

**HB 2505 A STAFF MEASURE SUMMARY****Carrier:** Rep. Nathanson**House Committee On Rules****Action Date:** 04/20/17**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 9-0-0-0**Yeas:** 9 - Barreto, Hack, Holvey, Kennemer, McLane, Nosse, Rayfield, Smith Warner, Williamson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Erin Seiler, LPRO Analyst**WHAT THE MEASURE DOES:**

Expands definition of “independent expenditure” to include aggregate expenses of \$750 or more on communications that refer to clearly identified candidate appearing on ballot or to political party when published and disseminated to relevant voters within 30 calendars days of primary and 60 calendar days of general election. Exempts certain nonpartisan activity and other enumerated exceptions.

**ISSUES DISCUSSED:**

- Transparency of campaign finance expenditures
- "Dark money" expended during campaigns
- Current independent expenditure reporting requirements
- Examples of exempt nonpartisan communications
- Subjecting organizations that influence elections to reporting requirements
- Relationship between in-kind contributions and independent expenditures

**EFFECT OF AMENDMENT:**

Excludes ballot measures. Specifies that communication refers to clearly identified candidate who will appear on ballot or to political party and communication is published and disseminated to relevant voters within 30 calendars days of primary and 60 calendar days of general election. Exempts from definition: nonpartisan activity that is allowed for 501(c)(3) not-for-profit corporation; candidate debate or forum for state office or communication publicizing said event, when all major political party candidates for state office have been invited to participate; nonpartisan voters' guide permitted to be published by 501(c)(3); nonpartisan voters' guides that include or offer inclusion to all major party candidates for each state office referenced and; communication by labor union, membership organization or corporation to its members, stockholders or executive or administrative personnel.

**BACKGROUND:**

Independent expenditures are expenditures by persons for communications in support of or in opposition to a clearly identified candidate or measure that are not made with the cooperation or prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure.

Currently, a person must file a statement of independent expenditure in ORESTAR if the person makes an independent expenditure in a total amount of more than \$750 in a calendar year. The following information is required to be filed for an independent expenditure: the amount and purpose of the independent expenditure; the name, occupation and address of the payee (each person and each political or petition committee) that contributes an aggregate amount of more than \$100 in a calendar year on behalf of a candidate or to a political committee or petition committee, and the total amount contributed by that person or committee, and the total amount of other contributions as a single item; and any candidates or measures supported or opposed by the independent expenditure.

## **HB 2505 A STAFF MEASURE SUMMARY**

House Bill 2505-A expands the definition of "independent expenditure" to require reporting for an aggregate expense of \$750 or more that refers to a clearly identified candidate or to a political party when the communication is published and disseminated to relevant voters within 30 calendar days of a primary election or within 60 calendar days of a general election. The measure excludes: nonpartisan activities of 501(c)(3) not-for-profit corporations; candidate debates or forums for state office, or publicity for same when all major political parties have been invited to participate; nonpartisan voters' guides published by 501(c)(3) organizations; nonpartisan voters' guides that include or offer inclusion to all major party candidates for each state office referenced; any commercial communication that includes a candidate's name, image, likeness or voice exclusively as owner, operator or employee of a business that existed prior to candidacy; official publications produced or distributed by public employees while on the job during working hours; and communication by labor unions, membership organizations or corporations to their members, stockholders or executives or administrative personnel.