

HB 2505 A STAFF MEASURE SUMMARY

Carrier: Sen. Boquist

Senate Committee On Rules

Action Date: 06/07/17
Action: Do pass the A-Eng bill.
Vote: 4-0-1-0
Yeas: 4 - Beyer, Boquist, Burdick, Roblan
Exc: 1 - Ferrioli
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
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WHAT THE MEASURE DOES:

Expands definition of “communication in support of or in opposition to clearly identified candidate or measure” within 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 distributed to voters within 30 calendar days of primary and 60 calendar days of general election. Exempts certain nonpartisan activity and enumerates additional exemptions.

ISSUES DISCUSSED:

- Importance of campaign finance transparency and disclosure
- Current campaign finance reporting requirements
- Potential chilling effect disclosure may have on free speech and political engagement

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to statute, 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 (ORS 260.005).

Currently, a person must file an independent expenditure statement in ORESTAR if the person makes independent expenditures in an aggregate amount of \$750 or more within a calendar year. The following information must be filed for independent expenditures: 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.

House Bill 2505-A expands the definition of “communication in support of or in opposition to a clearly identified candidate or measure” within definition of “independent expenditure” to require reporting for an aggregate expenditure amount of \$750 or more for a communication 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 the following from these reporting requirements: 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'

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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.