

TESTIMONY ON HB 4018 in opposition to proposed -6 amendment

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Honest Elections Oregon

Rules Committee of Oregon House of Representatives

February 10, 2026

Honest Elections Oregon most strenuously opposes the proposed -6 amendment, which was first revealed at 5:23 pm yesterday by posting in OLIS. The process that produced it excluded all campaign finance reform advocates in Oregon, including Honest Elections Oregon, the League of Women Voters of Oregon, Common Cause, the Consolidated Oregon Indivisible Network (COIN), the Independent Party of Oregon, Oregon Progressive Party, and Pacific Green Party, among others.

Leaders of the Oregon Legislature in 2024 and again in 2025 pledged to correct technical errors in HB 4024 (2024). But no technical fix bill was considered in the 2025 session, and none has been introduced in this session. Honest Elections Oregon identified the necessary technical fixes in June 2024. Its most recent description is attached to this testimony, followed by its original version.

The -6 amendment to HB 4018 does not fix those technical errors. Instead, its 84 pages massively change HB 4024 to come very close to repealing the contribution limits and disclosure requirements. We have identified these 9 significant, substantive changes so far, with more to come:

1. It delays all disclosure requirements, including all reporting of the original sources of funds used to make independent expenditures, by 3 years, from 2028 to 2031. It moves the informational dashboard requirement to 2032.
2. It doubles the limits on contributions into multicandidate committees by changing the denominator from "election cycle" (2 years) to "year."

3. It deletes the ban on donors making contributions that exceed what a recipient can lawfully accept.

A donor may not make a contribution, or an aggregate of contributions during an applicable limitation period, to a recipient that exceeds the amount a recipient could accept under the limitations of subsections (2) to (9) of this section.

That means that none of the contribution limits can be violated by donors to candidates or committees.

4. It effectively eliminates anti-proliferation requirements on persons making contributions, so that any person can contribute the contribution limit several times over, by restricting the anti-proliferation requirements to entities that were "established for the sole purpose of evading the contribution limit," which will be very difficult to prove.

(2) (a) For purposes of the contribution limits established in this section, contributions made by multiple persons are considered to be made or received by a single person if the persons are established, financed, maintained or controlled by the same person or substantially the same group of persons, including any parent, subsidiary, branch, division, department or local unit of the person or group of persons.

(b) For purposes of the consideration under paragraph (a) of this subsection, the presence of either or both factors described in paragraph (a)(A) and (B) of this subsection is not sufficient unless the person was established for the sole purpose of evading the contribution limits set forth in ORS 260.014.

5. It extends the massive allowed in-kind contributions by membership organizations (including thousands of hours of staff time per year) to candidates for local office, which HB 4024 does not.

6. It changes the massive limits on in-kind contributions from any source from an aggregate limit per candidate per election cycle to a limit per contributor per candidate. In other words, HB 4024 limited a candidate to accepting an aggregate total of \$5,000 in food and beverages, \$5,000 in transportation, \$1,000 in small gifts, and 2,500 square feet of office space. The -6 amendment allows the candidate to receive all of those items, and in those amounts, from every individual, corporation, union, or other entity. That renders the limits on in-kind contributions illusory.
7. It eliminates the limits on funds carried over by a candidate from one election cycle to the next, if the candidate merely reports the amounts.
8. It reduces or eliminates several elements of the required reporting of original sources of money used to support or oppose candidates.
9. It changes the threshold for entities to report their sources of funds for political campaign independent expenditure purposes from an aggregate of \$50,000 per election cycle to "not less than \$50,000 in an election cycle for any statewide or local election." That means the entity can avoid reporting by spending \$49,000 on independent expenditures per candidate, while actually spending millions of dollars in the aggregate.

We urge the Committee to reject the -6 amendment and to reject any amendments developed behind closed doors without public scrutiny.

TO: Honest Elections Oregon

FR: Dan Meek (dan@meek.net)

DA: February 3, 2026

RE: WHAT WE WANT IN AMENDMENTS TO HB 4024 (2024)

I. DO NOT JEOPARDIZE LOCAL PUBLIC FUNDING PROGRAMS.

Add to the list of definitions in HB 4024:

"Contribute," "contribution," "expend" and "expenditure," notwithstanding ORS 260.005 and 260.007, do not include funds provided to a candidate committee by a public body as defined in ORS 174.109 pursuant to a system of public funding of campaigns in which the candidate participates.

Delete HB 4024 Section 4(1)(d)(C), which is codified as ORS 260.014(1)(d)(C).

II. RATIONALIZE THE DENOMINATORS FOR CONTRIBUTION LIMITS.

A. Adopt this definition of "election period" to separate the primary election period from the general election period.

"Election period" means:

(a) Generally:

(A) The primary election period is the part of the election cycle that ends at midnight of the date of the next regular primary election for state offices, disregarding any intervening recall or special election for that office; and

(B) The general election period is the part of the election cycle that begins on the first date after the date of a primary election for an office and ends at midnight on the December 31st after the next general election for state offices,

disregarding any intervening recall or special election for that office.

- (b) For any recall election: the period beginning the date that the recall election is called or declared and ending at midnight of the date of the recall election; and
- (c) For any special election called to fill a vacancy: the period beginning the date that the special election is called or declared and ending at midnight of the date of the election.

B. Contributions to Multicandidate Committees:

Correct scrivener's error in ORS 260.014(4)(g) ("per election in excess of \$5,000 per year") to "in excess of \$5,000 per year".

Change all denominators in ORS 260.014(4) to "per year," with numeric adjustments to avoid substantive changes to the contribution limit levels. Thus, a limit that is now \$5,000 per election cycle (2 years) would become \$2,500 per election period.

C. Contributions to Candidates by Multicandidate Committees:

Change subsections in ORS 260.014 that apply to contributions by multicandidate committees to "per election period," with numeric adjustments to avoid substantive changes to the contribution limit levels. Thus, a limit that is now \$5,000 per election cycle (2 years) would become \$2,500 per election period.

D. Contributions to Candidates now "per election":

Change all limits in ORS 260.014(2) from "per election" to "per election period".

III. DEFINE "DONATION."

HB 4024 uses the term "donation" but does not define it. We suggest this to be added to ORS 260.005.

"Donation" means the gift or transfer of moneys or any other item of value to a person, including any membership fees, dues or assessments, but not including moneys or any other item of value received by a person in the ordinary course of a commercial trade or business conducted by the person.

IV. RECONCILE STATE AND LOCAL GOVERNMENT DEFINITION OF "ELECTION CYCLE."

Specify that all local government contribution limits and other requirements that apply per 2-year "election cycle" must use the definition of "election cycle" in HB 4024. Put this at the end of ORS 260.016.

V. SIMPLIFY LIMITS ON CONTRIBUTIONS TO SMALL DONOR COMMITTEES.

Change ORS 260.014(8)(a) from:

- (8)(a) A small donor political committee:
 - (A) May not accept contributions in excess of \$250 per year from an individual.
 - (B) May not accept contributions from a candidate political committee, multicandidate political committee, political party committee, legislative caucus committee or a membership organization.
 - (C) May not accept contributions from another small donor political committee.

to:

- (8)(a) A small donor political committee may accept contributions only from individuals and in an amount not exceeding \$250 in a calendar year from any individual.

VI. SIMPLIFY LIMITS ON IN-KIND CONTRIBUTION.

ORS 260.016(2)(a) expresses a limit on some in-kind contributions as applying "as determined over a 12-month period." Change that to "per calendar year".

VII. CLARIFY DEFINITION OF "MULTICANDIDATE COMMITTEE".

ORS 260.042(9)(f) defines it:

(9)(f) "Multicandidate political committee" means a political committee that supports or opposes:

- (A) One or more candidates; or
- (B) All candidates affiliated with a major political party or a minor political party.

The intent is that this definition includes a committee that supports, say, all Democrats or all Republicans running for statewide office. Technically, that would not qualify under the above definition, because there would be other Republicans running for federal or local or non-statewide offices. Thus, the committee would not be supporting "All candidates affiliated with a major political party . . ." So "All" should be replaced with "All or some."

CORRECTING TECHNICAL ERRORS IN HB 4024 (2024)

Honest Elections Oregon

June 7, 2024

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1. HB 4024 places local government programs for public funding of campaigns into jeopardy.

HB 4024 establishes contribution limits for all local government office elections. But its Section 4(1)(d)(C) has this poorly worded exemption:

(C) Any local government may provide public funding for campaigns for local government public office that are not subject to contribution limits under this section or section 5 of this 2024 Act.

One plausible interpretation is that this does not allow any government to adopt a system of public funding of campaigns, because HB 4024 makes all local government elections subject to its contribution limits, unless the local government has adopted lower contribution limits.

Another plausible interpretation is that this would allow any local government that provides public funding for campaigns to exempt those campaigns from any or all contribution limits. If a local government wants to get rid of the contribution limits, it could establish a program to provide \$1 to every candidate and abolish all contributions limits.

Neither of the above interpretations correctly implements the agreement.

Initiative Petition 9 handled this situation correctly, by exempting from the definition of "contribution" any money a candidate receives from a public funding program:

"Contribute," "contribution," "expend" and "expenditure," notwithstanding ORS 260.005 and 260.007--

- (a) Do not include funds provided to a candidate committee by a public body as defined in ORS 174.109 pursuant to a system of public funding of campaigns in which the candidate participates;

The Initiative Petition 9 language allows local governments to have public funding programs and does not allow any local government to eliminate the contribution limits established by HB 4024 by establishing a public funding program.

2. The various periods in the limits on contributions to candidates are inconsistent.

HB 4024's limits on contributions by multicandidate committees to candidates are expressed per "election cycle," while limits on other entities' contributions to candidates are expressed per "election," with 2 elections per election cycle. This inconsistency may cause confusion. But merely changing the limits on contributions to candidates by multicandidate committees to per "election" would substantively double those limits. The solution that provides consistency without substantively increasing the limits is to change the period to per "election" while cutting those limits in half (from \$5,000 to \$2,500).

3. The periods in the limits on contributions to multicandidate committees do not make sense.

HB 4024's limits on contributions to multicandidate committees by persons and by political parties are expressed per "election cycle," while limits on other entities' contributions to multicandidate committees are expressed per "election," with 2 elections per election cycle. This does not make sense and cannot be implemented. A multicandidate committee does not have an "election," because it is not a candidate. A multicandidate committee can support or oppose multiple candidates, each of which has its own different "election." Thus, all of the limits on contributions to multicandidate committees need to be expressed per "election cycle," because "election cycle" is a fixed time period for everyone.

Thus, the limits on contributions to multicandidate committees should be changed to per "election cycle."

4. HB 4024 does not define "individual".

Under HB 4024, anyone and any entity can create an SDC. SDCs can receive contributions from any individual, but HB 4024 does not define "individual".

Initiative Petition 9 defined "individual" as "a human being."

5. HB 4024 does not limit carryover funds into the 2028 election cycle.

The purpose of Section 5a is to reduce the amount of funds that a candidate can carry over from one election cycle to another, so that new candidates are not put at a disadvantage. This is particularly important to have in place before the start of the 2028 election cycle, because that will be the transition from a "no limits" regime into a "limits" regime. But Section 5a does not accomplish that, unless its operative date is changed.

HB 4024 states that the operative date of Section 5a is January 1, 2027. That is within the 2028 election cycle, which ends at the close of 2028. Section 5a refers to requirements at the end of an election cycle. If its operational date is not changed, it could plausibly be interpreted as first becoming effective at the end of the 2028 election cycle. That will allow unlimited carryforwards of unexpended candidate funds from the 2026 cycle into the 2028 cycle, thus creating an unfair playing field tilted against new candidates and those who have not accumulated "war chests" during the "no limits" regime.

The operative date of Section 5a should be changed to a date that is before the end of the 2026 election cycle, such as December 1, 2026.

6. HB 4024 does not prevent incumbents from bequeathing their offices to selected friends.

The purpose of Section 17B is to stop allowing incumbents to effectively bequeath their offices to friends by manipulation of their candidacy filings. This manipulation can be done in two ways:

- (1) The incumbent says he is going to file his candidacy near or on the deadline date for the primary election. Due to the power of incumbency, this effectively clears the field of competitors to the incumbent in the primary election. The incumbent notifies his friend that he is not actually going to file. The friend then files at the deadline, the incumbent does not file, and the primary ballot shows the friend as the only candidate.
- (2) The incumbent actually does file for re-election well in advance of the filing deadline. This effectively clears the field of competitors to the incumbent in the primary election. The incumbent notifies his friend that he is actually going to withdraw his candidacy after the filing deadline has passed (within the 3 days allowed for that). The friend

then files before or at the deadline, the incumbent later withdraws, and the primary ballot shows the friend as the only candidate.

HB 4024 does not prevent method (2) for "office bequeathing to friends" and thus does not at all achieve the purpose. HB 4024 only requires incumbents to file 7 days earlier than non-incumbents but does not change the date for the incumbent to withdraw the filing, which remains governed by ORS 249.710(1), which sets the deadline for withdrawal at "the 67th day before the date of the primary election."

Thus, HB 4024 allows the incumbent to withdraw 3 days after the filing deadline for all other candidates. The incumbent can pretend to be running, file to run, and then withdraw after the filing deadline for the other candidates, leaving the primary clear for the selected friend who knew the incumbent was going to withdraw.

Initiative Petition 9 moves forward by 7 days both the filing deadline and the withdrawal deadline for incumbents, so potential challengers can know whether the incumbent is actually running 4 days prior to their filing deadline. Here is the resulting timeline:

77 days before primary election = incumbent filing deadline
74 days before primary election = incumbent withdrawal deadline
70 days before primary election = filing deadline for others
68 days before primary election = Voters' Pamphlet statement deadline
67 days before the primary election = withdrawal deadline for others

Allowing potential challengers only 4 days to decide to run, after the incumbent withdraws, is a very short period, but it is better than nothing. We would support moving forward the incumbent filing and withdrawal deadlines by 10 days or 14 days.

Here is the language from IP 9:

For any incumbent public officeholder, the filing deadline for a nominating petition or a declaration of candidacy for an additional term of the same public office, or for filing a withdrawal of such petition or declaration, shall be seven days prior to the corresponding filing deadline for non-incumbent candidates for that public office.

HB 4024 should be corrected so that changing the candidate filing deadline has any significance at all.

7. The limits on contributions to Small Donor Committees are unnecessarily complicated.

Section 4(8) states:

(8) (a) A small donor political committee:

- (A) May not accept contributions in excess of \$250 per year from an individual.
- (B) May not accept contributions from a candidate political committee, multicandidate political committee, political party committee, legislative caucus committee or a membership organization.
- (C) May not accept contributions from another small donor political committee.

This could be simplified and clarified as:

(8) (a) A small donor political committee:

- (A) May accept contributions only from individuals and in an amount not exceeding \$250 in a calendar year from any individual.

This would also eliminate any argument that Small Donor Committees can accept contributions from entities not mentioned in the current Section 4(8).

8. HB 4024 does not adequately define foreign corporations and foreign entities.

Section 9(2) of HB 4024 states:

- (2)(a) A foreign national, foreign corporation or foreign entity may not, directly or indirectly, make or offer to make a candidate campaign contribution or expenditure or make a donation used by an entity to pay for candidate campaign independent expenditures.
- (b) As used in this subsection, "foreign national" means a foreign principal, as defined in 22 U.S.C. 611 (b), but does not include any individual who is:

- (A) A citizen of the United States;
- (B) A national of the United States;
- (C) Lawfully admitted for permanent residence in the United States; or
- (D) A resident of Oregon.

This fails to define foreign corporation or foreign entity. The correction would be to import the definition of those terms from Initiative Petition 9, which would add:

- (c) A foreign corporation or foreign entity includes:
 - (A) A corporation or other combination of persons of which one or more foreign nationals own more than 20% in aggregate of its equity or voting shares, disregarding equity or voting shares held through a United States widely-held diversified fund, such as a mutual fund that has more than 100 participants;
 - (B) A corporation or other combination of persons in which any foreign national participates in the decision-making process regarding the entity's contributions, campaign media spending disbursements, or expenditures; or
 - (C) An Internal Revenue Code § 501(c)(4) organization whose aggregate donations from foreign nationals is 20% or more of its gross receipts in the most recent taxable year.