

# House Bill 3076

Sponsored by Representative NOSSE

## 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**.

Authorizes additional individuals to serve as treasurer of political committee or petition committee.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to campaign finance; creating new provisions; amending ORS 260.035 and 260.118; and  
3 prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 260.**

6 **SECTION 2. (1) Except as provided in subsection (2) of this section, in order to serve as**  
7 **the treasurer of a political committee or the treasurer of a petition committee, an individual**  
8 **must:**

9 (a) **Be an elector of this state; or**

10 (b) **Be employed to work on a full-time basis in this state.**

11 (2) **In order to serve as the treasurer of a political committee that is affiliated with a**  
12 **membership organization, an individual must:**

13 (a) **Meet the requirements set forth in subsection (1) of this subsection; or**

14 (b) **Be considered a member in good standing by the membership organization.**

15 (3) **As used in this section, "membership organization" means an organization that:**

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

17 (b) **Has its headquarters in this state;**

18 (c) **Is not formed or operated for the purpose of conducting or promoting commercial**  
19 **enterprise; and**

20 (d) **Is composed of individual members who:**

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

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

25 **SECTION 3. ORS 260.035 is amended to read:**

26 260.035. (1) Not later than the third business day after a political committee first receives a  
27 contribution or makes an expenditure, the political committee shall:

28 (a) **Appoint a treasurer who is qualified under section 2 of this 2021 Act** [*shall be an elector*  
29 *of this state*];

30 (b) **Certify the name and address of the treasurer to the filing officer; and**

31 (c) **File a statement of organization under ORS 260.039 or 260.042.**

**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 (2) A candidate may serve as the candidate's own treasurer or may appoint and certify to the  
2 filing officer the name and address of a treasurer. A candidate's treasurer shall perform all the du-  
3 ties prescribed for the candidate under ORS 260.035 to 260.156.

4 (3) Contributions shall be received and expenditures made by or through the treasurer of the  
5 political committee or the candidate or the treasurer of a principal campaign committee.

6 (4) Any change in information required under this section shall be indicated in an amended  
7 certification filed not later than the 10th day after the change in information.

8 **SECTION 4.** ORS 260.118 is amended to read:

9 260.118. (1) The chief petitioners of an initiative, referendum or recall petition shall appoint a  
10 treasurer **who is qualified under section 2 of this 2021 Act**. *The treasurer shall be an elector of*  
11 *this state*. Contributions must be received and expenditures made by or through the treasurer.

12 (2) The treasurer shall file a statement of organization of a petition committee with the appro-  
13 priate filing officer. The treasurer shall file the statement not later than the third business day after  
14 a chief petitioner or the treasurer receives a contribution or makes an expenditure relating to the  
15 initiative, referendum or recall petition. The statement must include:

16 (a) The name and address of the chief petitioners.

17 (b) The name and address of the treasurer appointed under subsection (1) of this section.

18 (c) A designation of the initiative, referendum or recall petition. The designation of the recall  
19 petition must include the name of the officer whose recall is demanded.

20 (3) In addition to the information listed in subsection (2) of this section, the statement of or-  
21 ganization must include, or be amended within five business days to include, the name of the finan-  
22 cial institution in which the petition account required under ORS 260.054 is established, the name  
23 of the account, the name of the account holder and the names of all individuals who have signature  
24 authority for the account. The Secretary of State may not disclose information received by the sec-  
25 retary under this subsection except as necessary for purposes of enforcing the provisions of ORS  
26 chapters 246 to 260.

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

30 (5) Except as provided in subsection (3) of this section, if there is a change in the information  
31 submitted in a statement of organization under subsections (2) and (3) of this section, the treasurer  
32 shall file an amended statement of organization not later than the 10th day after the change in in-  
33 formation.

34 (6) The treasurer of an initiative, referendum or recall petition committee shall use the elec-  
35 tronic filing system adopted under ORS 260.057 to file with the Secretary of State statements of  
36 contributions received and expenditures made by the petition committee, as described in ORS  
37 260.083.

38 (7) The treasurer of an initiative petition committee shall file a statement described in sub-  
39 section (6) of this section not later than seven calendar days after a contribution is received or an  
40 expenditure is made. This subsection applies to contributions received and expenditures made:

41 (a) During the period beginning on the 42nd calendar day before the date that is four months  
42 before a general election and ending on the date that is four months before a general election; and

43 (b) During the period beginning on the 42nd calendar day before the date of any primary  
44 election and ending on the date of the primary election and the period beginning on the 42nd cal-  
45 endar day before the date of any general election and ending on the date of the general election.

1 (8) The treasurer of a referendum petition committee or a recall petition committee shall file a  
 2 statement described in subsection (6) of this section not later than seven calendar days after a  
 3 contribution is received or an expenditure is made. This subsection applies:

4 (a) For a referendum petition committee, to contributions received and expenditures made during  
 5 the period beginning on the date the treasurer is appointed under subsection (1) of this section and  
 6 ending on the deadline for submitting signatures for verification; and

7 (b) For a recall petition committee, to contributions received and expenditures made during the  
 8 period beginning on the day on which the recall petition is filed under ORS 249.865 and ending on  
 9 the deadline for submitting signatures for verification.

10 (9) Except as provided in subsection (10) of this section, during a period not described in sub-  
 11 section (7) or (8) of this section, a treasurer of an initiative, referendum or recall petition committee  
 12 shall file a statement described in subsection (6) of this section not later than 30 calendar days after  
 13 a contribution is received or an expenditure is made.

14 (10) If a treasurer of an initiative petition committee receives a contribution or makes an ex-  
 15 penditure prior to the 42nd calendar day before the date that is four months before a general  
 16 election, or the 42nd day before the date of the primary election or general election, and the treas-  
 17 urer has not filed a statement of the contribution or expenditure under subsection (6) of this section  
 18 by the 43rd calendar day before the date that is four months before a general election, or the 43rd  
 19 day before the date of the primary election or general election, the treasurer shall file a statement  
 20 described in subsection (6) of this section not later than the 35th calendar day before the date that  
 21 is four months before a general election, or not later than whichever of the following dates occurs  
 22 first:

23 (a) The date required under subsection (9) of this section; or

24 (b) The 35th day before the date of the primary election or general election.

25 (11) For an initiative petition committee, the accounting period for the first statement filed un-  
 26 der this section begins on the date the treasurer is appointed under subsection (1) of this section.

27 (12) Each statement required under this section must be signed and certified as true by the  
 28 treasurer. Signatures must be supplied in the manner specified by the secretary by rule.

29 (13) Subsections (6) to (12) of this section do not apply to petition committees that file certif-  
 30 icates under ORS 260.112.

31 (14) As used in this section, “contribution” and “expenditure” include a contribution or ex-  
 32 penditure to or on behalf of an initiative, referendum or recall petition.

33 **SECTION 5. This 2021 Act takes effect on the 91st day after the date on which the 2021**  
 34 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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