

Requested by Senator BURDICK

**PROPOSED AMENDMENTS TO  
SENATE BILL 1510**

1 In line 2 of the printed bill, after “elections” insert “amending ORS  
2 260.407; and declaring an emergency”.

3 Delete lines 4 through 12 and insert:

4 **“SECTION 1.** ORS 260.407 is amended to read:

5 “260.407. (1)(a) Except as provided in paragraph (b) of this subsection,  
6 amounts received as contributions by a candidate, the principal campaign  
7 committee of a candidate or the principal campaign committee of a holder  
8 of public office may be:

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

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

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

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

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

20 “(A) Converted by any person to any personal use other than to defray  
21 any expenses incurred in connection with the person’s duties as a holder of

1 public office or to repay to a candidate any loan the proceeds of which were  
2 used in connection with the candidate's campaign;

3 “(B) Except as provided in this subparagraph, used to pay any money  
4 award as defined in ORS 18.005 included as part of a judgment in a civil or  
5 criminal action or any civil penalty imposed by an agency as defined in ORS  
6 183.310 or by a local government as defined in ORS 174.116. Contributions  
7 described in this paragraph may be used to pay a civil penalty imposed under  
8 this chapter, other than a civil penalty imposed for a violation of this section  
9 or ORS 260.409;

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, other than a proceeding  
17 brought under this section or ORS 260.409; or

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

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

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

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

29 “(C) Contributed to any organization described in section 170(c) of the  
30 Internal Revenue Code or to any charitable corporation as defined in ORS

1 128.620; or

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

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

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

6 “(B) Except as provided in this subparagraph, used to pay any money  
7 award as defined in ORS 18.005 included as part of a judgment in a civil or  
8 criminal action or any civil penalty imposed by an agency as defined in ORS  
9 183.310 or by a local government as defined in ORS 174.116. Contributions  
10 described in this subsection may be used to pay a civil penalty imposed under  
11 this chapter, other than a civil penalty imposed for a violation of this section  
12 or ORS 260.409;

13 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
14 penses incurred by a treasurer or director of a political committee in any  
15 civil, criminal or other legal proceeding or investigation that relates to or  
16 arises from the course and scope of the duties of the person as a treasurer  
17 or director. Contributions described in this subsection may be used to pay  
18 legal expenses incurred by a treasurer or director in connection with a legal  
19 proceeding brought under ORS chapters 246 to 260, other than a proceeding  
20 brought under this section or ORS 260.409; or

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

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

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

30 “(B) Transferred to any national, state or local political committee of any

1 political party;

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

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

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

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

9 “(B) Except as provided in this subparagraph, used to pay any money  
10 award as defined in ORS 18.005 included as part of a judgment in a civil or  
11 criminal action or any civil penalty imposed by an agency as defined in ORS  
12 183.310 or by a local government as defined in ORS 174.116. Contributions  
13 described in this subsection may be used to pay a civil penalty imposed under  
14 this chapter, other than a civil penalty imposed for a violation of this section  
15 or ORS 260.409;

16 “(C) Except as provided in this subparagraph, used to pay any legal ex-  
17 penses incurred by a chief petitioner or the treasurer of a petition committee  
18 in any civil, criminal or other legal proceeding or investigation that relates  
19 to or arises from the course and scope of the duties of the person as a chief  
20 petitioner or treasurer. Contributions described in this subsection may be  
21 used to pay legal expenses incurred by a chief petitioner or treasurer in  
22 connection with a legal proceeding brought under ORS chapters 246 to 260,  
23 other than a proceeding brought under this section or ORS 260.409; or

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

28 **“(4) Notwithstanding subsections (1) and (2) of this section, a**  
29 **member of the Legislative Assembly may not solicit or use contribu-**  
30 **tions to pay fines or legal expenses, replace salary, defray expenses or**

1 **otherwise compensate a member for monetary losses incurred as a**  
2 **result of a member’s unexcused absence from all or a part of a session**  
3 **of the Legislative Assembly.**

4 “[(4)] (5) As used in this section:

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

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

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

14 “(d) ‘Workplace harassment’ means conduct that constitutes discrimi-  
15 nation prohibited by ORS 659A.030, including conduct that constitutes sexual  
16 assault as defined in ORS 181A.323.

17 **“SECTION 2. This 2020 Act being necessary for the immediate**  
18 **preservation of the public peace, health and safety, an emergency is**  
19 **declared to exist, and this 2020 Act takes effect on its passage.”.**

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