

# House Bill 3070

Sponsored by Representative BARRETO

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires person making independent expenditure of \$3,000 or more within 30 calendar days of primary or general election to file statement of independent expenditures within 24 hours of making expenditure.

## A BILL FOR AN ACT

1  
2 Relating to schedule for filing statements of independent expenditures; creating new provisions; and  
3 amending ORS 260.044.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 260.044 is amended to read:

6 260.044. (1) If a person makes independent expenditures in a total amount of more than \$750 in  
7 a calendar year, the person shall use the electronic filing system adopted under ORS 260.057 to file  
8 with the Secretary of State a statement of independent expenditures not later than seven calendar  
9 days after the total amount of independent expenditures exceeds \$750 in a calendar year.

10 (2) A person who files a statement of independent expenditures under subsection (1) of this  
11 section shall use the electronic filing system adopted under ORS 260.057 to file with the secretary  
12 additional statements of independent expenditures made by the person, as described in ORS 260.083.

13 (3) Except as provided in subsections (4) [*and (5)*] **to (6)** of this section, a person shall file a  
14 statement described in subsection (2) of this section not later than 30 calendar days after an inde-  
15 pendent expenditure is made.

16 (4)(a) **Except as provided in subsection (5) of this section**, a person shall file a statement  
17 described in subsection (2) of this section not later than seven calendar days after an independent  
18 expenditure is made. This paragraph applies to independent expenditures made:

19 (A) During the period beginning on the 42nd calendar day before the date of any primary  
20 election and ending on the date of the primary election; and

21 (B) During the period beginning on the 42nd calendar day before the date of any general  
22 election and ending on the date of the general election.

23 (b) If the person makes an independent expenditure prior to the 42nd calendar day before the  
24 date of the primary or general election and the person has not filed a statement under subsection  
25 (3) of this section by the 43rd calendar day before the date of the primary or general election, the  
26 person shall file a statement described in subsection (2) of this section not later than the 35th cal-  
27 endar day before the date of the primary or general election.

28 (5)(a) **A person shall file a statement described in subsection (2) of this section not later**  
29 **than 24 hours after an independent expenditure is made. This paragraph applies to inde-**  
30 **pendent expenditures totalling \$3,000 or more that are made:**

31 (A) **During the period beginning on the 30th calendar day before the date of any primary**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **election and ending on the date of the primary election; and**

2 **(B) During the period beginning on the 30th calendar day before the date of any general**  
3 **election and ending on the date of the general election.**

4 **(b) If a person makes a single independent expenditure of \$3,000 or more prior to the 30th**  
5 **calendar day before the date of the primary or general election and the person has not filed**  
6 **a statement under subsection (4) of this section by the 31st calendar day before the date of**  
7 **the election, the person shall file a statement described in subsection (2) of this section not**  
8 **later than the 29th calendar day before the date of the primary or general election.**

9 [(5)] (6) For any special election, the secretary by rule may establish a period during which a  
10 person must file a statement described in subsection (2) of this section. The period may not extend  
11 beyond seven calendar days after an independent expenditure is made.

12 [(6)] (7) Notwithstanding ORS 260.005 (18), a person who solicits and receives a contribution or  
13 contributions is a political committee and shall file a statement of organization under ORS 260.042  
14 and the statements required by ORS 260.057, 260.076 or 260.078.

15 [(7)] (8) For purposes of this section:

16 (a) An independent expenditure does not include a contribution to a candidate or political  
17 committee that is required to report the contribution on a statement filed under ORS 260.057,  
18 260.076 or 260.078 or a certificate filed under ORS 260.112;

19 (b) An independent expenditure does not include a contribution to a candidate who is not re-  
20 quired to file a statement of organization under ORS 260.043; and

21 (c) A person is not a political committee under subsection (6) of this section if all contributions  
22 received by the person are:

23 (A) Designated to an identified candidate or political committee;

24 (B) Delivered by the person to the designated candidate or political committee not later than  
25 seven business days after the contribution is received; and

26 (C) Required to be reported as contributions by a candidate or political committee on a state-  
27 ment filed under ORS 260.057, 260.076 or 260.078 or a certificate filed under ORS 260.112.

28 **SECTION 2. The amendments to ORS 260.044 by section 1 of this 2017 Act apply to inde-**  
29 **pendent expenditures made on or after the effective date of this 2017 Act.**

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