

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2176**

1 On page 1 of the printed A-engrossed bill, line 6, delete “and 260.241” and  
2 insert “, 260.241 and 260.407 and section 9, chapter 8, Oregon Laws 2015  
3 (Enrolled House Bill 2177)”.

4 On page 27, after line 9, insert:

5 **“SECTION 47.** ORS 260.407 is amended to read:

6 “260.407. (1)(a) Except as provided in paragraph (b) of this subsection,  
7 amounts received as contributions by a candidate, [*or*] the principal cam-  
8 paign committee of a candidate **or the principal campaign committee of**  
9 **a holder of public office** [*for public office that are in excess of any amount*  
10 *necessary to defray expenditures and any other funds donated to a holder of*  
11 *public office*] may be:

12 “(A) Used to defray any expenses incurred in connection with the  
13 recipient’s duties as a holder of public office;

14 “(B) Transferred to any national, state or local political committee of any  
15 political party;

16 “(C) Contributed to any organization described in section 170(c) of the  
17 Internal Revenue Code or to any charitable corporation as defined in ORS  
18 128.620; or

19 “(D) Used for any other lawful purpose.

20 “(b) Amounts received as contributions by a candidate, [*or*] the principal  
21 campaign committee of a candidate for public office **or the principal cam-**  
22 **paign committee of a holder of public office** [*that are in excess of any*

1 *amount necessary to defray expenditures and other funds donated to a holder*  
2 *of public office]* may not be:

3 “(A) Converted by any person to any personal use other than to defray  
4 any expenses incurred in connection with the person’s duties as a holder of  
5 public office or to repay to a candidate any loan the proceeds of which were  
6 used in connection with the candidate’s campaign;

7 “(B) Except as provided in this subparagraph, used to pay any money  
8 award as defined in ORS 18.005 included as part of a judgment in a civil or  
9 criminal action or any civil penalty imposed by an agency as defined in ORS  
10 183.310 or by a local government as defined in ORS 174.116. Contributions  
11 described in this paragraph may be used to pay a civil penalty imposed under  
12 this chapter, other than a civil penalty imposed for a violation of this section  
13 or ORS 260.409; or

14 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
15 penses incurred by the candidate or public official in any civil, criminal or  
16 other legal proceeding or investigation that relates to or arises from the  
17 course and scope of the duties of the person as a candidate or public official.  
18 Contributions described in this paragraph may be used to pay legal expenses  
19 incurred by the candidate or public official in connection with a legal pro-  
20 ceeding brought under this chapter, other than a proceeding brought under  
21 this section or ORS 260.409.

22 “(2)(a) Except as provided in paragraph (b) of this subsection, amounts  
23 received as contributions by a political committee that is not a principal  
24 campaign committee [*that are in excess of any amount necessary to defray*  
25 *expenditures]* may be:

26 “(A) Used to repay to the political committee any loan the proceeds of  
27 which were used in connection with the campaign;

28 “(B) Transferred to any national, state or local political committee of any  
29 political party;

30 “(C) Contributed to any organization described in section 170(c) of the

1 Internal Revenue Code or to any charitable corporation as defined in ORS  
2 128.620; or

3 “(D) Used for any other lawful purpose.

4 “(b) Amounts received as contributions by the political committee may  
5 not be:

6 “(A) Converted by any person to any personal use;

7 “(B) Except as provided in this subparagraph, used to pay any money  
8 award as defined in ORS 18.005 included as part of a judgment in a civil or  
9 criminal action or any civil penalty imposed by an agency as defined in ORS  
10 183.310 or by a local government as defined in ORS 174.116. Contributions  
11 described in this subsection may be used to pay a civil penalty imposed under  
12 this chapter, other than a civil penalty imposed for a violation of this section  
13 or ORS 260.409; or

14 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
15 penses incurred by a treasurer or director of a political committee in any  
16 civil, criminal or other legal proceeding or investigation that relates to or  
17 arises from the course and scope of the duties of the person as a treasurer  
18 or director. Contributions described in this subsection may be used to pay  
19 legal expenses incurred by a treasurer or director in connection with a legal  
20 proceeding brought under this chapter, other than a proceeding brought un-  
21 der this section or ORS 260.409.

22 “(3)(a) Except as provided in paragraph (b) of this subsection, amounts  
23 received as contributions by a chief petitioner or treasurer of a petition  
24 committee [*that are in excess of any amount necessary to defray*  
25 *expenditures*] may be:

26 “(A) Used to repay to the chief petitioner any loan the proceeds of which  
27 were used in connection with the initiative, referendum or recall petition;

28 “(B) Transferred to any national, state or local political committee of any  
29 political party;

30 “(C) Contributed to any organization described in section 170(c) of the

1 Internal Revenue Code or to any charitable corporation as defined in ORS  
2 128.620; or

3 “(D) Used for any other lawful purpose.

4 “(b) Amounts received as contributions by a chief petitioner or treasurer  
5 of a petition committee may not be:

6 “(A) Converted by any person to any personal use;

7 “(B) Except as provided in this subparagraph, used to pay any money  
8 award as defined in ORS 18.005 included as part of a judgment in a civil or  
9 criminal action or any civil penalty imposed by an agency as defined in ORS  
10 183.310 or by a local government as defined in ORS 174.116. Contributions  
11 described in this subsection may be used to pay a civil penalty imposed under  
12 this chapter, other than a civil penalty imposed for a violation of this section  
13 or ORS 260.409; or

14 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
15 penses incurred by a chief petitioner or the treasurer of a petition committee  
16 in any civil, criminal or other legal proceeding or investigation that relates  
17 to or arises from the course and scope of the duties of the person as a chief  
18 petitioner or treasurer. Contributions described in this subsection may be  
19 used to pay legal expenses incurred by a chief petitioner or treasurer in  
20 connection with a legal proceeding brought under this chapter, other than  
21 a proceeding brought under this section or ORS 260.409.

22 “(4) As used in this section:

23 “(a) ‘Contribution’ and ‘expenditure’ include a contribution or expenditure  
24 to or on behalf of an initiative, referendum or recall petition.

25 “(b) ‘Funds donated’ means all funds, including but not limited to gifts,  
26 loans, advances, credits or deposits of money that are donated for the pur-  
27 pose of supporting the activities of a holder of public office. ‘Funds  
28 donated’ does not mean funds appropriated by the Legislative Assembly or  
29 another similar public appropriating body or personal funds of the office  
30 holder donated to an account containing only those personal funds.

1 “(c) ‘Public office’ does not include national or political party office.

2 **“SECTION 48.** Section 9, chapter 8, Oregon Laws 2015 (Enrolled House  
3 Bill 2177), is amended to read:

4 **“Sec. 9.** For the purpose of maintaining status as a minor political party  
5 under ORS 248.008 [~~(4)(b)~~] **(4)(a)** for the general election to be held on No-  
6 vember 8, 2016, the total number of registered electors in this state is deemed  
7 to be the total number of registered electors identified in the elector regis-  
8 tration records of the Secretary of State on July 1, 2015.”.

9 In line 10, delete “47” and insert “49”.

10 Delete lines 11 and 12 and insert:

11 **“SECTION 50. The amendments to statutes and session laws by**  
12 **sections 1 to 48 of this 2015 Act and the repeal of ORS 247.435 by section**  
13 **49 of this 2015 Act become operative on January 1, 2016.”.**

14 In line 13, delete “49” and insert “51”.

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