

House Bill 2622

Sponsored by Representative OWENS, Senator FINDLEY (at the request of Oregon School Boards Association)
(Presession filed.)

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**.

Requires governing body of public education provider to develop and revise professional learning plans. Prescribes requirements for professional learning plans. Establishes compliance with training requirements prescribed by professional learning plan as requirement for person seeking reelection as member of school district board or education service district board.

Limits economic interest filing requirements for district school board members to those serving school districts with 7,500 or more students in average daily membership.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to persons in leadership positions of public education providers; creating new provisions;
3 amending ORS 244.050, 332.005, 332.018, 332.505, 334.090, 334.225, 338.045 and 338.095; and de-
4 claring an emergency.

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

6 **SECTION 1. (1) As used in this section:**

7 (a) **“Governing body” means:**

8 (A) **For a school district, the school district board.**

9 (B) **For an education service district, the board of directors of the education service**
10 **district.**

11 (C) **For a public charter school, the governing body of the public charter school.**

12 (b) **“Persons in leadership positions” means:**

13 (A) **For a school district, the directors of the school district and the superintendent of**
14 **the school district.**

15 (B) **For an education service district, the directors of the education service district and**
16 **the superintendent of the education service district.**

17 (C) **For a public charter school, the members of the governing body of the public charter**
18 **school and the principal or executive director of the public charter school.**

19 (c) **“Public education provider” means a school district, an education service district or**
20 **a public charter school.**

21 (2)(a) **For each public education provider, the governing body shall develop and, as**
22 **needed, revise a professional learning plan.**

23 (b) **A professional learning plan shall prescribe the training requirements to be satisfied**
24 **by persons in leadership positions of the public education provider, including the timelines**
25 **by which the training must be completed.**

26 (c) **A professional learning plan must ensure that each person in a leadership position**
27 **of the public education provider receives training on:**

28 (A) **The roles and responsibilities of governing bodies, including the requirements of**

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 **public meetings, public records and government ethics laws;**

2 **(B) Mandatory reporting requirements for persons in leadership positions;**

3 **(C) School district budget and finance requirements and best practices;**

4 **(D) Understanding data on student progress and strategies for school improvement, in-**
5 **cluding the impact of the demographic composition of the public education provider; and**

6 **(E) Any other areas of professional learning or training identified by the governing body**
7 **for the public education provider.**

8 **(3) The governing body of each public education provider shall make available at the**
9 **provider's main office and on the provider's website:**

10 **(a) The professional learning plan developed under this section; and**

11 **(b) The compliance with the plan by persons in leadership positions.**

12 **SECTION 2.** ORS 332.005 is amended to read:

13 332.005. (1) The directors of a school district in their official capacity shall be known as the
14 district school board.

15 (2) Directors must qualify by taking an oath of office before assuming the duties of office.

16 **(3) Directors must comply with the training requirements provided in section 1 of this**
17 **2023 Act.**

18 **SECTION 3.** ORS 332.018 is amended to read:

19 332.018. Except as provided in ORS 255.400 to 255.424:

20 (1) The term of office of director is four years.

21 (2) [No] A person [shall be] **is not** eligible to serve as director unless the person is an elector
22 of the district and has resided [therein] **within the district** for the period of one year immediately
23 preceding the election or appointment.

24 **(3) A person is not eligible to be reelected as director for the office currently held by the**
25 **person unless the person has complied with the training requirements provided in section 1**
26 **of this 2023 Act. This subsection does not apply if the person was appointed to the office**
27 **currently held by the person and is a candidate for election to the office for the first time.**

28 [(3)] (4) [No] A director [shall] **may not** receive any compensation for services as director other
29 than reimbursement for reasonable and necessary expenses actually incurred on school business.

30 **SECTION 4. The amendments to ORS 332.018 by section 3 of this 2023 Act apply to per-**
31 **sons seeking reelection as a director on or after May 1, 2024.**

32 **SECTION 5.** ORS 332.505, as amended by section 1, chapter 36, Oregon Laws 2022, is amended
33 to read:

34 332.505. [(1) As used in this section:]

35 [(a) "Instructional assistant" has the meaning given that term in ORS 342.120.]

36 [(b) "Intern teacher" means a regularly enrolled candidate of an approved educator preparation
37 provider, as defined in ORS 342.120, who teaches under the supervision of the staff of the provider and
38 of the employing district in order to acquire practical experience in teaching and for which the candi-
39 date receives both academic credit from the provider and financial compensation from the school district
40 or education service district.]

41 [(2)] (1) A district school board may:

42 (a) Employ a superintendent of schools and necessary assistant superintendents for the district
43 and fix the terms and conditions of employment and the compensation. The district school board
44 shall not contract with a superintendent for more than a period of three years at a time. The con-
45 tract shall automatically expire at the end of its term. Nothing in this paragraph prevents a district

1 school board from:

2 (A) Electing to issue a subsequent contract for an additional three years at any time.

3 (B) Including in the contract provisions that provide for the termination of employment of the
 4 superintendent prior to the expiration of the contract. If the superintendent and the district school
 5 board mutually agree to include a termination-without-cause provision in the contract, the district
 6 school board may terminate the superintendent’s employment, without cause, at any time during the
 7 contract period only if the district school board provides the superintendent with at least 12 months’
 8 notice of the termination. Nothing in this subparagraph authorizes the district school board to make
 9 a wrongful termination or a termination for any reason described in subsection [(3)(a)] **(2)(a)** of this
 10 section.

11 (b) Employ personnel, including teachers and administrators, necessary to carry out the duties
 12 and powers of the board and fix the duties, terms and conditions of employment and the compen-
 13 sation.

14 (c) Compensate district employees in any form which may include, but shall not be limited to,
 15 insurance, tuition reimbursement and salaries.

16 (d) Employ instructional assistants and intern teachers subject to the rules of the State Board
 17 of Education. **As used in this paragraph:**

18 (A) **“Instructional assistant” has the meaning given that term in ORS 342.120.**

19 (B) **“Intern teacher” means a regularly enrolled candidate of an approved educator
 20 preparation provider, as defined in ORS 342.120, who teaches under the supervision of the
 21 staff of the provider and of the employing district in order to acquire practical experience in
 22 teaching and for which the candidate receives both academic credit from the provider and
 23 financial compensation from the school district or education service district.**

24 [(3)(a)] **(2)(a)** A district school board may not:

25 (A) Direct a superintendent to take any action that conflicts with a local, state or federal law
 26 that applies to school districts or education service districts;

27 (B) Take an adverse employment action against a superintendent for complying with a local,
 28 state or federal law that applies to school districts or education service districts; or

29 (C) Employ a superintendent pursuant to a contract that purports to waive, or conflicts with,
 30 any provision or requirement of subparagraph (A) or (B) of this paragraph.

31 (b) As used in this subsection:

32 (A) **“Local, state or federal law”** means a local, state or federal directive having the force of
 33 law, including an ordinance, a city or county resolution, a statute, a court decision, an administra-
 34 tive rule or regulation, an order issued in compliance with ORS chapter 183, an executive order or
 35 any other directive, declaration or statement that is issued in compliance with the law as having
 36 the force of law and that is issued by a local government as defined in ORS 174.116, the state gov-
 37 ernment as defined in ORS 174.111 or the federal government.

38 (B) **“Superintendent”** includes an interim superintendent.

39 [(4)] **(3)** The district school board shall maintain written personnel policies and make the policies
 40 available for inspection by any school employee or member of the public.

41 [(5)] **(4)** The superintendent of the school district shall cause each employee to be specifically
 42 informed of the existence and availability of the personnel policies.

43 **(5) The superintendent must comply with the training requirements provided in section
 44 1 of this 2023 Act.**

45 **SECTION 6.** ORS 334.090 is amended to read:

334.090. Except as provided in ORS 255.400 to 255.424:

(1) The term of office of director of an education service district shall be four years.

(2) The term of office of each director of an education service district shall begin on July 1 next following the date of election. A director shall serve until June 30 next following the election of a successor.

(3) A director of an education service district must qualify by taking an oath of office before assuming the duties of office.

(4) A newly appointed director of an education service district shall take office at the meeting of the education service district board next following the appointment.

(5) A person is not eligible to serve as a director of an education service district unless the person is an elector of the district and has resided therein for a period of one year immediately preceding the election or appointment.

(6) A person is not eligible to be reelected as director of an education service district for the office currently held by the person unless the person has complied with the training requirements provided in section 1 of this 2023 Act. This subsection does not apply if the person was appointed to the office currently held by the person and is a candidate for election to the office for the first time.

[(6)] (7) No employee of an education service district is eligible to serve as a director of the education service district by which the employee is employed.

(8) A director of an education service district must comply with the training requirements provided in section 1 of this 2023 Act.

[(7)] (9) A regular district election shall be held in a district to fill any vacancy and to elect a successor for any director whose term expires June 30 next following the election. A successor shall be elected as follows:

(a) If the director was elected from a zone established under ORS 334.032, a successor from the same zone shall be elected by the electors of the zone.

(b) If the director was elected at large a successor shall be elected at large by the electors of the district.

[(8)] (10) Notwithstanding subsection [(7)] (9) of this section, in any district having a population of 550,000 or more according to the latest federal census that becomes zoned according to ORS 334.032, the board shall determine prior to the nomination of school directors which positions shall be from zones and which positions shall be at large.

[(9)] (11) Any vacancy on the board from any zone shall be filled by the remaining directors from among the qualified persons in that zone. Any such vacancy from the district at large shall be filled by the remaining directors from among the qualified persons in the district. However, if vacancies occur in a majority of the positions on the board, the State Board of Education shall fill the vacancies from among the qualified persons of the zones, if any, or from among other persons who are qualified to serve. The period of service of an appointee under this subsection expires June 30 next following the next regular district election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term for which the appointment was made. If the term for which the appointment was made expires June 30 after the election of the successor, the successor shall be elected to a full term. In either case, the successor shall take office July 1 next following the election.

SECTION 7. The amendments to ORS 334.090 by section 6 of this 2023 Act apply to persons seeking reelection as a director on or after May 1, 2024.

SECTION 8. ORS 334.225 is amended to read:

334.225. (1) The education service district board shall employ a superintendent who must hold an administrative license as a superintendent. The superintendent shall serve as the board's executive officer, give an official bond or an irrevocable letter of credit issued by an insured institution, as defined in ORS 706.008, and have the duties prescribed by the board and the laws of this state. The board shall fix the term and compensation of the superintendent, provide office room for the superintendent and allow all of the superintendent's necessary traveling expenses.

(2) The education service district board shall designate the superintendent as the district clerk. The board may appoint qualified persons as deputies to the superintendent to perform the duties required of the district clerk by law or by the board.

(3) The superintendent must comply with the training requirements provided in section 1 of this 2023 Act.

SECTION 9. ORS 338.045 is amended to read:

338.045. (1) An applicant seeking to establish a public charter school shall submit a written proposal to a school district board.

(2) The proposal shall include, but need not be limited to:

(a) The identification of the applicant;

(b) The name of the proposed public charter school;

(c) A description of the philosophy and mission of the public charter school;

(d) A description of the curriculum of the public charter school;

(e) A description of the expected results of the curriculum and the verified methods of measuring and reporting objective results that will show the growth of knowledge of students attending the public charter school and allow comparisons with public schools;

(f) The governance structure of the public charter school;

(g) The projected enrollment to be maintained and the ages or grades to be served;

(h) The target population of students the public charter school will be designed to serve;

(i) A description of any distinctive learning or teaching techniques to be used in the public charter school;

(j) The legal address, facilities and physical location of the public charter school, if known;

(k) A description of admission policies and application procedures;

(L) The statutes and rules that shall apply to the public charter school;

(m) The proposed budget and financial plan for the public charter school and evidence that the proposed budget and financial plan for the public charter school are financially sound;

(n) A description of the financial management system for the public charter school, an explanation of how the financial management system will meet the requirements of ORS 338.095 (1) and a plan for having the financial management system in place at the time the school begins operating;

(o) The standards for behavior and the procedures for the discipline, suspension or expulsion of students;

(p) The proposed school calendar for the public charter school, including the length of the school day and school year;

(q) A description of the proposed staff members and required qualifications of teachers at the public charter school;

(r) The date upon which the public charter school would begin operating;

(s) The arrangements for any necessary special education and related services provided pursuant to ORS 338.165 for children with disabilities who may attend the public charter school;

1 (t) Information on the manner in which community groups may be involved in the planning and
 2 development process of the public charter school;

3 (u) The term of the charter;

4 (v) The plan for performance bonding or insuring the public charter school, including buildings
 5 and liabilities;

6 (w) A proposed plan for the placement of public charter school teachers, other school employees
 7 and students of the public charter school upon termination or nonrenewal of a charter;

8 (x) The manner in which the program review and fiscal audit will be conducted; and

9 (y) In the case of an existing public school being converted to charter status:

10 (A) The alternative arrangements for students who choose not to attend the public charter
 11 school and for teachers and other school employees who choose not to participate in the public
 12 charter school; and

13 (B) The relationship that will exist between the public charter school and its employees, in-
 14 cluding evidence that the terms and conditions of employment have been addressed with affected
 15 employees and their recognized representative, if any.

16 (3) In addition to the requirements of subsection (2) of this section:

17 (a) The school district board may require any additional information the board considers rele-
 18 vant to the formation or operation of a public charter school.

19 (b) Each member of a proposed public charter school governing body must:

20 **(A) Comply with the training requirements provided in section 1 of this 2023 Act; and**

21 **(B) Provide an acknowledgment of understanding related to the standards of conduct and the**
 22 **liabilities of a director of a nonprofit organization, as those standards and liabilities are described**
 23 **in ORS chapter 65, if the public charter school is organized as required by ORS 338.035 (2)(a)(B) and**
 24 **(C).**

25 (4) At the request of the applicant, the school district board may provide technical assistance
 26 in developing the proposal for operation of the public charter school.

27 (5) School districts, education service districts and other public bodies, as defined in ORS
 28 174.109, shall make available to the public lists of vacant and unused public buildings and portions
 29 of buildings that may be suitable for the operation of a public charter school. The lists shall be
 30 provided to developing or operating public charter schools within 30 days of a written request.
 31 Nothing in this subsection requires the owner of a building on the list to sell or lease the building
 32 or any portion of the building to a public charter school or a public charter school governing body.

33 **SECTION 10.** ORS 338.095 is amended to read:

34 338.095. (1) The financial management system of a public charter school must include a budget
 35 and accounting system that:

36 (a) Is compatible with the budget and accounting system of the sponsor of the school; and

37 (b) Complies with the requirements of the uniform budget and accounting system adopted by rule
 38 of the State Board of Education under ORS 327.511.

39 (2) A public charter school shall report to the sponsor and the Department of Education at least
 40 annually on the performance of the school and its students. A public charter school shall disclose
 41 in its report information necessary to make a determination of compliance with the requirements
 42 of this chapter. The sponsor or the sponsor's designee at least annually shall visit the public
 43 charter school site and review the public charter school's compliance with the terms and provisions
 44 of the charter.

45 (3) Except for a public charter school that is not required to comply with ORS 338.035 (2)(a)(B)

1 and (C) as provided by ORS 338.035 (2)(b), the public charter school shall have an annual audit of
 2 the accounts of the public charter school prepared in accordance with the Municipal Audit Law,
 3 ORS 297.405 to 297.555 and 297.990. The school shall forward a copy of the annual audit to the De-
 4 partment of Education.

5 (4) After an audit conducted as provided by subsection (3) of this section, the following shall be
 6 forwarded to the sponsor:

7 (a) A copy of the annual audit;

8 (b) Any statements from the public charter school that show the results of all operations and
 9 transactions affecting the financial status of the public charter school during the preceding annual
 10 audit period for the school; and

11 (c) A balance sheet containing a summary of the assets and liabilities of the public charter
 12 school as of the closing date of the preceding annual audit period for the school.

13 (5) The sponsor of a public charter school [*that is organized as required by ORS 338.035 (2)(a)(B)*
 14 *and (C)*] may request at any time an acknowledgment from each member of the public charter school
 15 governing body that:

16 (a) **The member has complied with the training requirements provided in section 1 of this**
 17 **2023 Act; or**

18 (b) **For a public charter school that is organized as required by ORS 338.035 (2)(a)(B) and**
 19 **(C),** the member understands the standards of conduct and liabilities of a director of a nonprofit
 20 organization, as those standards and liabilities are described in ORS chapter 65.

21 (6) The State Board of Education may require public charter schools to file reports with the
 22 Department of Education as necessary to enable the department to gather information on public
 23 charter schools for inclusion in the Oregon Report Card issued pursuant to ORS 329.115.

24 **SECTION 11.** ORS 244.050, as amended by section 1, chapter 66, Oregon Laws 2022, is amended
 25 to read:

26 244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon
 27 Government Ethics Commission a verified statement of economic interest as required under this
 28 chapter:

29 (a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the
 30 Bureau of Labor and Industries, district attorneys and members of the Legislative Assembly.

31 (b) Any judicial officer, including justices of the peace and municipal judges, except any pro tem
 32 judicial officer who does not otherwise serve as a judicial officer.

33 (c) Any candidate for a public office designated in paragraph (a) or (b) of this subsection.

34 (d) The Deputy Attorney General.

35 (e) The Deputy Secretary of State.

36 (f) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the
 37 Legislative Policy and Research Director, the Secretary of the Senate, the Chief Clerk of the House
 38 of Representatives and the Legislative Equity Officer.

39 (g) The president and vice presidents, or their administrative equivalents, in each public uni-
 40 versity listed in ORS 352.002.

41 (h) The following state officers:

42 (A) Adjutant General.

43 (B) Director of Agriculture.

44 (C) Manager of State Accident Insurance Fund Corporation.

45 (D) Water Resources Director.

- 1 (E) Director of the Department of Environmental Quality.
- 2 (F) Director of the Oregon Department of Administrative Services.
- 3 (G) State Fish and Wildlife Director.
- 4 (H) State Forester.
- 5 (I) State Geologist.
- 6 (J) Director of Human Services.
- 7 (K) Director of the Department of Consumer and Business Services.
- 8 (L) Director of the Department of State Lands.
- 9 (M) State Librarian.
- 10 (N) Administrator of the Oregon Liquor and Cannabis Commission.
- 11 (O) Superintendent of State Police.
- 12 (P) Director of the Public Employees Retirement System.
- 13 (Q) Director of Department of Revenue.
- 14 (R) Director of Transportation.
- 15 (S) Public Utility Commissioner.
- 16 (T) Director of Veterans' Affairs.
- 17 (U) Executive director of Oregon Government Ethics Commission.
- 18 (V) Director of the State Department of Energy.
- 19 (W) Director and each assistant director of the Oregon State Lottery.
- 20 (X) Director of the Department of Corrections.
- 21 (Y) Director of the Oregon Department of Aviation.
- 22 (Z) Executive director of the Oregon Criminal Justice Commission.
- 23 (AA) Director of the Oregon Business Development Department.
- 24 (BB) Director of the Oregon Department of Emergency Management.
- 25 (CC) Director of the Employment Department.
- 26 (DD) State Fire Marshal.
- 27 (EE) Chief of staff for the Governor.
- 28 (FF) Director of the Housing and Community Services Department.
- 29 (GG) State Court Administrator.
- 30 (HH) Director of the Department of Land Conservation and Development.
- 31 (II) Board chairperson of the Land Use Board of Appeals.
- 32 (JJ) State Marine Director.
- 33 (KK) Executive director of the Oregon Racing Commission.
- 34 (LL) State Parks and Recreation Director.
- 35 (MM) Public defense services executive director.
- 36 (NN) Chairperson of the Public Employees' Benefit Board.
- 37 (OO) Director of the Department of Public Safety Standards and Training.
- 38 (PP) Executive director of the Higher Education Coordinating Commission.
- 39 (QQ) Executive director of the Oregon Watershed Enhancement Board.
- 40 (RR) Director of the Oregon Youth Authority.
- 41 (SS) Director of the Oregon Health Authority.
- 42 (TT) Deputy Superintendent of Public Instruction.
- 43 (i) The First Partner, the legal counsel, the deputy legal counsel and all policy advisors within
- 44 the Governor's office.
- 45 (j) Every elected city or county official.

- 1 (k) Every member of a city or county planning, zoning or development commission.
- 2 (L) The chief executive officer of a city or county who performs the duties of manager or prin-
3 cipal administrator of the city or county.
- 4 (m) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
- 5 (n) Every member of a governing body of a metropolitan service district and the auditor and
6 executive officer thereof.
- 7 (o) Each member of the board of directors of the State Accident Insurance Fund Corporation.
- 8 (p) The chief administrative officer and the financial officer of each common and union high
9 school district, education service district and community college district.
- 10 (q) Every member of the following state boards, commissions and councils:
 - 11 (A) Governing board of the State Department of Geology and Mineral Industries.
 - 12 (B) Oregon Business Development Commission.
 - 13 (C) State Board of Education.
 - 14 (D) Environmental Quality Commission.
 - 15 (E) Fish and Wildlife Commission of the State of Oregon.
 - 16 (F) State Board of Forestry.
 - 17 (G) Oregon Government Ethics Commission.
 - 18 (H) Oregon Health Policy Board.
 - 19 (I) Oregon Investment Council.
 - 20 (J) Land Conservation and Development Commission.
 - 21 (K) Oregon Liquor and Cannabis Commission.
 - 22 (L) Oregon Short Term Fund Board.
 - 23 (M) State Marine Board.
 - 24 (N) Mass transit district boards.
 - 25 (O) Energy Facility Siting Council.
 - 26 (P) Board of Commissioners of the Port of Portland.
 - 27 (Q) Employment Relations Board.
 - 28 (R) Public Employees Retirement Board.
 - 29 (S) Oregon Racing Commission.
 - 30 (T) Oregon Transportation Commission.
 - 31 (U) Water Resources Commission.
 - 32 (V) Workers' Compensation Board.
 - 33 (W) Oregon Facilities Authority.
 - 34 (X) Oregon State Lottery Commission.
 - 35 (Y) Pacific Northwest Electric Power and Conservation Planning Council.
 - 36 (Z) Columbia River Gorge Commission.
 - 37 (AA) Oregon Health and Science University Board of Directors.
 - 38 (BB) Capitol Planning Commission.
 - 39 (CC) Higher Education Coordinating Commission.
 - 40 (DD) Oregon Growth Board.
 - 41 (EE) Early Learning Council.
 - 42 (FF) The Oversight and Accountability Council.
- 43 (r) The following officers of the State Treasurer:
 - 44 (A) Deputy State Treasurer.
 - 45 (B) Chief of staff for the office of the State Treasurer.

1 (C) Director of the Investment Division.

2 (s) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725
3 or 777.915 to 777.953.

4 (t) Every member of the board of directors of an authority created under ORS 441.525 to 441.595.

5 (u) Every member of a governing board of a public university listed in ORS 352.002.

6 (v) Every member of the district school board of a common school district or union high school
7 district, **if the district has an average daily membership, as defined in ORS 327.006, of 7,500**
8 **or more students.**

9 (w) Every member of the board of directors of an authority created under ORS 465.600 to
10 465.621.

11 (2) By April 15 next after the date an appointment takes effect, every appointed public official
12 on a board or commission listed in subsection (1) of this section shall file with the Oregon Govern-
13 ment Ethics Commission a statement of economic interest as required under ORS 244.060, 244.070
14 and 244.090.

15 (3) By April 15 next after the filing deadline for the primary election, each candidate described
16 in subsection (1) of this section shall file with the commission a statement of economic interest as
17 required under ORS 244.060, 244.070 and 244.090.

18 (4) Not later than the 40th day before the date of the statewide general election, each candidate
19 described in subsection (1) of this section who will appear on the statewide general election ballot
20 and who was not required to file a statement of economic interest under subsections (1) to (3) of this
21 section shall file with the commission a statement of economic interest as required under ORS
22 244.060, 244.070 and 244.090.

23 (5) Subsections (1) to (3) of this section apply only to persons who are incumbent, elected or
24 appointed public officials as of April 15 and to persons who are candidates on April 15.

25 (6) If a statement required to be filed under this section has not been received by the commis-
26 sion within five days after the date the statement is due, the commission shall notify the public of-
27 ficial or candidate and give the public official or candidate not less than 15 days to comply with the
28 requirements of this section. If the public official or candidate fails to comply by the date set by the
29 commission, the commission may impose a civil penalty as provided in ORS 244.350.

30 **SECTION 12. This 2023 Act being necessary for the immediate preservation of the public**
31 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
32 **on its passage.**

33