

Requested by SENATE COMMITTEE ON RULES

**PROPOSED AMENDMENTS TO  
SENATE BILL 1538**

1 On page 1 of the printed bill, line 2, after “247.176,” delete the rest of the  
2 line and delete line 3 and insert “251.170, 251.315, 254.485, 254.555, 260.043,  
3 260.112 and 260.407; and prescribing an effective date.”.

4 Delete lines 5 through 23 and delete pages 2 through 7 and insert:

5 **“SECTION 1.** ORS 251.170 is amended to read:

6 “251.170. (1) The translation of a state voters’ pamphlet or county voters’  
7 pamphlet required under ORS 251.167 shall be made in the manner described  
8 in this section.

9 “(2) For each state voters’ pamphlet and county voters’ pamphlet mailed  
10 to residents of a county, the Secretary of State shall have the following  
11 portions of the voters’ pamphlet professionally translated into each language  
12 for which a translation is required under ORS 251.167:

13 “(a) Any official statement or communication made by the Secretary of  
14 State, county clerk, filing office or other public elections official, including  
15 any information described in ORS 251.026 or 251.315 (1)(a) to (d) and (g) and  
16 any other information regarding services offered by elections offices, how to  
17 cast a ballot and key dates for the election;

18 “(b) The ballot title for each measure;

19 “(c) The explanatory statement for each measure;

20 “(d) The financial estimate for each measure and any statement prepared  
21 for a measure under ORS 250.125;

1 “(e) Any racial and ethnic impact statement prepared for a measure under  
2 ORS 137.685;

3 “(f) Any statement submitted for a measure by a citizen panel under ORS  
4 250.141; and

5 “(g) Except an argument for a measure prepared by the Legislative As-  
6 sembly under ORS 251.245, any other statement for a measure created by a  
7 public body as defined in ORS 174.109.

8 “(3) In addition to the materials that the Secretary of State is required  
9 to have professionally translated under subsection (2) of this section, the  
10 Secretary of State shall allow to be included in the translated version of  
11 each state voters’ pamphlet that is made available on the website of the  
12 Secretary of State or of a county under ORS 251.167:

13 “(a) Translations of a candidate statement submitted under ORS 251.065,  
14 provided that:

15 “(A) The candidate is a candidate for federal or statewide office;

16 “(B) The translation is filed by a candidate or the [*principal campaign*  
17 *committee*] **agent** of a candidate described in subparagraph (A) of this para-  
18 graph;

19 “(C) Neither the translation nor the candidate statement submitted under  
20 ORS 251.065 is rejected under ORS 251.055;

21 “(D) The candidate statement meets the requirements of a candidate  
22 statement set forth in this chapter; and

23 “(E) Any translation filed under this paragraph is in one of the [*five*] most  
24 commonly spoken languages in this state **or of any county the office re-**  
25 **presents**, other than English, as listed by the Secretary of State under ORS  
26 251.167.

27 “(b) Translations of an argument in support of or in opposition to a state  
28 measure filed under ORS 251.255, provided that:

29 “(A) The translation is filed by the person who filed the argument in  
30 support of or in opposition to a state measure under ORS 251.255;

1 “(B) Neither the translation nor the argument in support of or in oppo-  
2 sition to a state measure filed under ORS 251.255 is rejected under ORS  
3 251.055;

4 “(C) The statement in support of or in opposition to a state measure meets  
5 the requirements of a statement in support of or in opposition to a state  
6 measure set forth in this chapter; and

7 “(D) Any translation filed under this paragraph is in one of the [*five*] most  
8 commonly spoken languages in this state **or of any county in which the**  
9 **measure will be voted on**, other than English, as listed by the Secretary  
10 of State under ORS 251.167.

11 “(c) Translations of any argument for a measure prepared by the Legis-  
12 lative Assembly under ORS 251.245 submitted by the Legislative Assembly,  
13 provided that any translation filed under this paragraph is in one of the  
14 [*five*] most commonly spoken languages in this state **or of any county in**  
15 **which the measure will be voted on**, other than English, as listed by the  
16 Secretary of State under ORS 251.167.

17 “(4)(a) A translation that is permitted or required under this section is  
18 not required to be identical in words to the original version but must be  
19 consistent with the meaning of the original version.

20 “(b) A translation is not subject to any limitations on the number of  
21 words allowed set forth in this chapter.

22 “(5) A county may at its own expense make or accept for publication on  
23 the county’s website, as part of a translated voters’ pamphlet required under  
24 ORS 251.167, any portion of a state or county voters’ pamphlet that is not  
25 described in this section.

26 “(6) The Secretary of State:

27 “(a) May adopt any rules necessary to implement this section; and

28 “(b) Except as provided in subsection (5) of this section, is responsible for  
29 all costs necessary to comply with this section.

30 “(7) As used in this section, ‘statewide office’ means Governor, Secretary

1 of State, State Treasurer, Attorney General, Commissioner of the Bureau of  
2 Labor and Industries, or judge on the Oregon Supreme Court, the Oregon  
3 Court of Appeals or the Oregon Tax Court.

4 **“SECTION 2.** ORS 251.315 is amended to read:

5 “251.315. (1) If a county produces a county voters’ pamphlet, the county  
6 voters’ pamphlet shall include, when applicable, at least the following in-  
7 formation:

8 “(a) Requirements for a citizen to qualify as an elector.

9 “(b) Requirements for registration and updates of registration.

10 “(c) Elector instructions, including the right of an elector to request a  
11 second ballot if the first ballot is spoiled and the right of an elector to seek  
12 assistance in marking the ballot.

13 “(d) The hours and locations of places designated under ORS 254.470 for  
14 deposit of official ballots.

15 “(e) Any portraits and statements relating to candidates submitted in ac-  
16 cordance with the provisions of ORS 251.305 to 251.435.

17 “(f) Any ballot titles, explanatory statements and arguments submitted in  
18 accordance with the provisions of ORS 251.305 to 251.435.

19 “(g)(A) Statements in the information section of the voters’ pamphlet on  
20 the pages immediately following the page containing the [*Secretary of State*]  
21 letter **of the county clerk, filing office or other public election official,**  
22 to the extent reasonably practicable, that:

23 “(i) Are written in English and the five additional common languages for  
24 the county listed by the Secretary of State under ORS 251.167;

25 “(ii) Explain that an electronic copy of portions of the voters’ pamphlet  
26 is publicly available in that language; and

27 “(iii) Provide the website address to the translated voters’ pamphlet.

28 “(B) The statements required under subparagraph (A) of this paragraph  
29 must be written so as to be clearly readable.

30 “(C) The Secretary of State may adopt rules necessary to implement this

1 paragraph.

2 “(h) Such other information as the county clerk considers to be appro-  
3 priate or necessary to inform the voters.

4 “(2) The county clerk shall mail or otherwise distribute the county voters’  
5 pamphlet not later than the last day for mailing ballots to electors as pro-  
6 vided in ORS 254.470.

7 “(3)(a) The name of the county clerk or other filing officer may not appear  
8 in the county voters’ pamphlet in the county clerk’s or filing officer’s official  
9 capacity if the county clerk or filing officer is a candidate in the election  
10 for which the voters’ pamphlet is printed.

11 “(b) As used in this subsection, ‘filing officer’ has the meaning given that  
12 term in ORS 254.165.

13 **“SECTION 3.** ORS 254.485 is amended to read:

14 “254.485. (1) Ballots may be tallied by a vote tally system or by a counting  
15 board. A counting board may tally ballots at the precinct or in the office of  
16 the county clerk. In any event, the ballots shall be tallied and returned by  
17 precinct.

18 “[*(2) If a vote tally system is used, the county clerk shall repeat the public*  
19 *certification test described under ORS 254.235 (1). The test shall be conducted*  
20 *immediately prior to scanning any ballots. The test may be observed by persons*  
21 *described in ORS 254.235 (2). The county clerk shall certify the results of the*  
22 *test.*]

23 “[*(3)*] **(2)** If a counting board has been appointed, the tally of ballots may  
24 begin on the date of the election.

25 “[*(4)(a)*] **(3)(a)** If ballots are tallied by a counting board, after the tally  
26 has begun it shall continue until completed. Except as provided in para-  
27 graph (b) of this subsection, a counting board shall tally without  
28 adjournment and in the presence of the clerks and persons authorized to at-  
29 tend.

30 “(b) A counting board may be relieved by another board if the tally is not

1 completed after 12 hours.

2 “[5] (4) A counting board shall audibly announce the tally as it pro-  
3 ceeds. The board shall use only pen and ink to tally.

4 “[6] (5) For ballots cast using a voting machine, the county clerk shall:

5 “(a) Enter the ballots cast using the machine into the vote tally system;  
6 and

7 “(b) In the event of a recount, provide the paper record copy recorded by  
8 the machine to the counting board.

9 “[7] (6) A person other than the county clerk, a member of a counting  
10 board or any other elections official designated by the county clerk may not  
11 tally ballots under this chapter.

12 “[8] (7) The Secretary of State shall by rule establish a procedure for  
13 announcing the status of the tally of the ballots received after the date of  
14 the election. Rules adopted under this subsection must:

15 “(a) Consider the number of ballots being released in relation to the size  
16 of the district;

17 “(b) Prioritize voter anonymity; and

18 “(c) After prioritizing voter anonymity under paragraph (b) of this sub-  
19 section, prioritize the importance of timely reporting election results.

20 **“SECTION 4.** ORS 254.485, as amended by section 11, chapter 220, Oregon  
21 Laws 2023, is amended to read:

22 “254.485. (1) Ballots may be tallied by a vote tally system, by a counting  
23 board or in the manner determined by the Secretary of State under ORS  
24 246.200. A counting board may tally ballots at the precinct or in the office  
25 of the county clerk. Except as otherwise determined by the secretary under  
26 ORS 246.200, the ballots shall be tallied and returned by precinct.

27 “[2] *If a vote tally system is used, the county clerk shall repeat the public*  
28 *certification test described under ORS 254.235 (1). The test shall be conducted*  
29 *immediately prior to scanning any ballots. The test may be observed by persons*  
30 *described in ORS 254.235 (2). The county clerk shall certify the results of the*

1 *test.*]

2 “[3] (2) If a counting board has been appointed, the tally of ballots may  
3 begin on the date of the election.

4 “[4(a)] (3)(a) If ballots are tallied by a counting board, after the tally  
5 has begun it shall continue until completed. Except as provided in para-  
6 graph (b) of this subsection, a counting board shall tally without  
7 adjournment and in the presence of the clerks and persons authorized to at-  
8 tend.

9 “(b) A counting board may be relieved by another board if the tally is not  
10 completed after 12 hours.

11 “[5] (4) A counting board shall audibly announce the tally as it pro-  
12 ceeds. The board shall use only pen and ink to tally.

13 “[6] (5) For ballots cast using a voting machine, the county clerk shall:

14 “(a) Enter the ballots cast using the machine into the vote tally system;  
15 and

16 “(b) In the event of a recount, provide the paper record copy recorded by  
17 the machine to the counting board.

18 “[7] (6) A person other than the Secretary of State, county clerk, a  
19 member of a counting board or any other elections official designated by the  
20 secretary or county clerk may not tally ballots under this chapter.

21 “[8] (7) The Secretary of State shall by rule establish a procedure for  
22 announcing the status of the tally of the ballots received after the date of  
23 the election. Rules adopted under this subsection must:

24 “(a) Consider the number of ballots being released in relation to the size  
25 of the district;

26 “(b) Prioritize voter anonymity; and

27 “(c) After prioritizing voter anonymity under paragraph (b) of this sub-  
28 section, prioritize the importance of timely reporting election results.

29 **“SECTION 5.** ORS 247.176 is amended to read:

30 “247.176. (1) During the period extending from the 250th day before the

1 primary election to the date of the primary election and the period extending  
2 from the day after the primary election to the 250th day before the next  
3 primary election:

4 “(a) Any person may request delivery from the Secretary of State of not  
5 more than an aggregate total of [5,000] **500** registration cards prepared under  
6 ORS 247.171; and

7 “(b) Upon receiving a request under this subsection, the Secretary of  
8 State shall deliver to the person the number of registration cards requested  
9 that does not exceed an aggregate total of [5,000] **500, along with a regis-**  
10 **tration card in electronic form that may be used by the person to print**  
11 **additional registration cards.**

12 “(2) The Secretary of State shall adopt rules describing when the Secre-  
13 tary of State will honor requests for delivery of more than [5,000] **500** regis-  
14 tration cards prepared under ORS 247.171.

15 **“SECTION 6.** ORS 254.555 is amended to read:

16 “254.555. (1) Except as provided in ORS 254.548 **or as necessary to**  
17 **comply with federal law concerning the issuance of a certificate of**  
18 **ascertainment of presidential electors**, not later than the 37th day after  
19 any election, the Secretary of State, regarding offices for which the secretary  
20 receives filings for nomination, shall:

21 “(a) Canvass the votes for the offices, except the office of Governor after  
22 the general election.

23 “(b) Enter in a register of nominations after the primary election the  
24 name and, if applicable, major political party of each candidate nominated,  
25 the office for which the candidate is nominated and the date of entry.

26 “(c) Prepare and deliver a certificate of nomination or election to each  
27 candidate having the most votes for nomination for or election to the office.  
28 The Secretary of State shall sign the certificate under the seal of the state.

29 “(d) Issue a proclamation declaring the election of candidates to the of-  
30 fices.

1 “(2) Not later than the 30th day after the election:

2 “(a) The Secretary of State, regarding measures for which the secretary  
3 is the filing officer, shall canvass the votes for each measure.

4 “(b) The Governor shall issue a proclamation giving the number of votes  
5 cast for or against each such measure, and declaring the approved measures  
6 as the law on the effective date of the measure. If two or more approved  
7 measures contain conflicting provisions, the Governor shall proclaim which  
8 is paramount.

9 **“SECTION 7.** ORS 260.043 is amended to read:

10 “260.043. (1) A candidate who serves as the candidate’s own treasurer and  
11 who expects neither the aggregate contributions to be received nor the ag-  
12 gregate expenditures to be made by or on behalf of the candidate to exceed  
13 [~~\$750~~] **\$1,500** in total amount during a calendar year is not required to:

14 “(a) File a statement of organization under ORS 260.039;

15 “(b) Establish a single exclusive campaign account under ORS 260.054; or

16 “(c) File statements under ORS 260.057.

17 “(2) A candidate described in subsection (1) of this section must keep  
18 contribution and expenditure records for the previous 24 months.

19 “(3)(a) If at any time during the calendar year either the aggregate con-  
20 tributions or aggregate expenditures exceed [~~\$750~~] **\$1,500**, the candidate must  
21 file a statement of organization under ORS 260.039, establish a single exclu-  
22 sive campaign account as required under ORS 260.054 and file statements as  
23 required in paragraph (b) of this subsection.

24 “(b)(A) Except as provided in subparagraph (B) of this paragraph, if at  
25 any time during the calendar year either the aggregate contributions or ag-  
26 gregate expenditures exceed [~~\$750~~] **\$1,500**, the candidate must file a statement  
27 under ORS 260.057 showing all contributions received and expenditures made.  
28 After aggregate contributions or aggregate expenditures exceed [~~\$750~~] **\$1,500**  
29 during a calendar year, the statement shall be filed under the time frames  
30 established in ORS 260.057 (3).

1 “(B) If the candidate expects neither the aggregate contributions to be  
2 received nor the aggregate expenditures to be made by or on behalf of the  
3 candidate to exceed [~~\$3,500~~] **\$5,000** during the calendar year, the candidate  
4 may file a statement to that effect under ORS 260.112, rather than file  
5 statements under ORS 260.057. Notwithstanding ORS 260.112 (2), the state-  
6 ment shall be filed not later than seven calendar days after aggregate con-  
7 tributions or aggregate expenditures exceed [~~\$750~~] **\$1,500** during a calendar  
8 year.

9 “(4)(a) For purposes of this section, a fee paid under ORS 251.095, a fee  
10 paid for a candidate to be included in a county voters’ pamphlet or de  
11 minimis costs associated with printing and circulating a petition in lieu of  
12 a candidate paying a fee for inclusion in a voters’ pamphlet are exempt and  
13 may not be considered when calculating:

14 “(A) The expected aggregate amount of contributions received or expend-  
15 itures made; or

16 “(B) The actual aggregate amount of contributions received or expendi-  
17 tures made.

18 “(b) The Secretary of State by rule shall define ‘de minimis costs’ for  
19 purposes of this subsection.

20 “(5) This section does not apply to candidates for federal office.

21 **“SECTION 8.** ORS 260.112 is amended to read:

22 “260.112. (1)(a) A candidate or a treasurer of a political committee who  
23 expects neither the aggregate contributions to be received nor the aggregate  
24 expenditures to be made by or on behalf of the candidate or political com-  
25 mittee to exceed [~~\$3,500~~] **\$5,000** in total amount during the calendar year  
26 shall file a certificate to that effect with the Secretary of State. The candi-  
27 date or treasurer shall make the certificate according to the best of the  
28 knowledge or belief of the candidate or treasurer. A candidate or treasurer  
29 filing a certificate under this section is not required to file statements under  
30 ORS 260.057.

1 “(b) A treasurer of a petition committee organized under ORS 260.118 who  
2 expects neither the aggregate contributions to be received nor the aggregate  
3 expenditures to be made by a chief petitioner or the treasurer to exceed  
4 [\$3,500] **\$5,000** in total amount during the calendar year shall file a certifi-  
5 cate to that effect with the Secretary of State. The treasurer shall make the  
6 certificate according to the best of the knowledge or belief of the treasurer.  
7 A treasurer filing a certificate under this section is not required to file  
8 statements under ORS 260.118.

9 “(2) A certificate described in subsection (1) of this section shall be filed:

10 “(a) By a candidate, not sooner than the date that the candidate files a  
11 statement of organization under ORS 260.039, and not later than seven cal-  
12 endar days after the candidate receives a contribution or makes an expendi-  
13 ture.

14 “(b) By a treasurer of a political committee, not sooner than the date that  
15 the political committee files a statement of organization under ORS 260.042,  
16 and not later than seven calendar days after the political committee receives  
17 a contribution or makes an expenditure.

18 “(c) By a treasurer of a petition committee, not sooner than the date that  
19 the petition committee files a statement of organization under ORS 260.118,  
20 and not later than seven calendar days after the petition committee receives  
21 a contribution or makes an expenditure.

22 “(3) A candidate, political committee or petition committee under this  
23 section must keep contribution and expenditure records during the calendar  
24 year.

25 “(4) If at any time following the filing of a certificate under this section  
26 and during the calendar year either the aggregate contributions or aggregate  
27 expenditures exceed [\$3,500] **\$5,000**, the candidate or treasurer shall do all  
28 of the following:

29 “(a) File a statement under ORS 260.057 or 260.118 within seven calendar  
30 days after either the aggregate contributions or aggregate expenditures ex-

1 ceed [~~\$3,500~~] **\$5,000**. The statement must reflect all contributions received  
2 and expenditures made by or on behalf of the candidate, political committee  
3 or petition committee to that date, beginning January 1 of the calendar year.

4 “(b) If necessary, file additional statements under ORS 260.057 or 260.118.

5 “(5) This section does not apply to a candidate for federal office.

6 “(6) As used in this section, ‘contribution’ and ‘expenditure’ include a  
7 contribution or expenditure to or on behalf of an initiative, referendum or  
8 recall petition.

9 **“SECTION 9.** ORS 260.407 is amended to read:

10 “260.407. (1)(a) Except as provided in paragraph (b) of this subsection,  
11 amounts received as contributions by a candidate, the principal campaign  
12 committee of a candidate or the principal campaign committee of a holder  
13 of public office may be:

14 “(A) Used to defray any expenses incurred in connection with the  
15 recipient’s duties as a holder of public office;

16 “(B) Transferred to any national, state or local political committee of any  
17 political party;

18 “(C) Contributed to any organization described in section 170(c) of the  
19 Internal Revenue Code or to any charitable corporation as defined in ORS  
20 128.620; or

21 “(D) Used for any other lawful purpose.

22 “(b) Amounts received as contributions by a candidate, the principal  
23 campaign committee of a candidate for public office or the principal cam-  
24 paign committee of a holder of public office may not be:

25 “(A) Converted by any person to any personal use other than to defray  
26 any expenses incurred in connection with the person’s duties as a holder of  
27 public office or to repay to a candidate any loan the proceeds of which were  
28 used in connection with the candidate’s campaign;

29 “(B) Except as provided in this subparagraph, used to pay any money  
30 award as defined in ORS 18.005 included as part of a judgment in a civil or

1 criminal action or any civil penalty imposed by an agency as defined in ORS  
2 183.310 or by a local government as defined in ORS 174.116. Contributions  
3 described in this paragraph may be used to pay a civil penalty imposed under  
4 this chapter, *[other than]* **a civil penalty imposed by a provision of a**  
5 **county charter or a civil penalty imposed by a city ordinance adopted**  
6 **under the authority of ORS 260.163, except that contributions described**  
7 **in this subsection may not be used to pay** a civil penalty imposed for a  
8 violation of this section or ORS 260.409 **or an equivalent provision of a**  
9 **county charter or a city ordinance;**

10 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
11 penses incurred by the candidate or public official in any civil, criminal or  
12 other legal proceeding or investigation that relates to or arises from the  
13 course and scope of the duties of the person as a candidate or public official.  
14 Contributions described in this paragraph may be used to pay legal expenses  
15 incurred by the candidate or public official in connection with a legal pro-  
16 ceeding brought under ORS chapters 246 to 260, **a provision of a county**  
17 **charter or a city ordinance adopted under the authority of ORS 260.163,**  
18 *[other than]* **except that contributions described in this subsection may**  
19 **not be used to pay legal expenses incurred in connection with** a pro-  
20 ceeding brought under this section or ORS 260.409 **or an equivalent pro-**  
21 **vision of a county charter or a city ordinance; or**

22 “(D) Used to make payments in connection with a nondisclosure agree-  
23 ment relating to workplace harassment. A nondisclosure agreement made in  
24 violation of this subparagraph is void and may not be enforced by a court  
25 of this state.

26 “(2)(a) Except as provided in paragraph (b) of this subsection, amounts  
27 received as contributions by a political committee that is not a principal  
28 campaign committee may be:

29 “(A) Used to repay to the political committee any loan the proceeds of  
30 which were used in connection with the campaign;

1 “(B) Transferred to any national, state or local political committee of any  
2 political party;

3 “(C) Contributed to any organization described in section 170(c) of the  
4 Internal Revenue Code or to any charitable corporation as defined in ORS  
5 128.620; or

6 “(D) Used for any other lawful purpose.

7 “(b) Amounts received as contributions by the political committee may  
8 not be:

9 “(A) Converted by any person to any personal use;

10 “(B) Except as provided in this subparagraph, used to pay any money  
11 award as defined in ORS 18.005 included as part of a judgment in a civil or  
12 criminal action or any civil penalty imposed by an agency as defined in ORS  
13 183.310 or by a local government as defined in ORS 174.116. Contributions  
14 described in this subsection may be used to pay a civil penalty imposed under  
15 this chapter, *[other than]* **a civil penalty imposed by a provision of a**  
16 **county charter or a civil penalty imposed by a city ordinance adopted**  
17 **under the authority of ORS 260.163, except that contributions described**  
18 **in this subsection may not be used to pay a civil penalty imposed for a**  
19 **violation of this section or ORS 260.409 or an equivalent provision of a**  
20 **county charter or a city ordinance;**

21 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
22 penses incurred by a treasurer or director of a political committee in any  
23 civil, criminal or other legal proceeding or investigation that relates to or  
24 arises from the course and scope of the duties of the person as a treasurer  
25 or director. Contributions described in this subsection may be used to pay  
26 legal expenses incurred by a treasurer or director in connection with a legal  
27 proceeding brought under ORS chapters 246 to 260, **a provision of a county**  
28 **charter or a city ordinance adopted under the authority of ORS 260.163,**  
29 *[other than]* **except that contributions described in this subsection may**  
30 **not be used to pay legal expenses incurred in connection with a pro-**

1 ceeding brought under this section or ORS 260.409 **or an equivalent pro-**  
2 **vision of a county charter or a city ordinance;** or

3 “(D) Used to make payments in connection with a nondisclosure agree-  
4 ment relating to workplace harassment. A nondisclosure agreement made in  
5 violation of this subparagraph is void and may not be enforced by a court  
6 of this state.

7 “(3)(a) Except as provided in paragraph (b) of this subsection, amounts  
8 received as contributions by a chief petitioner or treasurer of a petition  
9 committee may be:

10 “(A) Used to repay to the chief petitioner any loan the proceeds of which  
11 were used in connection with the initiative, referendum or recall petition;

12 “(B) Transferred to any national, state or local political committee of any  
13 political party;

14 “(C) Contributed to any organization described in section 170(c) of the  
15 Internal Revenue Code or to any charitable corporation as defined in ORS  
16 128.620; or

17 “(D) Used for any other lawful purpose.

18 “(b) Amounts received as contributions by a chief petitioner or treasurer  
19 of a petition committee may not be:

20 “(A) Converted by any person to any personal use;

21 “(B) Except as provided in this subparagraph, used to pay any money  
22 award as defined in ORS 18.005 included as part of a judgment in a civil or  
23 criminal action or any civil penalty imposed by an agency as defined in ORS  
24 183.310 or by a local government as defined in ORS 174.116. Contributions  
25 described in this subsection may be used to pay a civil penalty imposed under  
26 this chapter, *[other than]* **a civil penalty imposed by a provision of a**  
27 **county charter or a civil penalty imposed by a city ordinance adopted**  
28 **under the authority of ORS 260.163, except that contributions described**  
29 **in this subsection may not be used to pay a civil penalty imposed for a**  
30 **violation of this section or ORS 260.409 or an equivalent provision of a**

1 **county charter or a city ordinance;**

2 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
3 penses incurred by a chief petitioner or the treasurer of a petition committee  
4 in any civil, criminal or other legal proceeding or investigation that relates  
5 to or arises from the course and scope of the duties of the person as a chief  
6 petitioner or treasurer. Contributions described in this subsection may be  
7 used to pay legal expenses incurred by a chief petitioner or treasurer in  
8 connection with a legal proceeding brought under ORS chapters 246 to 260,  
9 **a provision of a county charter or a city ordinance adopted under the**  
10 **authority of ORS 260.163, [other than] except that contributions de-**  
11 **scribed in this subsection may not be used to pay legal expenses in-**  
12 **curred in connection with** a proceeding brought under this section or ORS  
13 **260.409 or an equivalent provision of a county charter or a city ordi-**  
14 **nance;** or

15 “(D) Used to make payments in connection with a nondisclosure agree-  
16 ment relating to workplace harassment. A nondisclosure agreement made in  
17 violation of this subparagraph is void and may not be enforced by a court  
18 of this state.

19 “(4) As used in this section:

20 “(a) ‘Contribution’ and ‘expenditure’ include a contribution or expenditure  
21 to or on behalf of an initiative, referendum or recall petition.

22 “(b) ‘Funds donated’ means all funds, including but not limited to gifts,  
23 loans, advances, credits or deposits of money that are donated for the pur-  
24 pose of supporting the activities of a holder of public office. ‘Funds  
25 donated’ does not mean funds appropriated by the Legislative Assembly or  
26 another similar public appropriating body or personal funds of the office  
27 holder donated to an account containing only those personal funds.

28 “(c) ‘Public office’ does not include national or political party office.

29 “(d) ‘Workplace harassment’ means conduct that constitutes discrimi-  
30 nation prohibited by ORS 659A.030, including conduct that constitutes sexual

1 assault as defined in ORS 181A.323.

2 **“SECTION 10. This 2024 Act takes effect on the 91st day after the**  
3 **date on which the 2024 regular session of the Eighty-second Legislative**  
4 **Assembly adjourns sine die.”**

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