

**A-Engrossed**  
**Senate Bill 168**

Ordered by the Senate March 31  
Including Senate Amendments dated March 31

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Secretary of State Shemia Fagan)

**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.

Expressly prohibits public employees, while on job during working hours or while otherwise working in official capacity, from promoting or opposing appointment, nomination or election of public officials.

**A BILL FOR AN ACT**

Relating to political activities of public employees; amending ORS 260.432.

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

**SECTION 1.** ORS 260.432 is amended to read:

260.432. (1) *[No]* A person *[shall]* **may not** attempt to, or actually, coerce, command or require a public employee to:

(a) Influence or give money, service or other thing of value to promote or oppose any political committee *[or to]*;

(b) Promote or oppose the **appointment**, nomination or election of a *[candidate,]* **person to a public office;**

(c) **Promote or oppose the filing of an initiative, referendum or recall petition;**

(d) **Promote or oppose** the gathering of signatures on an initiative, referendum or recall petition*[,];* **or**

(e) **Promote or oppose** the adoption of a measure or the recall of a public office holder.

(2) *[No]* A public employee *[shall]* **may not engage in any of the following activities while on the job during working hours or while otherwise acting in the public employee's official capacity:**

(a) Solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee *[or]*;

(b) Promote or oppose the **appointment**, nomination or election of a *[candidate, the]* **person to a public office;**

(c) **Promote or oppose the filing of an initiative, referendum or recall petition;**

(d) **Promote or oppose** the gathering of signatures on an initiative, referendum or recall petition*[,];* **or**

(e) **Promote or oppose** the adoption of a measure or the recall of a public office holder *[while on the job during working hours]*.

**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 (c) A constitutional amendment or revision proposed under Article XVII, section 1 or 2, of the  
2 Oregon Constitution.

3 [(6)] (7) As used in this section:

4 (a) "Public employee" does not include an elected official or a person appointed as a director  
5 to the board of a pilot education service district under ORS 334.108.

6 (b) "Public employer" includes any board, commission, committee, department, division or insti-  
7 tution in the executive, administrative, legislative or judicial branch of state government, and any  
8 county, city, district or other municipal corporation or public corporation organized for a public  
9 purpose, including a cooperative body formed between municipal or public corporations.

10 (c) **"While on the job during working hours" does not include periods of time during**  
11 **which a public employee is taking time off for a meal break or rest break or periods of time**  
12 **during which a public employee is utilizing otherwise allowable time off in accordance with**  
13 **the labor laws of this state.**

14