

SJR 18 B STAFF MEASURE SUMMARY

Carrier: Sen. Golden

Senate Committee On Rules

Action Date: 06/17/19

Action: Be adopted with amendments to the A-Eng measure. (Printed B-Eng.)

Vote: 4-1-0-0

Yeas: 4 - Baertschiger Jr, Burdick, Dembrow, Roblan

Nays: 1 - Boquist

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 6/3, 6/17, 6/17

WHAT THE MEASURE DOES:

Proposes amendment to Oregon Constitution authorizing adoption of state and local laws that require campaign finance-related disclosures or that limit, to the extent permitted under the federal constitution, political contributions and expenditures. Applies to laws enacted or approved on or after January 1, 2016. Refers proposed amendment to next regular general election.

ISSUES DISCUSSED:

- Oregon's constitutional protections
- Transparency
- Resources necessary for effective advocacy
- General election in 2020

EFFECT OF AMENDMENT:

Authorizes enactment of expenditure limitations, to extent permitted by federal constitution. Expressly requires contribution limits that allow gathering of resources necessary for effective advocacy. Eliminates catch-all authority. Refers proposed amendment to next regular general election.

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*.