

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

- 1 On page 1 of the printed A-engrossed bill, line 5, delete “251.085,”.
- 2 In line 6, delete “and 260.241” and insert “, 260.241 and 260.407 and section  
3 9, chapter 8, Oregon Laws 2015 (Enrolled House Bill 2177)”.
- 4 On page 15, delete line 45.
- 5 On page 16, delete lines 1 through 5 and insert:
- 6 “**NOTE:** Section 27 was deleted by amendment. Subsequent sections were  
7 not renumbered.”.
- 8 On page 27, after line 9, insert:
- 9 “**SECTION 47.** ORS 260.407 is amended to read:
- 10 “260.407. (1)(a) Except as provided in paragraph (b) of this subsection,  
11 amounts received as contributions by a candidate, [or] the principal cam-  
12 paign committee of a candidate **or the principal campaign committee of**  
13 **a holder of public office** [*for public office that are in excess of any amount*  
14 *necessary to defray expenditures and any other funds donated to a holder of*  
15 *public office*] may be:
- 16 “(A) Used to defray any expenses incurred in connection with the  
17 recipient’s duties as a holder of public office;
- 18 “(B) Transferred to any national, state or local political committee of any  
19 political party;
- 20 “(C) Contributed to any organization described in section 170(c) of the  
21 Internal Revenue Code or to any charitable corporation as defined in ORS  
22 128.620; or

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

2 “(b) Amounts received as contributions by a candidate, [or] the principal  
3 campaign committee of a candidate for public office **or the principal cam-  
4 paign committee of a holder of public office** [*that are in excess of any  
5 amount necessary to defray expenditures and other funds donated to a holder  
6 of public office*] may not be:

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

11 “(B) Except as provided in this subparagraph, used to pay any money  
12 award as defined in ORS 18.005 included as part of a judgment in a civil or  
13 criminal action or any civil penalty imposed by an agency as defined in ORS  
14 183.310 or by a local government as defined in ORS 174.116. Contributions  
15 described in this paragraph may be used to pay a civil penalty imposed under  
16 this chapter, other than a civil penalty imposed for a violation of this section  
17 or ORS 260.409; or

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

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

30 “(A) Used to repay to the political committee any loan the proceeds of

1 which were used in connection with the campaign;

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

4 “(C) Contributed to any organization described in section 170(c) of the  
5 Internal Revenue Code or to any charitable corporation as defined in ORS  
6 128.620; or

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

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

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

11 “(B) Except as provided in this subparagraph, used to pay any money  
12 award as defined in ORS 18.005 included as part of a judgment in a civil or  
13 criminal action or any civil penalty imposed by an agency as defined in ORS  
14 183.310 or by a local government as defined in ORS 174.116. Contributions  
15 described in this subsection may be used to pay a civil penalty imposed under  
16 this chapter, other than a civil penalty imposed for a violation of this section  
17 or ORS 260.409; or

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

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

30 “(A) Used to repay to the chief petitioner any loan the proceeds of which

1 were used in connection with the initiative, referendum or recall petition;

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

4 “(C) Contributed to any organization described in section 170(c) of the  
5 Internal Revenue Code or to any charitable corporation as defined in ORS  
6 128.620; or

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

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

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

11 “(B) Except as provided in this subparagraph, used to pay any money  
12 award as defined in ORS 18.005 included as part of a judgment in a civil or  
13 criminal action or any civil penalty imposed by an agency as defined in ORS  
14 183.310 or by a local government as defined in ORS 174.116. Contributions  
15 described in this subsection may be used to pay a civil penalty imposed under  
16 this chapter, other than a civil penalty imposed for a violation of this section  
17 or ORS 260.409; or

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

26 “(4) As used in this section:

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

29 “(b) ‘Funds donated’ means all funds, including but not limited to gifts,  
30 loans, advances, credits or deposits of money that are donated for the pur-

1 pose of supporting the activities of a holder of public office. ‘Funds  
2 donated’ does not mean funds appropriated by the Legislative Assembly or  
3 another similar public appropriating body or personal funds of the office  
4 holder donated to an account containing only those personal funds.

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

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

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

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

14 Delete lines 11 and 12 and insert:

15 **“SECTION 50. The amendments to statutes and session laws by**  
16 **sections 1 to 48 of this 2015 Act and the repeal of ORS 247.435 by section**  
17 **49 of this 2015 Act become operative on January 1, 2016.”.**

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

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