

## HB 4018 -6, -8 STAFF MEASURE SUMMARY

### House Committee On Rules

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**Meeting Dates:** 2/10, 2/12, 2/17

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#### WHAT THE MEASURE DOES:

The measure requires the Secretary of State to study elections and report to the Legislative Assembly by September 15, 2027.

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-6 Replaces the measure. The amendment makes changes to campaign finance statutes to change certain operative dates to January 1, 2031; uses contribution or contributor instead of donation or donor and when appropriate; sets contribution limits to calendar year instead of year or election; adjusts names of committees allowed to contribute to or accept contributions under the limits; changes in-kind contribution limits to certain number of hours per calendar year; adjusts thresholds for who may carry forward certain amounts of unexpended funds; consolidates definitions; restores previously repealed statutes until effective date of new requirements; postpones the dashboard requirement until January 1, 2032; allows corporations or labor organizations to establish and administer separate, segregated funds that operate as a political committee under specified conditions; changes deadlines for inspection by filing officer from 90 to 30 days; allows a person to cure a violation; and makes other drafting, style, and form corrections.

-8 The amendment makes changes to the campaign finance regulations adopted in House Bill 4024 (2024), changes the disclosure reporting requirements and the operative dates for the disclosure reporting and campaign finance dashboard, restores previously repealed statutes until effective date of new requirements, and makes other form and style changes. It declares an emergency and is effective on passage.

#### Detailed Summary

##### Operative Date Changes

- Changes the operative dates for the disclosure reporting and campaign finance dashboard provisions in HB 4024 (2024) from January 1, 2028, to January 1, 2031 and for elections occurring after January 1, 2032.
- Changes operative date from January 1, 2027, to January 1, 2031, for the changes to ORS 260.345 (Complaints or other information regarding violations) and ORS 260.995 (civil penalties) from HB 4024 (2024).

##### Disclosure Requirements

- Makes the disclosure reporting requirements effective January 1, 2031.
- Requires the SOS to establish an electronic filing system to be used by a covered person to report the original source of funds used to pay for candidate campaign independent expenditures.
- Requires the disclosure of the name of each person that donated or contributed \$5,000 or more during the election cycle, once a covered person has made an aggregate of \$50,000 in candidate campaign independent expenditures in an election cycle, and the original source of funds in an amount equal to the total amount spent.
- Allows donations or contributions under \$5,000 to be aggregated and reported on a “Miscellaneous Under \$5,000” category in the system, and allows a covered person to exclude any:
  - Donation or contribution from an affiliated charitable organization
  - Donations, contributions, or grants that may not be used for campaign communications, and

## HB 4018 -6, -8 STAFF MEASURE SUMMARY

- Donations or contributions from sources who demonstrate a reasonable probability that public knowledge of the person's identity risks physical harm.
- Allows a covered person that is not a political committee to disclose the identity of any person who donated or contributed in the two years prior to the independent expenditure.
- Requires a person to disclose, when requested in writing by the covered person and except as provided, the:
  - Name and amount provided by any person that provided the original source of funds equal to the amount of the person's total donation or contribution
  - Name and amount provided by any person that is not the original source of funds but served as a pass-through or intermediary for funds from the original source.
- Requires the SOS to adopt rules establishing the procedure by which a covered person may request and obtain the required disclosures.
- Exempts personally identifiable information, other than name, residence address, occupation, and employer name, from being a public record.

### Contribution Limits and Related Procedures

- Changes the contribution limit for a multicandidate committee from \$5,000 per election cycle to \$5,000 per year from a person or a political party, which is the same time period as for contributions from a membership organization, legislative caucus, or small donor political committees.
- Adds recall political committee and an independent expenditure-only political committee to the committees without contribution limits.
- Changes limit on contributions to a small donor political committee to calendar year, not year or election cycle, and adds prohibitions on contributions from independent expenditure-only, measure, membership organization, and recall political committees.
- Changes the limits and conditions for in-kind contributions of staff time to a candidate or principal campaign committee of a candidate from a membership organization or membership organization political committee to 2,080 hours per calendar year for state representative or senator and nonstate offices and 6,240 hours for other state offices.
- Specifies requirements for an in-kind contribution or coordinated expenditure, other than independent expenditures, to not be deemed as coordinated.
- Changes the total amount of unexpended campaign contributions that may be carried forward by a candidate for certain offices from five cents per elector to \$10,000 for an official who represents a jurisdiction with not more than 100,000 electors and \$20,000 for those representing jurisdictions with 100,000 to 300,000 electors.
- Revises the deadline and requirement for disposing of any funds carried over to not more than 60 days following the end of the second term of office for which they were not used.
- Allows corporation or tax exempt labor organization to establish or administer separate, segregated funds that operate as a political committee under specified conditions.
- Makes additional changes to campaign finance regulations that are operative on January 1, 2027, including:
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  - Making a transfer of funds, as permitted under federal law, between a political party multicandidate committee and accounts established, financed, maintained, or controlled by the committee and regulated by the Federal Election Campaign Act of 1971, not considered a contribution or expenditures.
  - Changing the deadlines for inspection of certain statements by a filing officer to 30 days from 90 days.
- Changes the SOS adjustment to the specified dollar amounts to be at the end of each even-numbered year instead of the end or start of each election cycle, and makes the first adjustment at the end of 2028.

### Enforcement

- Allows a person that accepts a contribution in violation of the specified limits to cure the violation by refunding the amount in excess of the permitted amount within 14 days after accepting the contribution.

## HB 4018 -6, -8 STAFF MEASURE SUMMARY

- Provides that the SOS may impose a civil penalty for exceeding the contribution limit amounts and failing to cure the violation within 14 days and for each failure to comply with the permissible uses of unexpended funds and on the carry forward limits on unexpended funds.

### Provisions Delayed to 2031

- Delays implementation of the requirement that contributions made by multiple membership organizations are made by a single membership organization if they are established, financed, maintained, or controlled by the same or substantially the same group of persons, with exceptions.
- Prohibits a contributor from making a contribution, or an aggregate of contributions, during an applicable limitation period that exceeds what a recipient must accept under the limits, excluding in-kind contributions.
- Adds definitions required for disclosure reporting and campaign finance dashboard provisions.

### Form and Style Changes

- Consolidates definitions, contribution limits, contributions by multiple political committees, and enforcement provisions.
- Makes changes to statutes to incorporate the provisions needed when the disclosure reporting and dashboard requirements are operative on January 1, 2031.
- Updates terms for consistency with other statutes.
- Makes non-substantive changes for conformity with other sections of the measure.
- Moves statutes to appropriate ORS chapters.

### BACKGROUND:

There are three main methods employed by states for regulating campaign finance, which are commonly utilized in combination:

- requiring the disclosure and reporting of campaign contributions and expenditures;
- setting contribution limits to campaigns; and
- providing a system for public financing of elections.

According to the National Conference of State Legislatures, for the 2025-2026 election cycle, Oregon is one of five states (along with Alabama, Nebraska, Utah, and Virginia) with no limits on political campaign contributions and is one of 11 states that impose no limits on individual candidate contributions.

House Bill 4024 (2024) set campaign contributions limits, defined and set requirements for specified political committees, set disclosure and reporting requirements for candidate campaign independent expenditures, established complaint investigation requirements and deadlines, and set civil penalties for violations of the contribution limits and disclosure requirements. The measure also called for the creation of a web-based campaign finance dashboard.