

Senate Bill 805

Sponsored by COMMITTEE ON CAMPAIGN FINANCE

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**.

Provides definition of "major political party" for determining whether specific actions are contributions or expenditures.

A BILL FOR AN ACT

1
2 Relating to campaign finance; amending ORS 260.007.

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

4 **SECTION 1.** ORS 260.007 is amended to read:

5 260.007. (1) As used in this chapter, "contribute," "contribution," "expend" or "expenditure"
6 does not include:

7 [(1)] (a) Any written news story, commentary or editorial distributed through the facilities of
8 any broadcasting station, newspaper, magazine or other regularly published publication, unless a
9 political committee owns the facility.

10 [(2)] (b) An individual's use of the individual's own personal residence, including a community
11 room associated with the individual's residence, to conduct a reception for a candidate or political
12 committee and the individual's cost of invitations, food and beverages provided at the reception.

13 [(3)] (c) A vendor's sale of food and beverages for use in a candidate's or political committee's
14 campaign at a charge less than the normal comparable charge, if the charge is at least equal to the
15 cost of the food or beverages to the vendor.

16 [(4)] (d) Any unreimbursed payment for travel expenses an individual, including a candidate,
17 makes on behalf of a candidate or political committee.

18 [(5)] (e) Any loan of money made by a financial institution as defined in ORS 706.008, other than
19 any overdraft made with respect to a checking or savings account, if the loan bears the usual and
20 customary interest rate for the category of loan involved, is made on a basis that ensures repay-
21 ment, is evidenced by a written instrument and is subject to a due date or amortization schedule.
22 However, each indorser or guarantor of the loan shall be considered to have contributed that por-
23 tion of the total amount of the loan for which that person agreed to be liable in a written agreement,
24 except if the indorser or guarantor is the candidate's spouse.

25 [(6)] (f) Nonpartisan activity designed to encourage individuals to vote or to register to vote,
26 including but not limited to activity that is allowed for a not-for-profit corporation that is tax ex-
27 empt under section 501(c)(3) of the Internal Revenue Code.

28 [(7)] (g) Any communication a membership organization or corporation makes to its members,
29 shareholders or employees if the membership organization or corporation is not organized primarily
30 for the purpose of influencing an election.

31 [(8)] (h) The payment of compensation for legal and accounting services rendered to a candidate

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 or political committee if the person paying for the services is the regular employer of the individual
 2 rendering the services and the services are solely for the purpose of ensuring compliance with the
 3 provisions of this chapter.

4 [(9)] (i) The payment by a state or local committee of a political party of the costs of prepara-
 5 tion, display or mailing or other distribution incurred by the committee with respect to a printed
 6 slate card or sample ballot, or other printed listing, of three or more candidates for any public office
 7 for which an election is held in this state. This [subsection] **paragraph** does not apply to costs in-
 8 curred by the committee with respect to a display of any such listing made on broadcasting stations
 9 or in newspapers, magazines or similar types of general public political advertising.

10 [(10)] (j) A Candidate debate or forum for a state office, or a communication publicizing a can-
 11 didate debate or forum for a state office, when all major political party candidates for the state of-
 12 fice have been invited to participate in the candidate debate or forum.

13 [(11)] (k) The following nonpartisan communications that refer to a candidate or political party
 14 within 30 calendar days before a primary election or 60 calendar days before a general election:

15 [(a)] (A) The publication of a nonpartisan voters' guide that:

16 [(A)] (i) Is permitted to be published by a not-for-profit corporation that is tax exempt under
 17 section 501(c)(3) of the Internal Revenue Code; or

18 [(B)] (ii) With respect to each state office referenced in the voters' guide:

19 [(i)] (I) Includes information from all major political party candidates for the state office refer-
 20 enced; or

21 [(ii)] (II) Offers all major political party candidates for the state office referenced a reasonable
 22 opportunity to be included in the voters' guide.

23 [(b)] (B) A commercial communication that depicts a candidate's name, image, likeness or voice
 24 only in the candidate's capacity as owner, operator or employee of a business that existed prior to
 25 the candidate's declaration of candidacy.

26 [(c)] (C) Official publications produced or distributed by public employees while on the job dur-
 27 ing working hours.

28 [(d)] (D) A communication by a labor union, membership organization or corporation to its
 29 members, stockholders or executive or administrative personnel.

30 [(e)] (E) Any other nonpartisan communication identified by the Secretary of State by rule.

31 (2) **As used in this section, "major political party" has the meaning given that term in**
 32 **ORS 254.005.**