

HB 2983 -6 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 3/13, 5/23

WHAT THE MEASURE DOES:

Requires certain nonprofit organizations that make political expenditures in excess of specified amount to file, with Secretary of State and Department of Revenue, certified list of donors whose donations exceed specified amount. Authorizes nonprofit to create separate political campaign account for all political activity and, under certain circumstances, file certified list limited to donors whose donation was placed in campaign account and exceeds specified amount. Requires nonprofit to update list throughout election cycle. Establishes procedures for certain election-related investigations of nonprofit organizations. Modifies authority related to imposition of civil penalties.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-6 Replaces the measure. Requires certain organizations that accept donations and make political communications in excess of specified amount to file, with Secretary of State, list of donors who donation exceeds \$10,000 during election cycle. Excludes donations received from affiliated charitable organization that is tax exempt and donations that may not be used for political communications. Requires organization to update list throughout election cycle. Authorizes Secretary of State to impose civil penalty for failure to file timely and accurate list. Prohibits reimbursing another for providing campaign contribution or donation to organizations subject to disclosure requirements. Modifies definition of "communication in support of or in opposition to a clearly identified candidate or measure." Reduces amount of independent expenditure, from \$750 to \$250, requiring disclosure in ORESTAR. Establishes procedures for certain election-related investigations. Declares emergency, effective on passage.

BACKGROUND:

Oregon law requires candidates, political committees and petition committees, as well as individuals and entities that make independent expenditures, to disclose certain information related to certain campaign contributions and expenditures. House Bill 2983 requires nonprofit entities who make political expenditures in excess of \$50,000 for a legislative election, and \$250,000 for a statewide election, to disclose certain information related to donations that exceed \$50,000 and \$250,000, respectively. As an alternative, the bill authorizes nonprofit entities to create segregated campaign accounts for political expenditures that meet specified criteria, and disclose only those donations that were placed in the separate account and exceed the specified limits. House Bill 2983 authorizes the imposition of civil penalties to enforce these obligations.

Oregon law also authorizes any elector to file an election complaint with the Secretary of State or, in instances involving the office of Secretary of State, with the Attorney General. These complaints may lead to criminal prosecution or administrative enforcement proceedings. House Bill 2983 provides a mechanism for the Secretary of State or Attorney General to obtain the financial records of nonprofit entities in the course of an investigation involving a violation of election laws. The bill also expressly provides the Attorney General with the authority, identical to that possessed by the Secretary of State, to issue subpoenas for certain election law violations.