

Requested by Representative RAYFIELD

**PROPOSED AMENDMENTS TO
HOUSE BILL 4085**

1 On page 1 of the printed bill, line 2, after the second semicolon delete the
2 rest of the line and line 3 and insert “and amending ORS 260.044, 260.055,
3 260.200 and 260.232.”.

4 In line 7, delete “\$50” and insert “\$100”.

5 In line 8, restore the bracketed material.

6 In line 9, delete “five” and delete “\$50” and insert “\$100”.

7 In line 15, delete “five” and insert “seven”.

8 On page 2, line 2, restore “seven” and delete “five”.

9 On page 3, line 15, delete the boldfaced material.

10 In line 16, restore the bracketed material.

11 In line 17, delete “10” and insert “40”.

12 In line 19, delete the boldfaced material.

13 In line 20, restore the bracketed material.

14 In line 21, restore the bracketed material and delete “10” and insert
15 “40”.

16 In line 27, after the semicolon insert “or”.

17 In line 30, delete “; or” and insert a period.

18 Delete lines 31 and 32.

19 Delete lines 37 through 45.

20 On page 4, delete lines 1 through 8 and insert:

21 **“SECTION 3. ORS 260.055 is amended to read:**

1 “260.055. (1) Each candidate, other than a candidate for political party
2 office, the treasurer of each political committee and the treasurer of each
3 petition committee shall keep detailed accounts. The accounts shall be cur-
4 rent as of not later than the seventh calendar day after the date of receiving
5 a contribution or making an expenditure with respect to all contributions
6 received and all expenditures made by or on behalf of the candidate or
7 committee that are required to be reported under ORS **260.044**, 260.057,
8 260.076 or 260.078. Subject to ORS 260.085, the accounts shall list all infor-
9 mation required to be reported under ORS 260.083.

10 “(2) Accounts kept by a candidate or the treasurer of a political commit-
11 tee may be inspected under reasonable circumstances at any time before the
12 election to which the accounts refer or during the period specified for re-
13 tention of the accounts under subsection (3) of this section by any opposing
14 candidate or the treasurer of any political committee for the same electoral
15 contest. The right of inspection may be enforced by writ of mandamus issued
16 by any court of competent jurisdiction. The treasurers of political commit-
17 tees supporting a candidate may be joined with the candidate as defendants
18 in a mandamus proceeding.

19 “(3) Accounts kept by a candidate or treasurer shall be preserved by the
20 candidate or treasurer for at least two years after the date the statement of
21 the contribution or expenditure is filed under ORS **260.044** or 260.057.

22 **“SECTION 4. Section 5 of this 2016 Act is added to and made a part**
23 **of ORS chapter 260.**

24 **“SECTION 5. (1) Unless otherwise required under ORS 260.055, each**
25 **person that makes independent expenditures in a total amount of**
26 **more than \$100 in a calendar year shall keep detailed accounts. The**
27 **accounts shall be current as of not later than the seventh calendar day**
28 **after the date of making an independent expenditure that is required**
29 **to be reported under ORS 260.044. The accounts shall list all informa-**
30 **tion required to be reported under ORS 260.083.**

1 “(2) Accounts kept by a person that makes independent expendi-
2 tures shall be preserved by the person for at least two years after the
3 date the statement of independent expenditures is filed under ORS
4 260.044.

5 “(3) In addition to the requirements of ORS 260.215, the Secretary
6 of State shall review statements of independent expenditures filed un-
7 der ORS 260.044 or 260.057. For each review, the secretary shall require
8 the person making the independent expenditure to provide documen-
9 tation of not more than 10 transactions. The requirement to provide
10 documentation may be enforced by writ of mandamus issued by any
11 court of competent jurisdiction.

12 “(4) The secretary by rule shall:

13 “(a) Designate a method by which statements of independent ex-
14 penditure shall be randomly selected for review under subsection (3)
15 of this section. The secretary shall conduct random reviews of state-
16 ments under subsection (3) of this section four times per calendar
17 year.

18 “(b) Designate the period of time within which a person must pro-
19 vide documentation if required to do so under subsection (3) of this
20 section. The secretary may impose a civil penalty under ORS 260.995
21 on a person who fails to timely provide the documentation required
22 under subsection (3) of this section.

23 “(c) Enhance the electronic filing system adopted under ORS 260.057
24 to provide additional transparency for filed statements of independent
25 expenditures.

26 “**SECTION 6.** ORS 260.200 is amended to read:

27 “260.200. The Secretary of State by rule shall:

28 “(1) Prescribe a uniform system for accounts required by ORS 260.055 **or**
29 **section 5 of this 2016 Act.**

30 “(2) Prescribe forms for statements and other information required under

1 this chapter to be filed with filing officers, and furnish those forms to per-
2 sons required to file those statements and other information.

3 “(3) Prescribe materials, including financial institution account state-
4 ments and copies of checks, that a candidate, political committee or petition
5 committee must retain or provide to the secretary for purposes of adminis-
6 tering or enforcing the provisions of this chapter. The secretary shall pre-
7 scribe personal or confidential information that is not required to be
8 disclosed under this subsection.

9 **“SECTION 7. In addition to and not in lieu of any other appropri-**
10 **ation, there is appropriated to the Secretary of State, for the biennium**
11 **beginning July 1, 2015, out of the General Fund, the amount of \$_____**
12 **for the purposes of preparing to implement the provisions of section**
13 **5 of this 2016 Act and the amendments to ORS 260.044, 260.055, 260.200**
14 **and 260.232 by sections 1 to 3 and 6 of this 2016 Act.**

15 **“SECTION 8. (1) Section 5 of this 2016 Act and the amendments to**
16 **ORS 260.044, 260.055, 260.200 and 260.232 by sections 1 to 3 and 6 of this**
17 **2016 Act become operative on January 1, 2018.**

18 **“(2) Section 5 of this 2016 Act and the amendments to ORS 260.044,**
19 **260.055, 260.200 and 260.232 by sections 1 to 3 and 6 of this 2016 Act apply**
20 **to any independent expenditures made or campaign finance statements**
21 **filed on or after the operative date specified in subsection (1) of this**
22 **section.**

23 **“(3) The Secretary of State may take any action before the opera-**
24 **tive date specified in subsection (1) of this section that is necessary**
25 **to enable the Secretary of State to exercise, on and after the operative**
26 **date specified in subsection (1) of this section, all of the duties, func-**
27 **tions and powers conferred on the Secretary of State by section 5 of**
28 **this 2016 Act and the amendments to ORS 260.044, 260.055, 260.200 and**
29 **260.232 by sections 1 to 3 and 6 of this 2016 Act.”.**

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