

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

1 On page 1 of the printed A-engrossed bill, line 6, after “260.078,” insert  
2 “260.083, 260.095, 260.205.”

3 On page 27, after line 9 insert:

4 **“SECTION 47.** ORS 260.083 is amended to read:

5 “260.083. (1)(a) For a contribution, except as provided in ORS 260.085, a  
6 statement filed under ORS 260.044, 260.057, 260.076, 260.078 or 260.118 shall  
7 list:

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

14 “(B) The total amount of other contributions as a single item, but shall  
15 specify how those contributions were obtained.

16 “(b) For an expenditure, including an independent expenditure, a state-  
17 ment filed under ORS 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

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

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

1       “(c) For each loan, whether repaid or not, made by or to a candidate,  
2 political committee or petition committee, a statement filed under ORS  
3 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

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

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

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

10       **“(2)(a) The Secretary of State by rule shall prescribe a method for  
11 regularly auditing statements filed for contributions of \$100 or less.**

12       **“(b) After conducting the audits required under paragraph (a) of  
13 this subsection, the Secretary of State shall ensure that, if a person,  
14 political committee or petition committee:**

15       **“(A) Has contributed an aggregate amount of more than \$100 in the  
16 calendar year on behalf of a candidate or to a political committee or  
17 a petition committee, the name, occupation and address of each per-  
18 son, and the name and address of each political committee or petition  
19 committee, and the total amount contributed by that person or com-  
20 mittee is made available to the public on the electronic filing system  
21 adopted under ORS 260.057; and**

22       **“(B) Has not contributed an aggregate amount of more than \$100  
23 in the calendar year on behalf of a candidate or to a political com-  
24 mittee or a petition committee, the identifying information listed in  
25 subparagraph (A) of this paragraph is not made available to the public  
26 on the electronic filing system adopted under ORS 260.057. If this  
27 subparagraph applies, the Secretary of State may not disclose the  
28 identifying information listed in subparagraph (A) of this paragraph  
29 under ORS 192.410 to 192.505.**

30       “[(2)] (3) An expenditure shall be reported as an account payable only if

1 the expenditure is not paid within the time specified in ORS 260.057, 260.076  
2 or 260.118.

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

6 “[4] (5) If a candidate, political committee or petition committee under  
7 ORS 260.057 or 260.118 makes an expenditure that must be reported as an  
8 in-kind contribution and an expenditure as provided in subsection (3) of this  
9 section, the candidate, political committee or petition committee making the  
10 original expenditure shall, in any statement filed under ORS 260.057, 260.078  
11 or 260.118, identify the expenditure as an in-kind contribution and identify  
12 the candidate, political committee or petition committee for whose benefit  
13 the expenditure was made.

14 “[5] (6) If a political committee makes an expenditure that qualifies as  
15 an independent expenditure under ORS 260.005 (10), the listing of the ex-  
16 penditure under this section shall identify any candidates or measures that  
17 are the subject of the independent expenditure and state whether the inde-  
18 pendent expenditure was used to advocate the election, passage or defeat of  
19 the candidates or measures.

20 “[6] (7) As used in this section:

21 “(a) ‘Address’ has the meaning given that term in rules adopted by the  
22 Secretary of State.

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

25 **“SECTION 48.** ORS 260.095 is amended to read:

26 “260.095. (1) If a candidate, political committee or petition committee un-  
27 der ORS 260.057 or 260.118 makes an expenditure that must be reported as  
28 both an in-kind contribution and an expenditure by the candidate, political  
29 committee or petition committee for whose benefit the expenditure was made  
30 as provided in ORS 260.083 [(3)] (4), the candidate, political committee or

1 petition committee making the original expenditure shall:

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

4 “(b) Deliver the notice not later than 48 hours after the time that the  
5 candidate, political committee or petition committee making the original  
6 expenditure includes the expenditure in a statement under ORS 260.057.

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

12 **“SECTION 49.** ORS 260.205 is amended to read:

13 **“260.205. (1)(a) Except as provided in paragraph (b) of this sub-**  
14 **section,** a filing officer shall inspect each statement filed under ORS 260.057,  
15 260.083, 260.112 or 260.118 not later than the 10th business day after the filing  
16 deadline or the 10th business day after the statement is filed, whichever is  
17 later.

18 **“(b) This subsection does not require a filing officer to inspect**  
19 **statements of contributions filed under ORS 260.057, 260.083 or 260.118**  
20 **if the contributions:**

21 **“(A) Are from a single person, political committee or petition**  
22 **committee;**

23 **“(B) Are on behalf of a single candidate or to a single political**  
24 **committee or petition committee; and**

25 **“(C) Have an aggregate total of \$100 or less for the calendar year.**

26 “(2) A filing officer immediately shall notify a person required to file a  
27 statement with the filing officer under ORS 260.057, 260.083, 260.112 or  
28 260.118 if:

29 “(a) Upon examination of relevant materials, it appears to the filing offi-  
30 cer that the person has failed to file a required statement or that a statement

1 filed with the filing officer by the person is insufficient; or

2 “(b) A complaint is filed with the filing officer under subsection (3) of this  
3 section.

4 “(3) An elector may file with a filing officer a complaint that a statement  
5 filed with the filing officer is insufficient or that a person has failed to file  
6 a required statement. The complaint shall be in writing, shall state in detail  
7 the reasons for complaint and shall be filed with the filing officer not later  
8 than the 90th day after the date the statement of which it complains is filed  
9 or should have been filed.

10 “(4) If upon receiving notification under subsection (2) of this section a  
11 person responds by filing a statement or submitting information to correct  
12 an insufficient statement, the filing officer shall confirm whether the  
13 person’s response is sufficient not later than 90 days after receiving the re-  
14 sponse. If, within 90 days, the filing officer does not confirm whether a re-  
15 sponse is sufficient under this subsection, the person is not subject to civil  
16 penalty under ORS 260.232 for failure to file or failure to include the re-  
17 quired information in the statement.”.

18 In line 10, delete “47” and insert “50”.

19 Delete lines 11 and 12 and insert:

20 **“SECTION 51. The amendments to statutes by sections 1 to 49 of  
21 this 2015 Act and the repeal of ORS 247.435 by section 50 of this 2015  
22 Act become operative on January 1, 2016.”.**

23 In line 13, delete “49” and insert “52”.

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