

HB 2714 -5 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Josh Nasbe, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 5/23, 5/28

WHAT THE MEASURE DOES:

Creates Task Force on Campaign Finance Reform. Directs Task Force to submit report to legislative committee. Repeals Task Force on December 31, 2020.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-5 Replaces the measure. Enacts limits on campaign contributions that may be accepted by candidates and political committees. Requires political committee to identify as caucus, measure, multicandidate, political party, recall or small donor political committee. Prohibits individual from controlling more than one of each committee. Specifies contribution limits that may be accepted by committees and candidates, including limits on contributions from membership organizations. Authorizes Secretary of State and Attorney General to require return of contribution in excess of limits and impose civil penalty up to 150% of excess contribution. Limits become operative December 3, 2020. Repeals existing contribution limits enacted in chapter 3, Oregon Laws 2007, effective January 1, 2020.

BACKGROUND:

Campaign contributions and expenditures are forms of expression protected by Article I, section 8 of the Oregon Constitution and may not be limited. *Vannatta v. Keisling*, 324 Or. 514 (1997); see also *Buckley v. Valeo*, 424 U.S. 1 (1976) (Campaign expenditures protected by First Amendment to United States Constitution). Disclosure requirements, on the other hand, do not necessarily offend the state or federal constitution. *State v. Moyer*, 348 Or. 220 (2010); *Buckley*. As a result, current Oregon law does not limit campaign contributions or expenditures, but does require that they be disclosed via ORESTAR.