

Senate Bill 762

Sponsored by Senator BOQUIST

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 filing of identifying information for all persons, political committees and petition committees making political contributions, regardless of amount.

Requires Secretary of State to conduct reviews to determine whether aggregate contributions exceed \$100 in calendar year.

Requires Secretary of State to ensure that if aggregate contributions exceed \$100 limit, identifying information is publicly available and if aggregate contributions do not reach \$100 limit, identifying information is not publicly available.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to disclosure of political contributions; creating new provisions; amending ORS 260.083 and
3 260.095; and declaring an emergency.

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

5 **SECTION 1.** ORS 260.083 is amended to read:

6 260.083. (1)(a) For a contribution, except as provided in ORS 260.085, a statement filed under
7 ORS 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

8 (A) The name, occupation and address of each person, and the name and address of each political
9 committee or petition committee, that [*contributed an aggregate amount of more than \$100 in a*
10 *calendar year*] **made a contribution of any amount** on behalf of a candidate or to a political
11 committee or petition committee and the total amount contributed by that person or committee; and

12 (B) The total amount of other contributions as a single item, but shall specify how those con-
13 tributions were obtained.

14 (b) For an expenditure, including an independent expenditure, a statement filed under ORS
15 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

16 (A) The amount and purpose of each expenditure made in an aggregate amount of more than
17 \$100 to a payee, the name or, if applicable, the business name of the payee of the expenditure, and
18 the city, or county if the payee is not located in a city, and state in which the payee is located; and

19 (B) The total amount of other expenditures as a single item.

20 (c) For each loan, whether repaid or not, made by or to a candidate, political committee or pe-
21 tition committee, a statement filed under ORS 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

22 (A) The name and address of each person shown as a cosigner or guarantor on a loan and the
23 amount of the obligation undertaken by each cosigner or guarantor;

24 (B) The name of the lender holding the loan; and

25 (C) The terms of the loan, including the interest rate and repayment schedule.

26 **(2)(a) If a contribution statement listed in subsection (1)(a) of this section is for a con-**
27 **tribution in an amount less than \$100, within 10 days after the statement is filed, the Sec-**
28 **retary of State shall review the statement and determine if the person, political committee**

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 or petition committee that made the contribution has contributed an aggregate amount of
 2 more than \$100 in the calendar year on behalf of a candidate or to a political committee or
 3 petition committee.

4 (b) The Secretary of State must also conduct the same review required under paragraph
 5 (a) of this subsection on a quarterly basis for every contribution statement listed in sub-
 6 section (1)(a) of this section that is for a contribution in an amount less than \$100.

7 (c) After conducting the reviews required under paragraphs (a) and (b) of this subsection,
 8 the Secretary of State shall ensure that, if a person, political committee or petition com-
 9 mittee:

10 (A) Has contributed an aggregate amount of more than \$100 in the calendar year, the
 11 name, occupation and address of each person, and the name and address of each political
 12 committee or petition committee, and the total amount contributed by that person or com-
 13 mittee is made available to the public on the electronic filing system adopted under ORS
 14 260.057; and

15 (B) Has not contributed an aggregate amount of more than \$100 in the calendar year, the
 16 identifying information listed in subparagraph (A) of this paragraph is not made available to
 17 the public on the electronic filing system adopted under ORS 260.057. If this subparagraph
 18 applies, the Secretary of State may not disclose the identifying information listed in subpar-
 19 agraph (A) of this paragraph under ORS 192.410 to 192.505.

20 [(2)] (3) An expenditure shall be reported as an account payable only if the expenditure is not
 21 paid within the time specified in ORS 260.057, 260.076 or 260.118.

22 [(3)] (4) Anything of value paid for or contributed by any person shall be listed as both an in-
 23 kind contribution and an expenditure by the candidate or committee for whose benefit the payment
 24 or contribution was made.

25 [(4)] (5) If a candidate, political committee or petition committee under ORS 260.057 or 260.118
 26 makes an expenditure that must be reported as an in-kind contribution and an expenditure as pro-
 27 vided in subsection (3) of this section, the candidate, political committee or petition committee
 28 making the original expenditure shall, in any statement filed under ORS 260.057, 260.078 or 260.118,
 29 identify the expenditure as an in-kind contribution and identify the candidate, political committee
 30 or petition committee for whose benefit the expenditure was made.

31 [(5)] (6) If a political committee makes an expenditure that qualifies as an independent expend-
 32 iture under ORS 260.005 (10), the listing of the expenditure under this section shall identify any
 33 candidates or measures that are the subject of the independent expenditure and state whether the
 34 independent expenditure was used to advocate the election, passage or defeat of the candidates or
 35 measures.

36 [(6)] (7) As used in this section:

37 (a) "Address" has the meaning given that term in rules adopted by the Secretary of State.

38 (b) "Contribution" and "expenditure" include a contribution or expenditure to or on behalf of
 39 an initiative, referendum or recall petition.

40 **SECTION 2.** ORS 260.095 is amended to read:

41 260.095. (1) If a candidate, political committee or petition committee under ORS 260.057 or
 42 260.118 makes an expenditure that must be reported as both an in-kind contribution and an ex-
 43 penditure by the candidate, political committee or petition committee for whose benefit the expend-
 44 iture was made as provided in ORS 260.083 [(3)] (4), the candidate, political committee or petition
 45 committee making the original expenditure shall:

1 (a) Notify the candidate or committee for whose benefit the expenditure was made in writing
2 that the expenditure was made; and

3 (b) Deliver the notice not later than 48 hours after the time that the candidate, political com-
4 mittee or petition committee making the original expenditure includes the expenditure in a state-
5 ment under ORS 260.057.

6 (2) The Secretary of State shall adopt rules requiring expenditures that must be reported as both
7 an in-kind contribution and an expenditure by the candidate, political committee or petition com-
8 mittee for whose benefit the expenditure was made to be highlighted in an identifiable color in the
9 electronic filing system required under ORS 260.057.

10 **SECTION 3. The amendments to ORS 260.083 by section 1 of this 2015 Act first apply to**
11 **any contributions received on or after the effective date of this 2015 Act.**

12 **SECTION 4. This 2015 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
14 **on its passage.**

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