

DRAFT

SUMMARY

Establishes 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 person from controlling more than one of each committee.

Authorizes Secretary of State and Attorney General to require return of contribution excess of limits and impose civil penalty up to 150 percent of total amount of contribution.

Establishes Small Donor Elections Program to enable candidates for office of state Representative and state Senator to receive 6-to-1 match on small dollar donations. Limits matching funds.

Allows resident taxpayers to designate contribution to Small Donor Elections Fund on income tax return form.

Directs most election law penalties to Small Donor Elections Fund.

Repeals Ballot Measure 47 (2006), currently held in abeyance, which establishes limits on political campaign contributions and independent expenditures on candidate races and establishes certain campaign finance disclosure requirements.

Becomes operative November 6, 2024.

Refers Act to people for approval or rejection at next general election.

A BILL FOR AN ACT

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Relating to campaign finance; creating new provisions; amending ORS 260.042, 260.266, 260.995, 305.754 and 305.796; repealing chapter 3, Oregon Laws 2007; and providing that this Act shall be referred to the people for their approval or rejection.

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

SECTION 1. Sections 2 to 4 of this 2022 Act are added to and made a part of ORS chapter 260.

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.

SECTION 2. As used in sections 2 to 4 of this 2022 Act:

(1) “Caucus political committee,” “major political party,” “measure political committee,” “minor political party,” “multicandidate political committee,” “political party committee” and “recall political committee” have the meanings given those terms in ORS 260.042.

(2) “Election cycle” means the period starting on the day after the date of a general election and ending on the date of the next general election.

(3) “Local provision” means a charter provision, ordinance, resolution or other provision adopted by a city, county or other local government.

(4) “Membership organization” means an organization that:

(a) Is tax-exempt under section 501(c) of the Internal Revenue Code;

(b) Is not formed or operated for the purpose of conducting or promoting commercial enterprise; and

(c) Is composed of individual members who:

(A) Have taken action to join the organization; and

(B) For each year of membership, on an annual or more frequent basis, either pay monetary membership dues, make a monetary donation or volunteer time as a condition of maintaining membership in the organization.

(5) “Small donor political committee” means a political committee that:

(a) Registers as a small donor political committee under ORS 260.042;

(b) Prior to registering as a small donor political committee has not accepted a contribution:

(A) From a person other than an individual; or

(B) In excess of the contribution limits for small donor political committees set forth in section 4 of this 2022 Act; and

(c) While operating as a small donor political committee, complies

1 with the restrictions on receiving contributions set forth in section 4
2 of this 2022 Act.

3 (6) "State office," notwithstanding ORS 260.005, means the office of
4 Governor, Secretary of State, State Treasurer, Attorney General,
5 Commissioner of the Bureau of Labor and Industries, state Senator,
6 state Representative, judge of the Supreme Court, judge of the Court
7 of Appeals or circuit court judge.

8 SECTION 3. (1)(a) A candidate for state office or the principal
9 campaign committee of a candidate for state office may accept con-
10 tributions only from the sources and in the amounts described in this
11 section.

12 (b) Except as otherwise provided by a local provision or paragraph
13 (c) of this subsection, the limits on aggregate contributions that may
14 be accepted by a candidate or the principal campaign committee of a
15 candidate for the office of state Representative under this section also
16 apply to a candidate or the principal campaign committee of a candi-
17 date for any elected office that is not a state office.

18 (c) Notwithstanding any local provision, a candidate or the principal
19 campaign committee of a candidate for any elected office that is not
20 a state office may accept unlimited contributions from a small donor
21 political committee.

22 (2)(a) A candidate or the principal campaign committee of a candi-
23 date for the office of state Representative may not accept aggregate
24 contributions in excess of \$____ per election from an individual, a
25 multicandidate political committee or the principal campaign com-
26 mittee of a candidate.

27 (b) A candidate or the principal campaign committee of a candidate
28 for the office of state Senator or circuit court judge may not accept
29 aggregate contributions in excess of \$____ per election from an indi-
30 vidual, a multicandidate political committee or the principal campaign
31 committee of a candidate.

1 (c) A candidate or the principal campaign committee of a candidate
2 for a state office not described in paragraph (a) or (b) of this sub-
3 section may not accept aggregate contributions in excess of \$____ per
4 election from an individual, a multicandidate political committee or
5 the principal campaign committee of a candidate.

6 (d) A candidate or the principal campaign committee of a candidate
7 for state office may not accept aggregate contributions in excess of
8 \$____ from a caucus political committee, a political party committee
9 or a small donor political committee.

10 (3)(a) A political committee may make a contribution to a candidate
11 for state office or the principal campaign committee of a candidate for
12 state office only if the political committee is registered with the Sec-
13 retary of State as a caucus political committee, a multicandidate pol-
14 itical committee, a political party committee, the principal campaign
15 committee of a candidate or a small donor political committee.

16 (b) A measure political committee or a recall political committee
17 may not make a contribution to a candidate or the principal campaign
18 committee of a candidate for a state office.

19 (4) Nothing in this section limits the amount a candidate may con-
20 tribute from the candidate's personal funds to the candidate or the
21 principal campaign committee of the candidate.

22 (5)(a) For purposes of this section, a separate election exists in each
23 instance in which an individual:

24 (A) Is a candidate for nomination to a state office by a major poli-
25 tical party or a minor political party;

26 (B) Is a candidate for nomination to a state office by an assembly
27 of electors under ORS 249.735 or by individual electors under ORS
28 249.740;

29 (C) Is a candidate for nomination to a nonpartisan state office;

30 (D) Will appear on a general election ballot or a special election
31 ballot as a candidate for state office;

1 (E) Is a write-in candidate for state office at a primary election,
2 general election or special election who has established a principal
3 campaign committee; or

4 (F) Will appear on a recall election ballot as the incumbent holder
5 of a state office.

6 (b) Notwithstanding subsection (2) of this section, during each
7 election cycle:

8 (A) A candidate or the principal campaign committee of a candidate
9 for state office who has not qualified to appear on the general election
10 ballot may accept contributions for only one election plus any addi-
11 tional elections in which the candidate meets the requirements de-
12 scribed in paragraph (a)(F) of this subsection;

13 (B) A candidate or the principal campaign committee of a candidate
14 for state office who will appear on the general election ballot may ac-
15 cept contributions for only two elections plus any additional elections
16 in which the candidate meets the requirements described in paragraph
17 (a)(F) of this subsection; and

18 (C) An individual may not accept contributions for more than two
19 elections in which the individual is a candidate for nomination or
20 election to a particular state office.

21 (6)(a) For purposes of the contribution limits established in this
22 section, contributions made or received by multiple political commit-
23 tees are considered to be made or received by a single political com-
24 mittee if:

25 (A) The political committees have filed to operate as the same type
26 of political committee under ORS 260.042; and

27 (B) The political committees are established, financed, maintained
28 or controlled by the same person or substantially the same group of
29 persons, including any parent, subsidiary, branch, division, depart-
30 ment or local unit of the person or group of persons.

31 (b) Notwithstanding paragraph (a) of this subsection, having the

1 same individual acting as the treasurer of two or more political com-
2 mittees is not by itself sufficient to consider contributions made by the
3 political committees to be contributions made or received by a single
4 political committee.

5 (7) Prior to the start of each election cycle, the Secretary of State
6 shall adjust the dollar amounts set forth in this section by the cumu-
7 lative change in the Consumer Price Index for All Urban Consumers,
8 West Region (All Items), as published by the Bureau of Labor Statis-
9 tics of the United States Department of Labor, or its successor, since
10 the previous election cycle. The adjustments performed under this
11 subsection shall be rounded to the nearest \$10 increment.

12 (8) The Secretary of State may adopt rules necessary to implement
13 this section.

14 **SECTION 4.** (1) A political committee other than the principal
15 campaign committee of a candidate may accept contributions only
16 from the sources and in the amounts described in this section.

17 (2) A caucus political committee:

18 (a) May not accept aggregate contributions in excess of \$____ per
19 calendar year from an individual or a multicandidate political com-
20 mittee; and

21 (b) May not accept aggregate contributions in excess of \$____ per
22 calendar year from the principal campaign committee of a candidate,
23 a political party committee, a caucus political committee or the can-
24 didate committee of a candidate for federal office.

25 (3) A political party committee:

26 (a) May not accept aggregate contributions in excess of \$____ per
27 calendar year from an individual, a multicandidate political committee
28 or a caucus political committee; and

29 (b) May not accept aggregate contributions in excess of \$____ per
30 calendar year from the principal campaign committee of a candidate,
31 a political party committee or the candidate committee of a candidate

1 to represent this state, or a district of this state, as a United States
2 Senator or a Representative in Congress.

3 (4) A multicandidate political committee may not accept aggregate
4 contributions in excess of \$____ per calendar year from an individual,
5 the principal campaign committee of a candidate, a multicandidate
6 committee, a political party committee or a caucus political commit-
7 tee.

8 (5)(a) A measure political committee or a recall political committee
9 may accept unlimited contributions from any person, including any
10 other political committee.

11 (b) A measure political committee may not make a contribution to
12 a caucus political committee, a multicandidate committee, a political
13 party committee, a small donor political committee or a recall political
14 committee.

15 (c) A recall political committee may not make a contribution to a
16 caucus political committee, a multicandidate committee, a political
17 party committee, a small donor political committee or a measure pol-
18 itical committee.

19 (6)(a) During a calendar year, a small donor political committee
20 may accept contributions from:

21 (A) Individuals, in an aggregate amount of no more than \$____ per
22 individual.

23 (B) Membership organizations, in an amount that does not exceed
24 \$____.

25 (C) Small donor political committees, in an aggregate amount of
26 no more than \$____.

27 (b) A membership organization may make contributions to one or
28 more small donor political committees. The aggregate total contribu-
29 tions, including in-kind contributions, that a membership organization
30 may make to small donor political committees may not exceed ____
31 percent of each individual member's membership dues or the aggre-

1 gate total of each individual member's donations that were received
2 by the membership organization during the previous 12 months, with
3 a limit of \$_____ from the dues or donations paid by each individual
4 member per calendar year.

5 (7)(a) A person may not control more than one of each of the fol-
6 lowing types of committee at one time:

7 (A) Principal campaign committee.

8 (B) Caucus political committee.

9 (C) Measure political committee.

10 (D) Multicandidate political committee.

11 (E) Political party committee.

12 (F) Recall political committee.

13 (G) Small donor political committee.

14 (b) For the purpose of the contribution limits established in this
15 section, contributions made or received by multiple political commit-
16 tees are considered to be made or received by a single political com-
17 mittee if:

18 (A) The political committees have filed to operate as the same type
19 of political committee under ORS 260.042; and

20 (B) The political committees are established, financed, maintained
21 or controlled by the same person or substantially the same group of
22 persons, including any parent, subsidiary, branch, division, depart-
23 ment or local unit of such person or group of persons.

24 (c) Notwithstanding paragraph (b) of this subsection, having the
25 same individual acting as the treasurer of two or more political com-
26 mittees is not by itself sufficient to consider contributions made by the
27 political committees to be contributions made or received by a single
28 political committee.

29 (8) Prior to the start of each election cycle, the Secretary of State
30 shall adjust the dollar amounts set forth in this section by the cumu-
31 lative change in the Consumer Price Index for All Urban Consumers,

1 **West Region (All Items), as published by the Bureau of Labor Statis-**
2 **tics of the United States Department of Labor, or its successor, since**
3 **the previous election cycle. The adjustments performed under this**
4 **subsection shall be rounded to the nearest \$10 increment.**

5 **(9) The Secretary of State may adopt rules necessary to implement**
6 **this section.**

7 **SECTION 5.** ORS 260.995 is amended to read:

8 260.995. (1) Except as provided in subsection (2) **or** (3) of this section,
9 following an investigation under ORS 260.345, the Secretary of State or At-
10 torney General may impose a civil penalty not to exceed \$1,000 for each vi-
11 olation of any provision of Oregon Revised Statutes relating to the conduct
12 of any election, any rule adopted by the secretary under ORS chapters 246
13 to 260 or any other matter preliminary to or relating to an election, for
14 which a civil penalty is not otherwise provided.

15 (2) The secretary or the Attorney General may impose a civil penalty not
16 to exceed:

17 (a)(A) Except as provided in subparagraph (B) of this paragraph, \$1,000
18 plus the amount converted to personal use for each violation of ORS 260.407;
19 **or**

20 (B) Two times the amount of the penalty provision for violating a
21 nondisclosure agreement that is contained within each nondisclosure agree-
22 ment entered into in violation of ORS 260.407 or 260.413;

23 (b) 150 percent of the total cost of printing, transmitting or distributing
24 a communication in support of or in opposition to a clearly identified can-
25 didate if the disclosure requirements set forth in ORS 260.266 are not met;
26 **or**

27 (c) \$10,000 for each violation of ORS 260.555, 260.558, 260.575, 260.695 (1)
28 **or** (2) or 260.715 (1) or Article IV, section 1b, of the Oregon Constitution.

29 **(3)(a) Except as provided in paragraph (b) of this subsection, for**
30 **each instance in which a political committee or a candidate for state**
31 **office or the principal campaign committee of a candidate for state**

1 office accepts a contribution in excess of the limits established in
2 section 3 or 4 of this 2022 Act, the secretary or Attorney General:

3 (A) Shall require the candidate or committee to return all moneys
4 accepted in excess of the applicable contribution limit to the person
5 that made the nonconforming contribution; and

6 (B) May impose a civil penalty in the form of a fine not to exceed
7 150 percent of the total amount of the contribution accepted that re-
8 sulted in a violation of the contribution limits established in section
9 3 or 4 of this 2022 Act.

10 (b)(A) The secretary or Attorney General may not impose a civil
11 penalty on a political committee or a candidate for state office or the
12 principal campaign committee of a candidate for state office for re-
13 ceiving contributions in excess of the contribution limits established
14 in section 3 or 4 of this 2022 Act if, within 10 business days of receiving
15 the nonconforming contribution, the candidate or committee:

16 (i) Refuses to accept and returns the contribution; or

17 (ii) Returns all moneys included in the contribution that are in ex-
18 cess of the contribution limits established in section 3 or 4 of this 2022
19 Act.

20 (B) If a political committee or a candidate for state office or the
21 principal campaign committee of a candidate for state office is unable
22 to return all or part of a nonconforming contribution to the person
23 that made the contribution, the return of all or part of a contribution
24 under this paragraph may be satisfied by donating the moneys de-
25 scribed in subparagraph (A) of this paragraph to an organization re-
26 cognized as tax exempt under section 501(c)(3) of the Internal Revenue
27 Code.

28 [(3)] (4) Except as otherwise provided by this section, civil penalties under
29 this section shall be imposed as provided in ORS 183.745. In addition to the
30 requirements of ORS 183.745, the notice shall include:

31 (a) A statement of the authority and jurisdiction under which the hearing

1 is to be held; and

2 (b) If the person is an agency, corporation or an unincorporated associ-
3 ation, a statement that such person must be represented by an attorney li-
4 censed in Oregon, unless the person is a political committee which may be
5 represented by any officer identified in the most recent statement of organ-
6 ization filed with the filing officer.

7 [(4)] (5) A hearing on whether to impose a civil penalty and to consider
8 circumstances in mitigation shall be held by the secretary or Attorney Gen-
9 eral:

10 (a) Upon request of the person against whom the penalty may be assessed,
11 if the request is made not later than the 20th day after the service date on
12 the notice sent under subsection [(3)] (4) of this section; or

13 (b) Upon the secretary's or Attorney General's own motion.

14 [(5)] (6) The person against whom a penalty may be assessed need not
15 appear in person at a hearing held under this section, but instead may sub-
16 mit written testimony or other evidence, sworn to before a notary public, to
17 the secretary or Attorney General for entry in the hearing record. The tes-
18 timony or other evidence must be received by the secretary or Attorney
19 General not later than three business days before the day of the hearing and
20 may be submitted electronically.

21 [(6)] (7) All hearings under this section shall be held not later than 45
22 days after the deadline for the person against whom the penalty may be as-
23 sessed to request a hearing. However, if requested by the person against
24 whom the penalty may be assessed, a hearing under subsection [(4)] (5) of
25 this section shall be held not later than 60 days after the deadline for the
26 person against whom the penalty may be assessed to request a hearing.

27 [(7)] (8) The secretary or Attorney General shall issue an order not later
28 than 90 days after a hearing or after the deadline for requesting a hearing
29 if no hearing is held.

30 [(8)] (9) All penalties recovered under this section shall be paid into the
31 **Small Donor Elections Fund established in section 12 of this 2022 Act**

1 [State Treasury and credited to the General Fund].

2 [(9)] (10) In the case of a civil penalty imposed under this section for a
3 violation of ORS 260.407, the person against whom the penalty is assessed:

- 4 (a) Is personally responsible for the payment of the civil penalty;
- 5 (b) Shall pay the civil penalty from personal funds of the person; and
- 6 (c) May not pay the civil penalty from contributions received by a can-
7 didate, a candidate's principal campaign committee, a political committee or
8 a petition committee.

9 **SECTION 6.** ORS 260.042 is amended to read:

10 260.042. (1) The treasurer of a political committee shall file a statement
11 of organization with the filing officer. The statement must include:

12 (a) The name[,] **and** address [*and nature*] of the committee. The address
13 must be the address of a residence, office, headquarters or similar location
14 where the political committee or a responsible officer of the political com-
15 mittee may be conveniently located.

16 (b) The name, address and occupation of the committee director or direc-
17 tors.

18 (c) The name and address of the committee treasurer.

19 (d) The name and address of any other political committee of which two
20 or more committee directors are also directors of the committee filing the
21 statement.

22 (e)(A) **Whether the political committee will operate as a caucus**
23 **political committee, a measure political committee, a multicandidate**
24 **political committee, a political party committee, a recall political**
25 **committee or a small donor political committee.**

26 (B) **A major political party or minor political party may not estab-**
27 **lish more than one political party committee.**

28 (C) **A major political party or minor political party may not estab-**
29 **lish more than one caucus political committee in the Senate and one**
30 **caucus political committee in the House of Representatives.**

31 (D) **A recall political committee may be formed only after a recall**

1 **election is certified to the ballot.**

2 [(e)] (f) The name, office sought, and party affiliation of each candidate
3 whom the committee is supporting or specifically opposing or intends to
4 support or specifically oppose, when known, or, if the committee is support-
5 ing or specifically opposing all the candidates of a given party, the name of
6 that party.

7 [(f)] (g) A designation of any measure that the committee is opposing or
8 supporting, or intends to support or oppose. **Only a political committee**
9 **that operates as a measure political committee may use amounts re-**
10 **ceived as contributions to support or oppose one or more measures.**

11 [(g)] (h) A statement of whether the committee is a controlled committee.

12 (2) In addition to the information listed in subsection (1) of this section,
13 the statement of organization must include, or be amended within five busi-
14 ness days to include, the name of the financial institution in which the
15 campaign account required under ORS 260.054 is established, the name of the
16 account, the name of the account holder and the names of all individuals
17 who have signature authority for the account. The Secretary of State may
18 not disclose information received by the secretary under this subsection ex-
19 cept as necessary for purposes of enforcing the provisions of ORS chapters
20 246 to 260.

21 (3) A treasurer may designate an individual to receive any notice provided
22 by a filing officer under ORS chapters 246 to 260. The treasurer shall in-
23 clude the name and address of the individual in a statement of organization
24 filed under this section. A filing officer who provides any notice under ORS
25 chapters 246 to 260 to the treasurer of the political committee shall also
26 provide the notice to the individual designated by the treasurer under this
27 subsection.

28 (4) A treasurer may designate an elector of this state to be liable for any
29 civil penalty imposed under ORS 260.232. The treasurer shall include the
30 name and address of any elector designated under this subsection in a
31 statement of organization filed under this section.

1 (5) The statement of organization must be filed not later than the date
2 specified in ORS 260.035.

3 (6) Except as provided in subsection (2) of this section, any change in
4 information submitted in a statement of organization under subsections (1)
5 and (2) of this section must be indicated in an amended statement of organ-
6 ization filed not later than the 10th day after the change in information.

7 (7) This section does not apply to a political committee that is a principal
8 campaign committee or to a political committee exclusively supporting or
9 opposing one or more candidates for federal or political party office.

10 **(8) As used in this section:**

11 **(a) “Caucus political committee” means a political committee:**

12 **(A) Established by the caucus of a major political party or a minor**
13 **political party in the Senate or the House of Representatives;**

14 **(B) Established under rules or bylaws created by the caucus by**
15 **which it was established; and**

16 **(C) Controlled by an elected leader of the caucus by which it was**
17 **established.**

18 **(b) “Major political party” means a political party that has qualified**
19 **as a major political party under ORS 248.006.**

20 **(c) “Measure political committee” means a political committee that**
21 **supports or opposes one or more measures.**

22 **(d) “Minor political party” means a political party that has qualified**
23 **as a minor political party under ORS 248.008.**

24 **(e) “Multicandidate political committee” means a political commit-**
25 **tee that supports or opposes:**

26 **(A) One or more candidates; or**

27 **(B) All candidates affiliated with a major political party or a minor**
28 **political party.**

29 **(f) “Political party committee” is a political committee that, on a**
30 **statewide basis:**

31 **(A) Supports or opposes one or more candidates; and**

1 **(B)(i) Represents a major political party or a minor political party;**
2 **or**

3 **(ii) Is established under the bylaws of a major political party or a**
4 **minor political party.**

5 **(g) “Recall political committee” means a political committee that**
6 **supports or opposes a person subject to a recall election.**

7 **(h) “Small donor political committee” has the meaning given that**
8 **term in section 2 of this 2022 Act.**

9 **SECTION 7. Sections 8 to 13 of this 2022 Act are added to and made**
10 **a part of ORS chapter 260.**

11 **SECTION 8. As used in sections 8 to 13 of this 2022 Act:**

12 **(1) “Election cycle” has the meaning given that term in section 2**
13 **of this 2022 Act.**

14 **(2)(a) Except as provided in paragraphs (b) and (c) of this sub-**
15 **section, “maximum public match” means the receipt by a candidate**
16 **for the office of state Senator or state Representative from the Small**
17 **Donor Elections Fund of an amount of moneys equal to the amount**
18 **set forth in section 13 of this 2022 Act.**

19 **(b)(A) For a candidate for the office of state Senator or state Rep-**
20 **resentative who is running unopposed in the primary election, “maxi-**
21 **imum public match” means a candidate’s receipt from the Small Donor**
22 **Elections Fund of five percent of the amount set forth in paragraph**
23 **(a) of this subsection during the period ending on the date of the pri-**
24 **mary election and:**

25 **(i) If the candidate is running unopposed in the general election,**
26 **five percent of the amount set forth in paragraph (a) of this subsection**
27 **during the period beginning on the day after the date of the primary**
28 **election and ending on the date of the general election; or**

29 **(ii) If the candidate is not running unopposed in the general**
30 **election, the total amount of moneys remaining from the amount set**
31 **forth in paragraph (a) of this subsection after the date of the primary**

1 election.

2 (B) For a candidate for the office of state Senator or state Repre-
3 sentative who is running unopposed in the general election, “maxi-
4 mum public match” means a candidate’s receipt from the Small Donor
5 Elections Fund of five percent of the amount set forth in paragraph
6 (a) of this subsection during the period beginning on the day after the
7 date of the primary election and ending on the date of the general
8 election and:

9 (i) If the candidate is running unopposed in the primary election,
10 five percent of the amount set forth in paragraph (a) of this subsection
11 during the period ending on the date of the primary election; or

12 (ii) If the candidate is not running unopposed in the primary
13 election, 50 percent of the amount set forth in paragraph (a) of this
14 subsection during the period ending on the date of the primary
15 election.

16 (c) If a candidate has received contributions from a single person
17 in an aggregate amount of more than \$250 during an election cycle but
18 prior to filing a statement of intent under section 9 (1)(a) of this 2022
19 Act, the maximum public match shall be reduced by the total amount
20 of moneys received in contributions from a single person in an aggre-
21 gate amount of more than \$250 prior to the candidate filing a state-
22 ment of intent under section 9 (1)(a) of this 2022 Act.

23 (3) “Minimum amount of in-state qualifying contributions” means
24 the following amount of qualified small donor contributions from in-
25 state individuals that a candidate must receive in order to participate
26 in the Small Donor Elections Program:

27 (a) \$10,000 in qualified small donor contributions for candidates for
28 the office of state Senator; or

29 (b) \$6,000 in qualified small donor contributions for candidates for
30 the office of state Representative.

31 (4) “Minimum number of in-state qualifying contributions” means

1 the following number of in-state individuals that a candidate must
2 receive qualified small donor contributions from in order to participate
3 in the Small Donor Elections Program:

4 (a) 400 donors for candidates for the office of state Senator; or

5 (b) 250 donors for candidates for the office of state Representative.

6 (5) “Nonmatching small donor contributions” means, except as
7 otherwise provided by law:

8 (a) Contributions in an aggregate amount of no more than \$250 per
9 election cycle from a person that is not an individual, including a
10 political committee, to a candidate for the office of state Senator or
11 state Representative; or

12 (b) In-kind contributions to a candidate for the office of state Sen-
13 ator or state Representative that, when combined with nonmatching
14 small donor contributions described in paragraph (a) of this subsection
15 and with qualified small donor contributions, result in an aggregate
16 amount of no more than \$250 from a person per election cycle.

17 (6)(a) Except as provided in paragraph (b) of this subsection,
18 “qualified small donor contributions” means contributions in an ag-
19 gregate amount of no more than \$250 per election cycle from an indi-
20 vidual to a candidate for the office of state Senator or state
21 Representative.

22 (b) In-kind contributions are not “qualified small donor contribu-
23 tions.”

24 (7) “Qualifying period” means the 120-day period that begins on the
25 date a candidate for the office of state Senator or state Representative
26 files a statement of intent to participate in the Small Donor Elections
27 Program.

28 SECTION 9. (1) In order to participate in the Small Donor Elections
29 Program, a candidate for the office of state Senator or state Repre-
30 sentative:

31 (a) Must file a statement of intent with the Secretary of State at

1 any time during the period that begins immediately after the date of
2 a general election and ends on the date 150 days before the date of the
3 next general election;

4 (b) Must collect at least the minimum amount of in-state qualifying
5 contributions during the qualifying period;

6 (c) Must collect at least the minimum number of in-state qualifying
7 contributions during the qualifying period;

8 (d) Must sign an affidavit designed by the Secretary of State by rule
9 stating that the candidate will follow the requirements of the Small
10 Donor Elections Program set forth in sections 8 to 13 of this 2022 Act;
11 and

12 (e) May not have made or accepted a loan in an aggregate amount
13 of more than \$250 to the candidate's campaign since the date of the
14 last general election at the time the candidate files a statement under
15 paragraph (a) of this subsection.

16 (2)(a) Except as provided in paragraphs (b) and (c) of this sub-
17 section, a candidate who satisfies each requirement set forth in sub-
18 section (1) of this section shall receive from the Small Donor Elections
19 Fund an amount equal to \$6 for every \$1 in qualified small donor
20 contributions received from an in-state individual, provided that the
21 total amount received by the candidate from the fund does not exceed
22 the maximum public match. The distribution of moneys from the fund
23 shall be done in the manner set forth in section 10 of this 2022 Act.

24 (b) During the period starting on the day after the date of a general
25 election and ending on the date of the next primary election, moneys
26 provided from the Small Donor Elections Fund under paragraph (a)
27 of this subsection may not apply to more than \$125 of the qualified
28 small donor contributions made by any individual to each candidate.

29 (c) During the period starting on the day after the date of a general
30 election and ending on the date of the next general election, moneys
31 provided from the Small Donor Elections Fund under paragraph (a)

1 of this subsection may not apply to more than \$250 of the qualified
2 small donor contributions made by an individual to each candidate.
3 The moneys provided from the Small Donor Elections Fund shall apply
4 to all qualified small donor contributions up to \$250 per individual for
5 each candidate who qualifies for the next general election.

6 (3) In addition to qualified small donor contributions and moneys
7 received from the Small Donor Elections Fund under subsection (2)
8 of this section and section 10 of this 2022 Act, candidates who partic-
9 ipate in the Small Donor Elections Program may:

10 (a) Receive nonmatching small donor contributions from an un-
11 limited number of donors.

12 (b) Use personal moneys, or moneys raised from any legal source,
13 to establish the candidate's campaign. Moneys used or raised under
14 this paragraph:

15 (A) May include aggregate amounts in excess of \$250 from any per-
16 son; and

17 (B) May not be in an aggregate amount of more than \$6,000 per
18 election cycle.

19 (4)(a) Except as provided in paragraph (b) of this subsection, con-
20 tributions received by a candidate who participates in the Small Donor
21 Elections Program may be used in any manner consistent with ORS
22 260.407.

23 (b) Moneys received from the Small Donor Elections Fund under
24 subsection (2) of this section or section 10 of this 2022 Act:

25 (A) Shall be used only for legitimate campaign expenses, as deter-
26 mined by rule by the Secretary of State; and

27 (B) May not be used to:

28 (i) Pay salaries for family members of the candidate;

29 (ii) Make purchases from a business or entity owned by the candi-
30 date or the candidate's family;

31 (iii) Pay for campaign expenditures at a rate greater than fair

1 **market value;**

2 **(iv) Make a contribution to the campaign of another candidate;**

3 **(v) Pay for fundraising expenses for any person or entity other than**
4 **the candidate; or**

5 **(vi) Make an independent expenditure.**

6 **(5) A candidate who participates in the Small Donor Elections Pro-**
7 **gram may not:**

8 **(a) Coordinate election activities with any entity that makes inde-**
9 **pendent expenditures related to the candidate, the office the candidate**
10 **is seeking or the election the candidate is participating in.**

11 **(b) Receive contributions that are not authorized by this section.**

12 **(c) Except as provided in subsection (3) of this section, receive more**
13 **than an aggregate amount of \$250 in qualified small donor contribu-**
14 **tions and nonmatching small donor contributions from a single donor**
15 **per election cycle.**

16 **(d) Make or accept a loan in an aggregate amount of more than \$250**
17 **to the candidate's campaign.**

18 **(6) A candidate who participates in the Small Donor Elections Pro-**
19 **gram and receives a contribution that exceeds the amount that would**
20 **constitute a qualified small donor contribution or a nonmatching**
21 **small donor contribution shall within two weeks:**

22 **(a) Return to the person making the contribution the amount con-**
23 **tributed that is in excess of the statutory limits; or**

24 **(b) Withdraw from the program and return to the Secretary of**
25 **State for deposit into the Small Donor Elections Fund the total**
26 **amount of public moneys distributed to the candidate under subsection**
27 **(2) of this section or section 10 of this 2022 Act, plus interest.**

28 **(7)(a) No later than 45 days after each general election, a candidate**
29 **who participates in the Small Donor Elections Program shall return**
30 **to the Secretary of State for deposit into the Small Donor Elections**
31 **Fund any unspent public moneys that were provided to the candidate**

1 under subsection (2) of this section or section 10 of this 2022 Act.

2 (b) In order to ensure the return of unspent public moneys that are
3 required to be returned under this subsection, the candidate shall:

4 (A) Keep detailed records establishing the total amount of moneys
5 from the Small Donor Elections Fund and the total amount of moneys
6 from other sources that compose the total amount of moneys depos-
7 ited into the campaign bank account of the candidate; and

8 (B) After campaign expenses are paid, return a percentage of the
9 total amount of moneys remaining in the account that is equal to the
10 percentage of the total amount of moneys deposited into the account
11 that came from the Small Donor Elections Fund.

12 (8) Except as otherwise provided in section 8 (2) of this 2022 Act, a
13 candidate who participates in the Small Donor Elections Program may
14 receive up to 50 percent of the maximum public match during the
15 primary election.

16 SECTION 10. The Secretary of State by rule shall establish a pro-
17 cess for distributing moneys from the Small Donor Elections Fund to
18 candidates who have met all of the requirements set forth in section
19 9 (1) of this 2022 Act for participation in the Small Donor Elections
20 Program. As part of this process:

21 (1) The Secretary of State shall certify that a candidate has com-
22 pleted each requirement set forth in section 9 (1) of this 2022 Act.

23 (2) Except as provided in section 9 (2) of this 2022 Act, upon pro-
24 viding certification under subsection (1) of this section, the Secretary
25 of State shall provide moneys from the Small Donor Elections Fund
26 to the candidate in an amount equal to \$6 for every \$1 in qualified
27 small donor contributions received from an in-state individual, pro-
28 vided that the amount received by the candidate does not exceed the
29 maximum public match.

30 (3) Following an initial distribution made under subsection (2) of
31 this section, the candidate may file with the Secretary of State addi-

1 **tional contribution statements seeking moneys from the Small Donor**
2 **Elections Fund. Except as provided in subsection (4) of this section,**
3 **additional contribution statements:**

4 (a) **May be filed only after the candidate has received qualified**
5 **small donor contributions of at least \$1,500 since the candidate last**
6 **filed a statement.**

7 (b) **May not be filed more than one time per week.**

8 (4) **During the 30 days immediately preceding the general election,**
9 **a candidate may file additional contribution statements seeking mon-**
10 **eys from the Small Donor Elections Fund without receiving qualified**
11 **small donor contributions of at least \$1,500.**

12 **SECTION 11. (1) A candidate participating in the Small Donor**
13 **Elections Program who knowingly falsifies campaign records or who**
14 **knowingly violates any provision of sections 8 to 13 of this 2022 Act:**

15 (a) **May no longer participate in the program;**

16 (b) **Shall be required to return to the Secretary of State for deposit**
17 **into the Small Donor Elections Fund the total amount of public mon-**
18 **eys distributed to the candidate under sections 9 (2) and 10 of this 2022**
19 **Act, plus interest;**

20 (c) **Is personally liable for the return of any public moneys that**
21 **have already been expended; and**

22 (d) **Is subject to criminal liability under ORS 260.993 (2) and civil**
23 **liability under ORS 260.995 (2)(c) for a violation of ORS 260.715 (1).**

24 (2) **The Secretary of State by rule shall conduct reasonable audits**
25 **of participants in the Small Donor Elections Program to ensure the**
26 **integrity of the program.**

27 (3) **A candidate may use the appeal mechanism established in ORS**
28 **246.910 to challenge any decision of the Secretary of State relating to**
29 **the candidate's ability to participate in the Small Donor Elections**
30 **Program.**

31 (4) **A candidate participating in the Small Donor Elections Program**

1 may at any time voluntarily withdraw from the program by returning
2 to the Secretary of State for deposit into the Small Donor Elections
3 Fund 100 percent of the total amount of public moneys distributed to
4 the candidate under sections 9 (2) and 10 of this 2022 Act, plus interest.

5 **SECTION 12.** (1) The Small Donor Elections Fund is established in
6 the State Treasury, separate and distinct from the General Fund. In-
7 terest earned by the Small Donor Elections Fund shall be credited to
8 the fund. All moneys in the fund are continuously appropriated to the
9 Secretary of State for the purpose of administering sections 8 to 13 of
10 this 2022 Act.

11 (2) The fund consists of moneys appropriated to the fund by the
12 Legislative Assembly, moneys returned to the fund by candidates who
13 participate in the Small Donor Elections Program in the manner set
14 forth in sections 8 to 13 of this 2022 Act and moneys paid into the fund
15 under ORS 260.995. The Secretary of State may accept grants, do-
16 nations, contributions or gifts from any source for deposit in the fund.

17 **SECTION 13.** (1) The maximum public match described in section 8
18 (2) of this 2022 Act for the period beginning on the day after the 2022
19 general election and ending on the date of the 2024 general election
20 shall be:

21 (a) \$600,000 for candidates for the office of state Senator; and

22 (b) \$400,000 for candidates for the office of state Representative.

23 (2) Prior to the start of each election cycle, the Secretary of State
24 shall adjust the dollar amounts set forth in this section by the cumu-
25 lative change in the Consumer Price Index for All Urban Consumers,
26 West Region (All Items), as published by the Bureau of Labor Statis-
27 tics of the United States Department of Labor, or its successor, since
28 the previous election cycle. The adjustments performed under this
29 subsection shall be rounded to the nearest \$10 increment.

30 **SECTION 14.** (1) A resident individual taxpayer who files a full-year
31 Oregon individual income tax return may designate that a contribu-

1 tion be made to the Small Donor Elections Fund established in section
2 12 of this 2022 Act. The resident individual taxpayer shall make the
3 designation by marking the box or filling in the space provided on the
4 return form pursuant to subsection (2) of this section. The amount
5 designated shall be subtracted from any refund due on the return.

6 (2)(a) The Department of Revenue shall provide, on the face of the
7 full-year Oregon individual income tax return form, a place for resi-
8 dent individual taxpayers to contribute to the Small Donor Elections
9 Fund. The department is not required to add a line to a particular
10 form if this addition would require the addition of a page to the return
11 form.

12 (b) The area on the return form for making the designation shall
13 provide for:

14 (A) A checkoff box of \$5, \$10, \$20 or \$50; and

15 (B) A blank line in which the individual may write in an amount
16 other than an amount designated under subparagraph (A) of this par-
17 agraph.

18 (c) The instructions for the return form shall adequately explain
19 that any amount designated shall be paid to the Small Donor Elections
20 Fund, that the amount designated will decrease the refund of the
21 taxpayer by the designated amount and that the designation is entirely
22 voluntary.

23 (3) If a taxpayer designates both a contribution to the Small Donor
24 Elections Fund under this section and a contribution pursuant to ORS
25 305.745, and the refund due the taxpayer is insufficient to satisfy the
26 designated contribution under ORS 305.745, the designation under this
27 section is void and no contribution to the Small Donor Elections Fund
28 is made.

29 **SECTION 15.** ORS 305.754 is amended to read:

30 305.754. (1) A resident individual taxpayer who files a full-year Oregon
31 individual income tax return may designate that a contribution be made to

1 the Oregon Political Party Fund for payment to the major or minor political
2 party designated. The resident individual taxpayer shall make the desig-
3 nation by entering a code denoting the party and marking the box provided
4 on the return form pursuant to subsection (2) of this section. The amount
5 designated shall be subtracted from any refund due on the return.

6 (2)(a) The Department of Revenue shall provide, on the face of the full-
7 year Oregon individual income tax return form, a place for resident individ-
8 ual taxpayers to make the designation of a political party provided by this
9 section. The department is not required to add a line to a particular form if
10 this addition would require addition of a page to the return form. All major
11 political parties, as described in ORS 248.006, and all minor political parties,
12 as described in ORS 248.008, shall be listed, with identifying codes, in the
13 instructions to the individual income tax return.

14 (b) The area on the return form for making the designation shall provide
15 for a checkoff box of \$3. The instructions shall adequately explain that any
16 amount designated shall be paid to the political party of the taxpayer's
17 choice, that the amount designated will decrease the refund of the taxpayer
18 by the designated amount, and that the designation is entirely voluntary.

19 (3) If a taxpayer filing a full-year Oregon individual income tax return
20 designates more than one political party to receive the contribution, the
21 designation is void and no contribution is made.

22 (4) If a joint return is filed and only one political party is designated, that
23 political party shall receive a contribution in the total amount designated.
24 If two political parties are designated on a joint return, each political party
25 shall receive a contribution in the amount designated by each joint filer. If
26 more than two parties are designated, the designations are void and no con-
27 tribution is made.

28 (5) If an organization that is not a major or minor political party is des-
29 igned under this section, the designation is void and no contribution is
30 made.

31 (6) If a designation is void under subsection (3), (4) or (5) of this section,

1 the department shall adjust the return to reflect the amount designated for
2 contribution under this section.

3 (7) If a taxpayer designates both a contribution to a political party under
4 this section and a contribution pursuant to **either** ORS 305.745 **or section**
5 **14 of this 2022 Act**, and the refund due the taxpayer is insufficient to satisfy
6 the designated contribution under ORS 305.745 **or section 14 of this 2022**
7 **Act**, the designation under this section is void and no contribution to a
8 political party is made.

9 **SECTION 16.** ORS 305.796 is amended to read:

10 305.796. (1) The Department of Revenue shall provide a means by which
11 personal income taxpayers may elect to establish an account under ORS
12 178.335 within the Oregon 529 Savings Network in the name of a designated
13 beneficiary.

14 (2) A taxpayer may elect to contribute all or a portion of a refund of
15 personal income tax to an account that has been established under ORS
16 178.335 by direct deposit to the financial institution managing the account.
17 The amount elected to be contributed by the taxpayer must be at least \$25
18 and may be applied as a contribution only for the tax year in which the re-
19 fund is issued.

20 (3) The election to contribute all or a portion of a refund shall be made
21 on a form prescribed by the department and filed with the taxpayer's tax
22 return for the tax year or at such other time and in such other manner as
23 the department may prescribe by rule. The department shall prescribe by rule
24 the maximum number of accounts to which a taxpayer may elect to contrib-
25 ute a portion of the refund.

26 (4) The election to contribute all or a portion of a refund may not be
27 changed or revoked.

28 (5) The election to contribute all or a portion of a refund shall be void,
29 and no portion of the refund may be contributed to an account that has been
30 established under ORS 178.335, if:

31 (a) The taxpayer's refund is offset to pay amounts owed by the taxpayer;

1 or

2 (b) The taxpayer's refund is less than the total of the following:

3 (A) The contribution elected in subsection (2) of this section;

4 (B) Payments of tax as provided in ORS 316.583 that accompany the re-
5 turn;

6 (C) All contributions to charitable and governmental entities designated
7 by means of a checkoff as provided in ORS 305.745; *[and]*

8 (D) All contributions to political parties designated by means of a
9 checkoff as provided in ORS 305.754[.]; **and**

10 **(E) All contributions to the Small Donor Elections Fund as provided**
11 **in section 14 of this 2022 Act.**

12 **SECTION 17.** ORS 260.266 is amended to read:

13 260.266. (1) Except as otherwise provided by a local provision, a commu-
14 nication in support of or in opposition to a clearly identified candidate must
15 state the name of the persons that paid for the communication.

16 (2) For the purpose of complying with subsection (1) of this section:

17 (a) Except as provided in paragraph (b) of this subsection, a communi-
18 cation in support of or in opposition to a clearly identified candidate by a
19 political committee or petition committee must state:

20 (A) The name of the **principal campaign committee**, political committee
21 or petition committee; and

22 (B) The names of the five persons that have made the largest aggregate
23 contributions of \$10,000 or more to the committee in the election cycle in
24 which the communication is made.

25 (b) A communication in support of or in opposition to a clearly identified
26 candidate by an individual[,] **or** a for-profit business entity [*or a candidate*
27 *or the principal campaign committee of a candidate*] must state the name of
28 the individual[,] **or** for-profit business entity [*or candidate*].

29 (c)(A) A communication in support of or in opposition to a clearly iden-
30 tified candidate by a person not described in paragraph (a) or (b) of this
31 subsection must state:

1 (i) The name of the person; and

2 (ii) Except as provided in subparagraph (B) of this paragraph, the names
3 of the five persons that have made the largest aggregate donations of \$10,000
4 or more to the person in the election cycle in which the communication is
5 made.

6 (B) In identifying persons that have made aggregate donations of \$10,000
7 or more, a person described in this paragraph may exclude:

8 (i) Donations received from an affiliated charitable organization that is
9 tax exempt under section 501(c)(3) of the Internal Revenue Code; and

10 (ii) Donations and grants received from foundations and other persons
11 that may not be used to make a communication in support of or in opposition
12 to a clearly identified candidate.

13 (d) Notwithstanding paragraphs (a) to (c) of this subsection, a digital
14 communication may state only the name of the person that made the com-
15 munication if the digital communication includes an active link to a website
16 that prominently displays the additional information required by this sub-
17 section.

18 (3) A person that makes communications in support of or in opposition
19 to a clearly identified candidate must consider an anonymous donation of
20 \$1,000 or more from a single person to be a donation that may not be used
21 to make a communication in support of or in opposition to a clearly identi-
22 fied candidate.

23 (4)(a) If a person is required to disclose the names of five persons under
24 subsection (2)(a)(B) or (c)(A)(ii) of this section and more than five persons
25 qualify as having made the largest aggregate contributions or donations, the
26 person shall disclose the five applicable persons whose contributions or do-
27 nations were made closest to the date of initial printing or transmission of
28 the communication.

29 (b) Except as provided in paragraph (c) of this subsection, the five persons
30 required to be named under subsection (2)(a)(B) or (c)(A)(ii) of this section
31 must be accurate as of 10 days before the most recent payment to print or

1 transmit the communication.

2 (c) A person that both makes multiple digital communications in support
3 of or in opposition to a clearly identified candidate and uses the method
4 described in subsection (2)(d) of this section to meet the identification re-
5 quirements of subsection (2)(a)(B) or (c)(A)(ii) of this section, may use one
6 active link to the same website for all digital communications made by the
7 person, provided that the information on the website is accurate as of 10
8 days before the most recent payment to print or transmit a communication.

9 (5) This section does not apply to:

10 (a) Candidates for federal office.

11 (b) Candidates other than those described in paragraph (a) of this sub-
12 section who are not required to use the electronic filing system adopted un-
13 der ORS 260.057 to file statements of contributions received or expenditures
14 made.

15 (c) Petition committees that are not required to use the electronic filing
16 system adopted under ORS 260.057 to file statements of contributions re-
17 ceived or expenditures made.

18 (d) Political committees that are not required to use the electronic filing
19 system adopted under ORS 260.057 to file statements of contributions re-
20 ceived or expenditures made.

21 (e) A person that makes independent expenditures and that is exempt
22 under ORS 260.044 from being required to file statements of independent ex-
23 penditures using the electronic filing system adopted under ORS 260.057.

24 (f) A communication that is excluded from the definition of
25 “expenditure” under ORS 260.007.

26 (g) Items of de minimis value relating to a candidate, including but not
27 limited to:

28 (A) Lawn signs, pins, pens and other similar items;

29 (B) Skywriting; or

30 (C) Wearable merchandise.

31 (h) Any other item that the Secretary of State by rule determines is too

1 small to feasibly include the identifying information required by this section.

2 (6) The Secretary of State by rule shall prescribe the form of statements
3 required on communications described in this section. Rules adopted under
4 this subsection must ensure that the information required to be included in
5 communications under this section is:

6 (a) In a font, size and color that are easy for an average person to read,
7 if the communication appears in a print or digital format; and

8 (b) Clearly audible to the average person, if the communication appears
9 in an audio format.

10 (7) As used in this section:

11 (a) “Clearly identified” has the meaning given that term in ORS 260.005
12 (10)(b).

13 (b)(A) Except as provided in subparagraph (B) of this paragraph, “com-
14 munication in support of or in opposition to a clearly identified candidate”
15 means:

16 (i)(I) The communication, when taken as a whole and with limited refer-
17 ence to external events, such as the proximity to the election, could only be
18 interpreted by a reasonable person as containing advocacy for the election
19 or defeat of a clearly identified candidate for nomination or election to
20 public office; and

21 (II) The electoral portion of the communication is unmistakable, unam-
22 biguous and suggestive of only one meaning; or

23 (ii)(I) The communication involves aggregate expenditures by a person of
24 more than the amount provided in ORS 260.044 (1);

25 (II) The communication refers to a clearly identified candidate who will
26 appear on the ballot; and

27 (III) The communication is printed or transmitted to the relevant
28 electorate within the time frame provided in ORS 260.005 (10)(c)(B)(iii).

29 (B)(i) “Communication in support of or in opposition to a clearly identi-
30 fied candidate” includes but is not limited to communications distributed via
31 print, telephone, radio, television or the Internet.

1 (ii) “Communication in support of or in opposition to a clearly identified
2 candidate” does not include newspaper editorials, printed advertisements
3 with a fair market value of less than \$500 or communications made via
4 telephone that have a fair market value of less than \$500.

5 (c)(A) “Donation” means the gift or transfer of moneys or any other item
6 of value to a person subject to subsection (2)(c)(A) of this section, including
7 any membership fees, dues or assessments.

8 (B) “Donation” does not include moneys or any other item of value re-
9 ceived by a person subject to subsection (2)(c)(A) of this section in the or-
10 dinary course of a trade or business conducted by the person.

11 (d) “Election cycle” means the period of time starting on the day after the
12 date of a general election and ending on the date of the next general
13 election.

14 (e) “Local provision” means a charter provision, ordinance, resolution or
15 other provision adopted by a city, county or other local government.

16 **SECTION 18. Notwithstanding section 2 (5) of this 2022 Act, a poli-**
17 **tical committee, as defined in ORS 260.005, that is not organized as a**
18 **small donor political committee, as defined in section 2 of this 2022**
19 **Act, may reorganize as a small donor political committee if, during the**
20 **previous 24-month period, not less than 90 percent of the total amount**
21 **of moneys contributed to the political committee were contributed by**
22 **individuals in amounts not exceeding \$____ per individual donor per**
23 **calendar year. Any moneys in the bank accounts of a political com-**
24 **mittee that reorganizes as a small donor political committee under**
25 **this section shall transfer to the newly organized small donor political**
26 **committee and may be used in the same manner as any other moneys**
27 **contributed to the small donor political committee.**

28 **SECTION 19. Section 18 of this 2022 Act is repealed on March 31,**
29 **2025.**

30 **SECTION 20. Chapter 3, Oregon Laws 2007, is repealed.**

31 **SECTION 21. It is the intent of the Legislative Assembly that all**

1 parts of this 2022 Act are independent and that if any part of this 2022
2 Act is held unconstitutional, all remaining parts shall remain in force.

3 **SECTION 22.** Sections 2 to 4, 8 to 11, 13 and 18 of this 2022 Act and
4 the amendments to ORS 260.042 and 260.995 by sections 5 and 6 of this
5 2022 Act become operative on November 6, 2024.

6 **SECTION 23.** (1) The Secretary of State may take any action before
7 the operative date specified in section 22 of this 2022 Act that is nec-
8 essary for the Secretary of State to exercise, on and after the operative
9 date specified in section 22 of this 2022 Act, all of the duties, functions
10 and powers conferred on the Secretary of State by sections 2 to 4, 8
11 to 11, 13 and 18 of this 2022 Act and the amendments to ORS 260.042
12 and 260.995 by sections 5 and 6 of this 2022 Act.

13 (2)(a) A political committee may take any action before the opera-
14 tive date set forth in section 22 of this 2022 Act that is necessary for
15 the political committee to be in compliance with the requirements set
16 forth in ORS 260.042, as amended by section 6 of this 2022 Act, no later
17 than the operative date set forth in section 22 of this 2022 Act.

18 (b) The Secretary of State shall reorganize as a multicandidate
19 political committee any active political committee that remains or-
20 ganized to operate as a miscellaneous political committee on March
21 31, 2023. Any moneys in the bank accounts of a political committee
22 described in this paragraph shall transfer to the newly organized
23 multicandidate political committee and may be used in the same
24 manner as any other moneys contributed to the multicandidate poli-
25 tical committee.

26 (c) The Secretary of State shall by rule establish a process that
27 provides a miscellaneous political committee that was reorganized
28 under paragraph (b) of this subsection with a single opportunity to
29 reorganize as a measure political committee. The process shall ensure
30 that any moneys in the bank accounts of a political committee de-
31 scribed in this paragraph transfer to the newly organized measure

1 political committee and may be used in the same manner as any other
2 moneys contributed to the measure political committee.

3 (3) No later than January 1, 2024, the Secretary of State shall pro-
4 pose rules necessary to implement sections 8 to 13 of this 2022 Act and
5 the amendments to ORS 260.995 by section 5 of this 2022 Act.

6 (4) No later than September 1, 2024, the Secretary of State shall
7 propose revisions to the manual on campaign finance that is adopted
8 by administrative rule and made publicly available on the secretary's
9 website to ensure that it incorporates and describes the contents of
10 this 2022 Act in a clear and straightforward manner.

11 (5) No later than September 30, 2024, the Secretary of State shall
12 report to the interim committees of the Legislative Assembly respon-
13 sible for campaign finance on the actions taken by the secretary to
14 implement the provisions of this 2022 Act.

15 SECTION 24. The Secretary of State shall hire a full-time employee
16 to provide voter education, support and outreach regarding Oregon's
17 campaign finance laws, including the Small Donor Elections Program
18 established in sections 8 to 13 of this 2022 Act.

19 SECTION 25. This 2022 Act shall be submitted to the people for their
20 approval or rejection at the next regular general election held
21 throughout this state.

22
