes liability of candidate's treasurer for default or violation that occurs in performance of certain duties. Requires Secretary of State to send notice of civil penalty for failure to file campaign finance statement only to candidate. Removes requirement for periodic examination and investigation of randomly selected campaign finance statements. Removes requirement to file statement of expenditure deficit. Requires political committee or petition committee that expects neither aggregate contributions nor aggregate expenditures to exceed \$3,500 to file certificate to that effect with Secretary of State. Removes requirement that candidate file statement or affidavit for contributions from out-of-state political committees upon request. Removes requirement that certain corporations file report regarding shareholders.

ISSUES DISCUSSED:

- Potential liability issues and responsibility for violations
- Lack of necessity for certain filings required by statute under current system
- Adequacy of reporting system
- Out-of-state political committees subject to federal law
- "Spot check" audits

EFFECT OF COMMITTEE AMENDMENT: Removes language expanding definition of "petition committee." Restores current language pertaining to political campaign or petition accounts. Restores current language pertaining to certain requirements of organization and function of petition committees. Makes other technical changes.

BACKGROUND: Senate Bill 145A makes several technical changes to the campaign finance statutes (ORS Chapter 260). During the past election cycle, the Secretary of State's office identified several issues relating to elections that needed to be reviewed. For example, since 2005, the Elections Division has conducted "spot check" audits of financial transactions reported by political committees. Spot check audits are required by statute to be performed twice a year, yet the Elections Division has only received three requests to review documentation since the time it began performing the audits. Senate Bill 145A removes the requirement to spot check financial records biannually. The measure also revises some provisions that contain technical requirements applicable to petition committees, increases the threshold for triggering the requirement to file a statement regarding aggregate contributions or expenditures, and changes certain financial reporting requirements that are redundant given electronic filing.

5/21/2013 3:48:00 PM

This summary has not been adopted or officially endorsed by action of the committee.