

SB 292 A STAFF MEASURE SUMMARY

Senate Committee On Education

Action Date: 02/28/23

Action: Do pass with amendments and requesting referral to Rules. (Printed A-Engrossed.)

Vote: 6-0-1-0

Yeas: 6 - Anderson, Dembrow, Frederick, Gelser Blouin, President Wagner, Weber

Exc: 1 - Robinson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Lisa Gezelter, LPRO Analyst

Meeting Dates: 2/9, 2/28

WHAT THE MEASURE DOES:

Exempts school board members for districts with average daily membership of 1,650 or fewer from required filing of statement of economic interest, unless district sponsors a virtual public charter school. Applies exemption to persons required to file statement of economic interest on or before April 15, 2023. Requires Oregon Government Ethics Commission to refund any civil penalties imposed on individuals who would have been exempted if enacted prior to April 15, 2023. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Challenges of recruiting school board members in rural areas
- Reluctance of school board members to fill out a Statement of Economic Interest (SEI)
- Relative size of school districts throughout the state

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

ORS Chapter 244 and related statutes prohibit the use of public office for financial gain, require disclosure of economic interests and conflicts of interest, and provide sanctions and procedures for enforcement, which are overseen by the Oregon Government Ethics Commission (OGEC). ORS 244.050 specifically requires certain public officials and candidates for office to file an Annual Verified Statement of Economic Interest (SEI) with the OGEC by April 15 of each calendar year. Officials required to file an SEI include statewide elected officials, legislators, judicial officers, state agency directors, elected city or county officials, members of many state boards and commissions, and the chief administrative officer and financial officer of each common and union high school district, education service district, and community college district.

A [May 2021 audit of the OGEC](#) by the Secretary of State Audits Division recommended adding school board members to the list of public officials required to submit an SEI. The audit noted that since school board members manage a critical public function and allocate billions of dollars in revenue as part-time public officials with other employment and community connections, “it is important to provide the public with adequate information about these potential conflicts to maintain accountability and fairness.” House Bill 4114, enacted in 2022, added school board members to the list of public officials who must file an annual SEI with the OGEC. Senate Bill 292 A exempts school board members in districts with fewer than 1,650 students, unless the district is the sponsor of a virtual charter school.