

HOUSE AMENDMENTS TO HOUSE BILL 2577

By COMMITTEE ON RULES

April 4

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete line 3
2 and insert “171.745, 171.772 and 171.992.”.

3 Delete lines 18 through 20 and insert:

4 “(i) A statement as to whether the lobbyist engaged in lobbying activities in support of the bill
5 or measure, in opposition to the bill or measure or for the purpose of seeking amendments to the
6 bill or measure; and”.

7 On page 2, delete lines 2 and 3.

8 In line 7, delete “or”.

9 In line 11, delete the period and insert “; or

10 “(c) References to a bill, measure or legislative topic that the lobbyist:

11 “(A) Monitored, but did not influence, or attempt to influence, legislative action on;

12 “(B) Supported or opposed, but did not influence, or attempt to influence, legislative action on;

13 or

14 “(C) Provided information or data on, or responded to a request from a legislative official or
15 executive official to provide information or data on, without the intent to influence, or attempt to
16 influence, legislative action.”.

17 Delete lines 33 through 35 and insert:

18 “(i) A statement as to whether the lobbyist engaged in lobbying activities in support of the bill
19 or measure, in opposition to the bill or measure or for the purpose of seeking amendments to the
20 bill or measure; and”.

21 Delete lines 43 through 45.

22 On page 3, delete lines 1 and 2 and insert:

23 “(2) Statements required by this section need not include:

24 “(a) Amounts expended by the lobbyist for personal living and travel expenses and office over-
25 head, including salaries and wages paid for staff and secretarial assistance, and maintenance ex-
26 penses; or

27 “(b) References to a bill, measure or legislative topic that the lobbyist:

28 “(A) Monitored, but did not influence, or attempt to influence, legislative action on;

29 “(B) Supported or opposed, but did not influence, or attempt to influence, legislative action on;

30 or

31 “(C) Provided information or data on, or responded to a request from a legislative official or
32 executive official to provide information or data on, without the intent to influence, or attempt to
33 influence, legislative action.”.

34 In line 28, delete “that is introduced before the Legislative Assembly” and insert “reported on
35 by a lobbyist under ORS 171.745”.

1 Delete lines 35 through 38 and insert:

2 “(C) The name of each lobbyist that has engaged in lobbying activities for the purpose of seeking
3 amendments to the bill or measure, and the name of the person or entity that hired each lobbyist
4 identified in this subparagraph.”

5 On page 4, delete lines 1 and 2 and insert:

6 “(D) The total amount of all moneys expended by the person or entity on each lobbyist identified
7 in subparagraph (A) of this paragraph for lobbying activities, excluding living and travel expenses
8 incurred by a lobbyist performing lobbying services, for the purpose of lobbying.”

9 Delete lines 12 through 16 and insert:

10 “(C) Each bill or measure that is introduced before the Legislative Assembly for which the
11 lobbyist engaged in lobbying activities for the purpose of seeking amendments to the bill or measure,
12 and the name of the person or entity that hired the lobbyist for each bill or measure identified in
13 this subparagraph;”

14 Delete lines 20 through 45 and delete pages 5 and 6 and insert:

15 “(E) The total amount of all moneys expended by each person or entity that hired the lobbyist
16 on the lobbyist for lobbying activities, excluding living and travel expenses incurred by a lobbyist
17 performing lobbying services, for the purpose of lobbying.

18 **“SECTION 4. Section 5 of this 2017 Act is added to and made a part of ORS 171.725 to
19 171.785.**

20 **“SECTION 5. (1) The information that a lobbyist is required to file with the Oregon
21 Government Ethics Commission under ORS 171.745 (1)(c) and (d) must be accurate on the
22 date the information is filed. If the position of a lobbyist with respect to a bill or measure
23 changes between the date one statement is filed under ORS 171.745 and the date the next
24 statement is required to be filed, the later-filed statement must reflect the new position of
25 the lobbyist.**

26 **“(2) Except as provided in subsection (3) of this section, a lobbyist may, without penalty,
27 amend a statement filed under ORS 171.745 at any time before the commission receives a
28 complaint, or proceeds on its own motion as if the commission received a complaint, under
29 ORS 171.778.**

30 **“(3) The commission may not fine a lobbyist for filing false or inaccurate information
31 required under ORS 171.745 (1)(c) and (d) if the commission determines that:**

32 **“(a) The lobbyist mistakenly filed false or inaccurate information; and**

33 **“(b) The lobbyist has not previously filed false or inaccurate information required under
34 ORS 171.745 (1)(c) and (d) during that calendar year.**

35 **“SECTION 6. ORS 171.992 is amended to read:**

36 **“171.992. (1)(a) Except as provided in paragraph (b) of this subsection, any person who vio-
37 lates any provision of ORS 171.740 to 171.762, or any rule adopted under ORS 171.725 to 171.785,
38 shall forfeit and pay to the General Fund for each violation a civil penalty of not more than \$5,000,
39 to be determined by the Oregon Government Ethics Commission.**

40 **“(b) Except as provided in section 5 (3) of this 2017 Act, a person who files false or inac-
41 curate information required under ORS 171.745 (1)(c) and (d) shall forfeit and pay to the
42 General Fund for each violation a civil penalty of not more than \$500, to be determined by
43 the commission.**

44 **“(2)(a) The commission may impose civil penalties upon a person who fails to file the statement
45 required under ORS 171.745 or 171.750. In enforcing this subsection, the commission is not required**

1 to follow the procedures in ORS 171.778 before finding that a violation of ORS 171.745 or 171.750
2 has occurred.

3 “(b) Failure to file the required statement in timely fashion is prima facie evidence of a violation
4 of ORS 171.745 or 171.750.

5 “(c) The commission may impose a civil penalty of \$10 for each of the first 14 days the statement
6 is late beyond the date set by law and \$50 for each day thereafter. The maximum penalty that may
7 be imposed under this subsection is \$5,000.

8 “(3) A civil penalty imposed under this section may be recovered in an action brought in the
9 name of the State of Oregon in any court of appropriate jurisdiction or may be imposed as provided
10 in ORS 183.745. In any proceedings before the court, including judicial review under ORS 183.745,
11 the court may review the penalty as to both liability and reasonableness of amount.

12 “(4) In lieu of or in conjunction with finding a violation of law or rule or imposing a civil pen-
13 alty under this section, the commission may issue a written letter of reprimand, explanation or ed-
14 ucation.

15 “**SECTION 7. (1) The Advisory Committee on Lobbying Transparency is established, con-**
16 **sisting of six members as follows:**

17 “(a) **The President of the Senate shall appoint:**

18 “(A) **One registered lobbyist; and**

19 “(B) **One member of the Senate.**

20 “(b) **The Speaker of the House of Representatives shall appoint:**

21 “(A) **One registered lobbyist; and**

22 “(B) **One member of the House of Representatives.**

23 “(c) **The executive director of the Oregon Government Ethics Commission shall appoint**
24 **one member.**

25 “(d) **The Director of the Oregon Department of Administrative Services shall appoint one**
26 **member.**

27 “(2) **Members of the advisory committee serve at the pleasure of the appointing entity.**

28 “(3) **Members of the advisory committee who are not members of the Legislative As-**
29 **sembly are not entitled to compensation or reimbursement for expenses and serve as vol-**
30 **unteers on the advisory committee.**

31 “(4) **The Oregon Government Ethics Commission shall provide staff support for the ad-**
32 **visory committee.**

33 “(5) **The advisory committee shall advise and assist in the development, design, testing**
34 **and implementation of an Internet website that makes the information contained within the**
35 **lobbying statements filed under ORS 171.745 and 171.750 available in a searchable format for**
36 **review by the public in the manner set forth in ORS 171.772 (6).**

37 “**SECTION 8. Section 7 of this 2017 Act is repealed on January 2, 2021.**

38 “**SECTION 9. (1) The amendments to 171.745 by sections 1 and 2 of this 2017 Act become**
39 **operative on April 1, 2018.**

40 “(2) **The amendments to ORS 171.772 by section 3 of this 2017 Act become operative on**
41 **August 1, 2020.**

42 “**SECTION 10. (1)(a) The amendments to 171.745 by sections 1 and 2 of this 2017 Act apply**
43 **to lobbying statements filed on or after the operative date specified in section 9 (1) of this**
44 **2017 Act.**

45 “(b) **For lobbying statements filed on or after the operative date specified in section 9 (1)**

1 of this 2017 Act and before the operative date specified in section 9 (2) of this 2017 Act, the
2 information required to be filed under ORS 171.745 (1)(c) and (d) may be included as an at-
3 tachment to the lobbying statement.

4 “(2) The amendments to ORS 171.772 by section 3 of this 2017 Act apply to all lobbyist
5 statements, and the information contained within lobbyist statements, filed on or after the
6 operative date specified in section 9 (2) of this 2017 Act.

7 “(3) Sections 5 and 7 of this 2017 Act and the amendments to ORS 171.992 by section 6
8 of this 2017 Act first apply to lobbying and the filing of lobbyist statements and updates or
9 revisions to lobbyist statements that occur on or after the effective date of this 2017 Act.”.

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