

# Senate Bill 1561

Sponsored by Senator GOLDEN (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits candidates for state office from accepting contributions in excess of amounts specified and from sources not specified.

Prohibits certain political committees from accepting contributions in excess of amounts specified and from sources not specified.

Defines "small donor committee."

Establishes Grassroots Donor Election Program to enable candidates for defined state offices to receive specified match on small dollar donations. Limits matching funds.

Establishes Oregon Elections Commission to oversee Grassroots Donor Election Program. Specifies composition and duties of commission.

Repeals Ballot Measure 47 (2006), currently held in abeyance, which establishes limits on political campaign contributions and independent expenditures on candidate races and establishes certain campaign finance disclosure requirements.

Becomes operative November 6, 2024.

## A BILL FOR AN ACT

Relating to campaign finance; creating new provisions; amending ORS 251.026, 251.085, 260.005, 260.041, 260.042, 260.044, 260.083, 260.266 and 260.275; and repealing chapter 3, Oregon Laws 2007.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Sections 2 and 3 of this 2022 Act are added to and made a part of ORS chapter 260.**

**SECTION 2. (1) A candidate for state office or the principal campaign committee of the candidate for state office described in this section may accept contributions only from the sources and in the amounts described in this section.**

**(2)(a) A candidate or the principal campaign committee of the candidate for the office of state Senator, state Representative or judge may not accept aggregate contributions in excess of:**

**(A) \$750 per election from any individual, multilegislative candidate political committee or principal campaign committee.**

**(B) \$15,000 per election from any small donor committee.**

**(C) \$15,000 per election from a legislative caucus political committee.**

**(D) \$15,000 per election from a political party committee.**

**(b) A candidate or the principal campaign committee of the candidate for the office of Governor, Secretary of State, State Treasurer, Attorney General or Commissioner of the Bureau of Labor and Industries may not accept aggregate contributions in excess of:**

**(A) \$2,000 per election from any individual, multilegislative candidate political committee or principal campaign committee.**

**(B) \$40,000 per election from any small donor committee.**

**(C) \$40,000 per election from a legislative caucus political committee.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (D) \$40,000 per election from a political party committee.

2 (c) A candidate for state office or the principal campaign committee of the candidate for  
 3 state office described in this subsection may not accept contributions from more than one  
 4 legislative caucus political committee and from more than one political party committee.

5 (3)(a) Except as provided in paragraph (b) of this subsection, for purposes of this section,  
 6 each instance in which an individual is a candidate for nomination or election to a state of-  
 7 fice at a primary election or general election, or will appear on the ballot as an incumbent  
 8 holder of a state office at a recall election, constitutes a separate election.

9 (b) An instance in which an individual is a candidate for state office at a general election  
 10 does not constitute a separate election under this section if the individual received the  
 11 nomination of a major political party for the state office at a primary election at which no  
 12 other candidate for that state office was listed on the official ballot of the major political  
 13 party.

14 (4) Nothing in this section limits the amount a candidate may contribute from the  
 15 candidate's personal funds to the candidate's principal campaign committee.

16 (5) In addition to the contribution limits established by subsections (1) and (2) of this  
 17 section, a candidate may accept an unlimited amount of public campaign financing from a  
 18 public body.

19 (6) The Secretary of State may adopt rules necessary to implement this section.

20 **SECTION 3.** (1) A political committee described in this section may accept contributions  
 21 only from the sources and in the amounts described in this section.

22 (2) A legislative caucus political committee:

23 (a) May not accept aggregate contributions in excess of:

24 (A) \$2,000 per year from any individual, multilegislative candidate political committee or  
 25 principal campaign committee.

26 (B) \$40,000 per year from a political party committee.

27 (b) May not contribute to a candidate or the principal campaign committee of the candi-  
 28 date campaigning for an office that is not of the same house of the Legislative Assembly  
 29 from which the members of the legislative caucus political committee hold office.

30 (c) May not contribute to a candidate or the principal campaign committee of the candi-  
 31 date who is not affiliated with the same political party as the members of the legislative  
 32 caucus political committee.

33 (3) A multilegislative candidate political committee:

34 (a) May not accept aggregate contributions in excess of \$200 per election from any indi-  
 35 vidual, multilegislative candidate political committee or principal campaign committee.

36 (b) May not make independent expenditures.

37 (c) May make expenditures for the purpose of influencing the outcome of an election only  
 38 in the form of contributions.

39 (4) A political party committee may not accept aggregate contributions in excess of \$2,000  
 40 per year from any individual, multilegislative candidate political committee or principal  
 41 campaign committee.

42 (5) A small donor committee:

43 (a) May not accept aggregate contributions in excess of \$200 per election from any indi-  
 44 vidual, multilegislative candidate political committee, principal campaign committee or poli-  
 45 tical party committee.

1 (b) May not accept contributions from any individual, multilegislative candidate political  
 2 committee, principal campaign committee or political party committee that, when combined  
 3 with the aggregate amount the person has previously contributed for that election to small  
 4 donor committees, would result in an aggregate contribution from that person in excess of  
 5 \$1,000.

6 (c) May make expenditures for the purpose of influencing the outcome of an election only  
 7 in the form of contributions to a single candidate for state office designated in the  
 8 committee's statement of organization filed under ORS 260.042 at the time of formation.

9 (d) May operate only during the election cycle in which the committee is established and  
 10 ceases to exist at the end of the election cycle or within 10 days of when the candidate des-  
 11 ignated in the committee's statement of organization filed under ORS 260.042 at the time of  
 12 formation ceases or suspends the candidate's campaign, whichever occurs first.

13 (6)(a) Except as provided in paragraph (b) of this subsection, for purposes of this section,  
 14 each instance in which an individual is a candidate for nomination or election to a state of-  
 15 fice at a primary election or general election, or will appear on the ballot as an incumbent  
 16 holder of a state office at a recall election, constitutes a separate election.

17 (b) An instance in which an individual is a candidate for state office at a general election  
 18 does not constitute a separate election under this section if the individual received the  
 19 nomination of a major political party for the state office at a primary election at which no  
 20 other candidate for that state office was listed on the official ballot of the major political  
 21 party.

22 (7)(a) A person may not control more than one of each of the following types of com-  
 23 mittee at one time:

24 (A) Legislative caucus political committee.

25 (B) Multilegislative candidate political committee.

26 (C) Political party committee.

27 (D) Principal campaign committee.

28 (E) Small donor committee.

29 (b) For the purposes of contribution limits established in this section, contributions made  
 30 or received by multiple political committees are considered to be made or received by a single  
 31 political committee if:

32 (A) The political committees have filed to operate as the same type of political committee  
 33 under ORS 260.042; and

34 (B) The political committees are established, financed, maintained or controlled by the  
 35 same person or substantially the same group of persons, including any parent, subsidiary,  
 36 branch, division, department or local unit of such person or group of persons.

37 (c) Notwithstanding paragraph (b) of this subsection, having the same individual acting  
 38 as the treasurer of two or more political committees is not by itself sufficient to consider  
 39 contributions made by the political committees to be contributions made or received by a  
 40 single political committee.

41 (8) The Secretary of State may adopt rules necessary to implement this section.

42 **SECTION 4.** ORS 260.005 is amended to read:

43 260.005. As used in this chapter:

44 (1)(a) "Candidate" means:

45 (A) An individual whose name is printed on a ballot, for whom a declaration of candidacy,

1 nominating petition or certificate of nomination to public office has been filed or whose name is  
 2 expected to be or has been presented, with the individual's consent, for nomination or election to  
 3 public office;

4 (B) An individual who has solicited or received and accepted a contribution, made an expendi-  
 5 ture, or given consent to an individual, organization, political party or political committee to solicit  
 6 or receive and accept a contribution or make an expenditure on the individual's behalf to secure  
 7 nomination or election to any public office at any time, whether or not the office for which the in-  
 8 dividual will seek nomination or election is known when the solicitation is made, the contribution  
 9 is received and retained or the expenditure is made, and whether or not the name of the individual  
 10 is printed on a ballot; or

11 (C) A public office holder against whom a recall petition has been completed and filed.

12 (b) For purposes of this section and ORS 260.035 to 260.156, "candidate" does not include a  
 13 candidate for the office of precinct committeeperson.

14 (2) "Committee director" means any person who directly and substantially participates in  
 15 decision-making on behalf of a political committee concerning the solicitation or expenditure of  
 16 funds and the support of or opposition to candidates or measures. The officers of a political party  
 17 shall be considered the directors of any political party committee of that party, unless otherwise  
 18 provided in the party's bylaws.

19 (3) Except as provided in ORS 260.007, "contribute" or "contribution" includes:

20 (a) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compen-  
 21 sation or consideration, of money, services other than personal services for which no compensation  
 22 is asked or given, supplies, equipment or any other thing of value:

23 (A) For the purpose of influencing an election for public office or an election on a measure, or  
 24 of reducing the debt of a candidate for nomination or election to public office or the debt of a pol-  
 25 itical committee; or

26 (B) To or on behalf of a candidate, political committee or measure; and

27 (b) The excess value of a contribution made for compensation or consideration of less than  
 28 equivalent value.

29 (4) "Controlled committee" means a political committee that, in connection with the making of  
 30 contributions or expenditures:

31 (a) Is controlled directly or indirectly by a candidate or a controlled committee; or

32 (b) Acts jointly with a candidate or controlled committee.

33 (5) "Controlled directly or indirectly by a candidate" means:

34 (a) The candidate, the candidate's agent, a member of the candidate's immediate family or any  
 35 other political committee that the candidate controls has a significant influence on the actions or  
 36 decisions of the political committee; or

37 (b) The candidate's principal campaign committee and the political committee both have the  
 38 candidate or a member of the candidate's immediate family as a treasurer or director.

39 (6) "County clerk" means the county clerk or the county official in charge of elections.

40 (7) **"Election cycle" means the period starting on the day after the date of a general**  
 41 **election and ending on the date of the next general election.**

42 [(7)] (8) "Elector" means an individual qualified to vote under Article II, section 2, of the Oregon  
 43 Constitution.

44 [(8)] (9) Except as provided in ORS 260.007, "expend" or "expenditure" includes the payment or  
 45 furnishing of money or anything of value or the incurring or repayment of indebtedness or obligation

1 by or on behalf of a candidate, political committee or person in consideration for any services,  
 2 supplies, equipment or other thing of value performed or furnished for any reason, including support  
 3 of or opposition to a candidate, political committee or measure, or for reducing the debt of a can-  
 4 didate for nomination or election to public office. "Expenditure" also includes contributions made  
 5 by a candidate or political committee to or on behalf of any other candidate or political committee.

6 [(9)] (10) "Filing officer" means:

7 (a) The Secretary of State:

8 (A) Regarding a candidate for public office;

9 (B) Regarding a statement required to be filed under ORS 260.118;

10 (C) Regarding any measure; or

11 (D) Regarding any political committee.

12 (b) In the case of an irrigation district formed under ORS chapter 545, "filing officer" means:

13 (A) The county clerk, regarding any candidate for office or any measure at an irrigation district  
 14 formation election where the proposed district is situated wholly in one county;

15 (B) The county clerk of the county in which the office of the secretary of the proposed irrigation  
 16 district will be located, regarding any candidate for office or any measure at an irrigation district  
 17 formation election where the proposed district is situated in more than one county; or

18 (C) The secretary of the irrigation district for any election other than an irrigation district  
 19 formation election.

20 [(10)] (11) "Independent expenditure" means an expenditure by a person for a communication in  
 21 support of or in opposition to a clearly identified candidate or measure that is not made with the  
 22 cooperation or with the prior consent of, or in consultation with, or at the request or suggestion  
 23 of, a candidate or any agent or authorized committee of the candidate, or any political committee  
 24 or agent of a political committee supporting or opposing a measure. For purposes of this subsection:

25 (a) "Agent" means any person who has:

26 (A) Actual oral or written authority, either express or implied, to make or to authorize the  
 27 making of expenditures on behalf of a candidate or on behalf of a political committee supporting or  
 28 opposing a measure; or

29 (B) Been placed in a position within the campaign organization where it would reasonably ap-  
 30 pear that in the ordinary course of campaign-related activities the person may authorize expen-  
 31 ditures.

32 (b)(A) "Clearly identified" means, with respect to candidates:

33 (i) The name of the candidate involved appears;

34 (ii) A photograph or drawing of the candidate appears; or

35 (iii) The identity of the candidate is apparent by unambiguous reference.

36 (B) "Clearly identified" means, with respect to measures:

37 (i) The ballot number of the measure appears;

38 (ii) A description of the measure's subject or effect appears; or

39 (iii) The identity of the measure is apparent by unambiguous reference.

40 (c) "Communication in support of or in opposition to a clearly identified candidate or measure"  
 41 means:

42 (A)(i) The communication, when taken as a whole and with limited reference to external events,  
 43 such as the proximity to the election, could only be interpreted by a reasonable person as containing  
 44 advocacy for the election or defeat of a clearly identified candidate for nomination or election to  
 45 public office, or the passage or defeat of a clearly identified measure; and

1 (ii) The electoral portion of the communication is unmistakable, unambiguous and suggestive of  
 2 only one meaning; or

3 (B)(i) The communication involves aggregate expenditures of more than \$250 by a person;

4 (ii) The communication refers to a clearly identified candidate or measure that will appear on  
 5 the ballot or to a political party; and

6 (iii) The communication is published and disseminated to the relevant electorate within 60 cal-  
 7 endar days before a primary election, 120 calendar days before a general election or 90 calendar  
 8 days before an election other than a primary election or a general election.

9 (d) “Made with the cooperation or with the prior consent of, or in consultation with, or at the  
 10 request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any  
 11 political committee or agent of a political committee supporting or opposing a measure”:

12 (A) Means any arrangement, coordination or direction by the candidate or the candidate’s agent,  
 13 or by any political committee or agent of a political committee supporting or opposing a measure,  
 14 prior to the publication, distribution, display or broadcast of the communication. An expenditure  
 15 shall be presumed to be so made when it is:

16 (i) Based on information about the plans, projects or needs of the candidate, or of the political  
 17 committee supporting or opposing a measure, and provided to the expending person by the candidate  
 18 or by the candidate’s agent, or by any political committee or agent of a political committee sup-  
 19 porting or opposing a measure, with a view toward having an expenditure made; or

20 (ii) Made by or through any person who is or has been authorized to raise or expend funds, who  
 21 is or has been an officer of a political committee authorized by the candidate or by a political  
 22 committee or agent of a political committee supporting or opposing a measure, or who is or has been  
 23 receiving any form of compensation or reimbursement from the candidate, the candidate’s principal  
 24 campaign committee or agent or from any political committee or agent of a political committee  
 25 supporting or opposing a measure.

26 (B) Does not mean providing to the expending person upon request a copy of this chapter or any  
 27 rules adopted by the Secretary of State relating to independent expenditures.

28 [(11)] (12) “Initiative petition” means a petition to initiate a measure for which a prospective  
 29 petition has been filed but that is not yet a measure.

30 [(12)] (13) “Judge” means judge of the Supreme Court, Court of Appeals, circuit court or the  
 31 Oregon Tax Court.

32 (14) **“Legislative caucus political committee” means a political committee:**

33 (a) **Established by a caucus of a major political party or a minor political party in the**  
 34 **Senate or House of Representatives;**

35 (b) **Established under rules or bylaws created by the caucus by which it was established;**  
 36 **and**

37 (c) **Controlled by an elected leader of the caucus by which it was established.**

38 (15) **“Major political party” means a political party that has qualified as a major political**  
 39 **party under ORS 248.006.**

40 [(13)] (16) “Mass mailing” means more than 200 substantially similar pieces of mail, but does  
 41 not include a form letter or other mail that is sent in response to an unsolicited request, letter or  
 42 other inquiry.

43 [(14)] (17) “Measure” includes any of the following submitted to the people for their approval  
 44 or rejection at an election:

45 (a) A proposed law.

- 1 (b) An Act or part of an Act of the Legislative Assembly.
- 2 (c) A revision of or amendment to the Oregon Constitution.
- 3 (d) Local, special or municipal legislation.
- 4 (e) A proposition or question.

5 **(18) “Minor political party” means a political party that has qualified as a minor political**  
 6 **party under ORS 248.008.**

7 **(19) “Multilegislative candidate political committee” means a political committee that**  
 8 **supports or opposes one or more candidates through the use of direct contributions to the**  
 9 **candidates or the principal campaign committee of the candidates.**

10 [(15)] **(20) “Occupation” means:**

- 11 (a) The nature of an individual’s principal business; and
- 12 (b) If the individual is employed by another person, the business name and address, by city and  
 13 state, of the employer.

14 [(16)] **(21) “Person” means an individual, corporation, limited liability company, labor organiza-**  
 15 **tion, association, firm, partnership, joint stock company, club, organization or other combination of**  
 16 **individuals having collective capacity.**

17 [(17)] **(22) “Petition committee” means an initiative, referendum or recall petition committee**  
 18 **organized under ORS 260.118.**

19 [(18)] **(23) “Political committee” means a combination of two or more individuals, or a person**  
 20 **other than an individual, that has:**

- 21 (a) Received a contribution for the purpose of supporting or opposing a candidate, measure or  
 22 political party; or
- 23 (b) Made an expenditure for the purpose of supporting or opposing a candidate, measure or  
 24 political party. For purposes of this paragraph, an expenditure does not include:

25 (A) A contribution to a candidate or political committee that is required to report the contri-  
 26 bution on a statement filed under ORS 260.057 or 260.076 or a certificate filed under ORS 260.112;  
 27 or

28 (B) An independent expenditure for which a statement is required to be filed by a person under  
 29 ORS 260.044.

30 **(24) “Political party committee” means a political committee that, on a statewide or local**  
 31 **basis:**

- 32 **(a) Supports or opposes one or more candidates; and**
- 33 **(b)(A) Represents a major political party or a minor political party; or**
- 34 **(B) Is established under the bylaws of a major political party or a minor political party.**

35 [(19)] **(25) “Public office” means any national, state, county, district, city office or position, ex-**  
 36 **cept a political party office, that is filled by the electors.**

37 [(20)] **(26) “Recall petition” means a petition to recall a public officer for which a prospective**  
 38 **petition has been filed but that is not yet a measure.**

39 [(21)] **(27) “Referendum petition” means a petition to refer a measure for which a prospective**  
 40 **petition has been filed but that is not yet a measure.**

41 [(22)] **(28) “Regular district election” means the regular district election described in ORS**  
 42 **255.335.**

43 **(29) “Small donor committee” means a political committee that supports or opposes one**  
 44 **candidate designated at the time that the statement of organization is filed.**

45 [(23)] **(30) “State office” means the office of Governor, Secretary of State, State Treasurer, At-**

1 torney General, Commissioner of the Bureau of Labor and Industries, state Senator, state Repre-  
2 sentative, judge or district attorney.

3 **SECTION 5.** ORS 260.042 is amended to read:

4 260.042. (1) The treasurer of a political committee shall file a statement of organization with the  
5 filing officer. The statement must include:

6 (a) The name, address and nature of the committee. The address must be the address of a resi-  
7 dence, office, headquarters or similar location where the political committee or a responsible officer  
8 of the political committee may be conveniently located.

9 (b) The name, address and occupation of the committee director or directors.

10 (c) The name and address of the committee treasurer.

11 (d) The name and address of any other political committee of which two or more committee di-  
12 rectors are also directors of the committee filing the statement.

13 **(e) Whether the political committee will operate as one of the following:**

14 **(A) Legislative caucus political committee.**

15 **(B) Multilegislative candidate political committee.**

16 **(C) Political party committee.**

17 **(D) Principal campaign committee.**

18 **(E) Small donor committee.**

19 [(e)] **(f)** The name, office sought, and party affiliation of each candidate whom the committee is  
20 supporting or specifically opposing or intends to support or specifically oppose, when known, or, if  
21 the committee is supporting or specifically opposing all the candidates of a given party, the name  
22 of that party.

23 [(f)] **(g)** A designation of any measure that the committee is opposing or supporting, or intends  
24 to support or oppose.

25 [(g)] **(h)** A statement of whether the committee is a controlled committee.

26 (2) In addition to the information listed in subsection (1) of this section, the statement of or-  
27 ganization must include, or be amended within five business days to include, the name of the finan-  
28 cial institution in which the campaign account required under ORS 260.054 is established, the name  
29 of the account, the name of the account holder and the names of all individuals who have signature  
30 authority for the account. The Secretary of State may not disclose information received by the sec-  
31 retary under this subsection except as necessary for purposes of enforcing the provisions of ORS  
32 chapters 246 to 260.

33 (3) A treasurer may designate an individual to receive any notice provided by a filing officer  
34 under ORS chapters 246 to 260. The treasurer shall include the name and address of the individual  
35 in a statement of organization filed under this section. A filing officer who provides any notice under  
36 ORS chapters 246 to 260 to the treasurer of the political committee shall also provide the notice to  
37 the individual designated by the treasurer under this subsection.

38 (4) A treasurer may designate an elector of this state to be liable for any civil penalty imposed  
39 under ORS 260.232. The treasurer shall include the name and address of any elector designated un-  
40 der this subsection in a statement of organization filed under this section.

41 (5) The statement of organization must be filed not later than the date specified in ORS 260.035.

42 (6) Except as provided in subsection (2) of this section, any change in information submitted in  
43 a statement of organization under subsections (1) and (2) of this section must be indicated in an  
44 amended statement of organization filed not later than the 10th day after the change in information.

45 **(7) A major political party or minor political party may not establish more than one leg-**



1 **islative caucus political committee in the Senate and one legislative caucus political com-**  
 2 **mittee in the House of Representatives.**

3 [(7)] (8) This section does not apply to a political committee that is a principal campaign com-  
 4 mittee or to a political committee exclusively supporting or opposing one or more candidates for  
 5 federal or political party office.

6 **SECTION 6.** ORS 260.041 is amended to read:

7 260.041. (1) Notwithstanding ORS 260.005 [(18)] (23) and except as provided in ORS 260.043, a  
 8 candidate shall designate a political committee as the candidate's principal campaign committee. A  
 9 candidate may designate only one political committee as the candidate's principal campaign com-  
 10 mittee.

11 (2) A political committee may not be designated as the principal campaign committee of more  
 12 than one candidate.

13 **SECTION 7.** ORS 260.044 is amended to read:

14 260.044. (1) If a person makes independent expenditures in a total amount of more than \$250 in  
 15 a calendar year, the person shall use the electronic filing system adopted under ORS 260.057 to file  
 16 with the Secretary of State a statement of independent expenditures not later than seven calendar  
 17 days after the total amount of independent expenditures exceeds \$250 in a calendar year.

18 (2) A person who files a statement of independent expenditures under subsection (1) of this  
 19 section shall use the electronic filing system adopted under ORS 260.057 to file with the secretary  
 20 additional statements of independent expenditures made by the person, as described in ORS 260.083.

21 (3) Except as provided in subsections (4) and (5) of this section, a person shall file a statement  
 22 described in subsection (2) of this section not later than 30 calendar days after an independent ex-  
 23 penditure is made.

24 (4)(a) A person shall file a statement described in subsection (2) of this section not later than  
 25 seven calendar days after an independent expenditure is made. This paragraph applies to independ-  
 26 ent expenditures made:

27 (A) During the period beginning on the 42nd calendar day before the date of any primary  
 28 election and ending on the date of the primary election; and

29 (B) During the period beginning on the 42nd calendar day before the date of any general  
 30 election and ending on the date of the general election.

31 (b) If the person makes an independent expenditure prior to the 42nd calendar day before the  
 32 date of the primary or general election and the person has not filed a statement under subsection  
 33 (3) of this section by the 43rd calendar day before the date of the primary or general election, the  
 34 person shall file a statement described in subsection (2) of this section not later than whichever of  
 35 the following dates occurs first:

36 (A) The date required under subsection (3) of this section; or

37 (B) The 35th calendar day before the date of the primary or general election.

38 (5) For any special election, the secretary by rule may establish a period during which a person  
 39 must file a statement described in subsection (2) of this section. The period may not extend beyond  
 40 seven calendar days after an independent expenditure is made.

41 (6) Notwithstanding ORS 260.005 [(18)] (23), a person who solicits and receives a contribution  
 42 or contributions is a political committee and shall file a statement of organization under ORS  
 43 260.042 and the statements required by ORS 260.057, 260.076 or 260.078.

44 (7) For purposes of this section:

45 (a) An independent expenditure does not include a contribution to a candidate or political

1 committee that is required to report the contribution on a statement filed under ORS 260.057,  
2 260.076 or 260.078 or a certificate filed under ORS 260.112;

3 (b) An independent expenditure does not include a contribution to a candidate who is not re-  
4 quired to file a statement of organization under ORS 260.043; and

5 (c) A person is not a political committee under subsection (6) of this section if all contributions  
6 received by the person are:

7 (A) Designated to an identified candidate or political committee;

8 (B) Delivered by the person to the designated candidate or political committee not later than  
9 seven business days after the contribution is received; and

10 (C) Required to be reported as contributions by a candidate or political committee on a state-  
11 ment filed under ORS 260.057, 260.076 or 260.078 or a certificate filed under ORS 260.112.

12 **SECTION 8.** ORS 260.083 is amended to read:

13 260.083. (1)(a) For a contribution, except as provided in ORS 260.085, a statement filed under  
14 ORS 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

15 (A) The name, occupation and address of each person, and the name and address of each poli-  
16 tical committee or petition committee, that contributed an aggregate amount of more than \$100 in  
17 a calendar year on behalf of a candidate or to a political committee or petition committee and the  
18 total amount contributed by that person or committee; and

19 (B) The total amount of other contributions as a single item, but shall specify how those con-  
20 tributions were obtained.

21 (b) For an expenditure, including an independent expenditure, a statement filed under ORS  
22 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

23 (A) The amount and purpose of each expenditure made in an aggregate amount of more than  
24 \$100 to a payee, the name or, if applicable, the business name of the payee of the expenditure, and  
25 the city, or county if the payee is not located in a city, and state in which the payee is located; and

26 (B) The total amount of other expenditures as a single item.

27 (c) For each loan, whether repaid or not, made by or to a candidate, political committee or pe-  
28 tition committee, a statement filed under ORS 260.044, 260.057, 260.076, 260.078 or 260.118 shall list:

29 (A) The name and address of each person shown as a cosigner or guarantor on a loan and the  
30 amount of the obligation undertaken by each cosigner or guarantor;

31 (B) The name of the lender holding the loan; and

32 (C) The terms of the loan, including the interest rate and repayment schedule.

33 (2) An expenditure shall be reported as an account payable only if the expenditure is not paid  
34 within the time specified in ORS 260.057, 260.076 or 260.118.

35 (3) Anything of value paid for or contributed by any person shall be listed as both an in-kind  
36 contribution and an expenditure by the candidate or committee for whose benefit the payment or  
37 contribution was made.

38 (4) If a candidate, political committee or petition committee under ORS 260.057 or 260.118 makes  
39 an expenditure that must be reported as an in-kind contribution and an expenditure as provided in  
40 subsection (3) of this section, the candidate, political committee or petition committee making the  
41 original expenditure shall, in any statement filed under ORS 260.057, 260.078 or 260.118, identify the  
42 expenditure as an in-kind contribution and identify the candidate, political committee or petition  
43 committee for whose benefit the expenditure was made.

44 (5) If a political committee makes an expenditure that qualifies as an independent expenditure  
45 under ORS 260.005 [(10)] (11), the listing of the expenditure under this section shall identify any

1 candidates or measures that are the subject of the independent expenditure and state whether the  
2 independent expenditure was used to advocate the election, passage or defeat of the candidates or  
3 measures.

4 (6) As used in this section:

5 (a) "Address" has the meaning given that term in rules adopted by the Secretary of State.

6 (b) "Contribution" and "expenditure" include a contribution or expenditure to or on behalf of  
7 an initiative, referendum or recall petition.

8 **SECTION 9.** ORS 260.266 is amended to read:

9 260.266. (1) Except as otherwise provided by a local provision, a communication in support of  
10 or in opposition to a clearly identified candidate must state the name of the persons that paid for  
11 the communication.

12 (2) For the purpose of complying with subsection (1) of this section:

13 (a) Except as provided in paragraph (b) of this subsection, a communication in support of or in  
14 opposition to a clearly identified candidate by a political committee or petition committee must  
15 state:

16 (A) The name of the political committee or petition committee; and

17 (B) The names of the five persons that have made the largest aggregate contributions of \$10,000  
18 or more to the committee in the election cycle in which the communication is made.

19 (b) A communication in support of or in opposition to a clearly identified candidate by an indi-  
20 vidual, a for-profit business entity or a candidate or the principal campaign committee of a candidate  
21 must state the name of the individual, for-profit business entity or candidate.

22 (c)(A) A communication in support of or in opposition to a clearly identified candidate by a  
23 person not described in paragraph (a) or (b) of this subsection must state:

24 (i) The name of the person; and

25 (ii) Except as provided in subparagraph (B) of this paragraph, the names of the five persons that  
26 have made the largest aggregate donations of \$10,000 or more to the person in the election cycle in  
27 which the communication is made.

28 (B) In identifying persons that have made aggregate donations of \$10,000 or more, a person de-  
29 scribed in this paragraph may exclude:

30 (i) Donations received from an affiliated charitable organization that is tax exempt under section  
31 501(c)(3) of the Internal Revenue Code; and

32 (ii) Donations and grants received from foundations and other persons that may not be used to  
33 make a communication in support of or in opposition to a clearly identified candidate.

34 (d) Notwithstanding paragraphs (a) to (c) of this subsection, a digital communication may state  
35 only the name of the person that made the communication if the digital communication includes an  
36 active link to a website that prominently displays the additional information required by this sub-  
37 section.

38 (3) A person that makes communications in support of or in opposition to a clearly identified  
39 candidate must consider an anonymous donation of \$1,000 or more from a single person to be a do-  
40 nation that may not be used to make a communication in support of or in opposition to a clearly  
41 identified candidate.

42 (4)(a) If a person is required to disclose the names of five persons under subsection (2)(a)(B) or  
43 (c)(A)(ii) of this section and more than five persons qualify as having made the largest aggregate  
44 contributions or donations, the person shall disclose the five applicable persons whose contributions  
45 or donations were made closest to the date of initial printing or transmission of the communication.

1 (b) Except as provided in paragraph (c) of this subsection, the five persons required to be named  
2 under subsection (2)(a)(B) or (c)(A)(ii) of this section must be accurate as of 10 days before the most  
3 recent payment to print or transmit the communication.

4 (c) A person that both makes multiple digital communications in support of or in opposition to  
5 a clearly identified candidate and uses the method described in subsection (2)(d) of this section to  
6 meet the identification requirements of subsection (2)(a)(B) or (c)(A)(ii) of this section, may use one  
7 active link to the same website for all digital communications made by the person, provided that the  
8 information on the website is accurate as of 10 days before the most recent payment to print or  
9 transmit a communication.

10 (5) This section does not apply to:

11 (a) Candidates for federal office.

12 (b) Candidates other than those described in paragraph (a) of this subsection who are not re-  
13 quired to use the electronic filing system adopted under ORS 260.057 to file statements of contribu-  
14 tions received or expenditures made.

15 (c) Petition committees that are not required to use the electronic filing system adopted under  
16 ORS 260.057 to file statements of contributions received or expenditures made.

17 (d) Political committees that are not required to use the electronic filing system adopted under  
18 ORS 260.057 to file statements of contributions received or expenditures made.

19 (e) A person that makes independent expenditures and that is exempt under ORS 260.044 from  
20 being required to file statements of independent expenditures using the electronic filing system  
21 adopted under ORS 260.057.

22 (f) A communication that is excluded from the definition of “expenditure” under ORS 260.007.

23 (g) Items of de minimis value relating to a candidate, including but not limited to:

24 (A) Lawn signs, pins, pens and other similar items;

25 (B) Skywriting; or

26 (C) Wearable merchandise.

27 (h) Any other item that the Secretary of State by rule determines is too small to feasibly include  
28 the identifying information required by this section.

29 (6) The Secretary of State by rule shall prescribe the form of statements required on communi-  
30 cations described in this section. Rules adopted under this subsection must ensure that the infor-  
31 mation required to be included in communications under this section is:

32 (a) In a font, size and color that are easy for an average person to read, if the communication  
33 appears in a print or digital format; and

34 (b) Clearly audible to the average person, if the communication appears in an audio format.

35 (7) As used in this section:

36 (a) “Clearly identified” has the meaning given that term in ORS 260.005 [(10)(b)] (11)(b).

37 (b)(A) Except as provided in subparagraph (B) of this paragraph, “communication in support of  
38 or in opposition to a clearly identified candidate” means:

39 (i)(I) The communication, when taken as a whole and with limited reference to external events,  
40 such as the proximity to the election, could only be interpreted by a reasonable person as containing  
41 advocacy for the election or defeat of a clearly identified candidate for nomination or election to  
42 public office; and

43 (II) The electoral portion of the communication is unmistakable, unambiguous and suggestive  
44 of only one meaning; or

45 (ii)(I) The communication involves aggregate expenditures by a person of more than the amount

1 provided in ORS 260.044 (1);

2 (II) The communication refers to a clearly identified candidate who will appear on the ballot;  
3 and

4 (III) The communication is printed or transmitted to the relevant electorate within the time  
5 frame provided in ORS 260.005 [(10)(c)(B)(iii)] **(11)(c)(B)(iii)**.

6 (B)(i) “Communication in support of or in opposition to a clearly identified candidate” includes  
7 but is not limited to communications distributed via print, telephone, radio, television or the Inter-  
8 net.

9 (ii) “Communication in support of or in opposition to a clearly identified candidate” does not  
10 include newspaper editorials, printed advertisements with a fair market value of less than \$500 or  
11 communications made via telephone that have a fair market value of less than \$500.

12 (c)(A) “Donation” means the gift or transfer of moneys or any other item of value to a person  
13 subject to subsection (2)(c)(A) of this section, including any membership fees, dues or assessments.

14 (B) “Donation” does not include moneys or any other item of value received by a person subject  
15 to subsection (2)(c)(A) of this section in the ordinary course of a trade or business conducted by the  
16 person.

17 (d) “Election cycle” means the period of time starting on the day after the date of a general  
18 election and ending on the date of the next general election.

19 (e) “Local provision” means a charter provision, ordinance, resolution or other provision  
20 adopted by a city, county or other local government.

21 **SECTION 10.** ORS 260.275 is amended to read:

22 260.275. As used in ORS 260.275 to 260.285:

23 (1) “Anonymous donation” means a donation for which the covered organization does not pos-  
24 sess the donor name or address that is required under ORS 260.281.

25 (2) “Communication in support of or in opposition to a clearly identified candidate or measure”  
26 has the meaning given that phrase in ORS 260.005 [(10)(c)] **(11)(c)**.

27 (3) “Covered organization” means a combination of two or more individuals, or a person other  
28 than an individual, political committee, petition committee or a not-for-profit corporation that is tax  
29 exempt under section 501(c)(3) of the Internal Revenue Code, that both accepts donations and makes  
30 political communications.

31 (4)(a) “Donation” means the gift or transfer of moneys or any other item of value to a covered  
32 organization, including any membership fees, dues or assessments.

33 (b) “Donation” does not include moneys or any other item of value received by a covered or-  
34 ganization in the ordinary course of a trade or business conducted by the covered organization.

35 (5) “Donor” means a person that makes a donation to a covered organization.

36 (6) “Election cycle” means the period of time starting on the day after the date of a general  
37 election and ending on the date of the next general election.

38 (7) “Electioneering threshold for a legislative race” means political communications made by a  
39 covered organization of less than \$25,000 for a particular seat of the Legislative Assembly.

40 (8)(a) Except as provided in paragraphs (b) and (c) of this subsection, “electioneering threshold  
41 for a measure” means political communications made by a covered organization of less than \$100,000  
42 for a particular measure.

43 (b) For a city measure in a city with a population of less than 60,000, “electioneering threshold  
44 for a measure” means political communications made by a covered organization of less than \$25,000  
45 for a particular city measure.

1 (c) For a county measure in a county with a population of less than 60,000, “electioneering  
2 threshold for a measure” means political communications made by a covered organization of less  
3 than \$25,000 for a particular county measure.

4 (9) “Electioneering threshold for a political committee” means political communications made  
5 by a covered organization of less than \$100,000 for a particular political committee.

6 (10) “Electioneering threshold for a statewide race” means political communications made by a  
7 covered organization of less than \$100,000 for a particular state office as defined in ORS 249.215.

8 (11)(a) “Political communication” means a communication in support of or in opposition to a  
9 clearly identified candidate or measure.

10 (b) “Political communication” does not include:

11 (A) A communication by a covered organization to its current members, stockholders or execu-  
12 tive or administrative personnel;

13 (B) A communication that constitutes lobbying as defined in ORS 171.725; or

14 (C) A communication excluded from the definition of “expenditure” under ORS 260.007.

15 **SECTION 11. Sections 12 to 18 and 21 to 24 of this 2022 Act are added to and made a part**  
16 **of ORS chapter 260.**

17 **SECTION 12. As used in sections 12 to 17 and 18 of this 2022 Act:**

18 (1) “In-state individual” means a human being who resides in Oregon.

19 (2) “In-state qualifying contribution” means a qualified grassroots donor contribution of  
20 \$5 or more.

21 (3)(a) Except as provided in paragraph (b) of this subsection and section 13 (6) of this 2022  
22 Act, “maximum public match” means the receipt by a candidate for a state office from the  
23 Grassroots Donor Election Fund of an amount of moneys equal to the amount set forth in  
24 section 17 of this 2022 Act.

25 (b)(A) For a candidate for state office who is running unopposed in the primary election,  
26 “maximum public match” means a candidate’s receipt from the Grassroots Donor Election  
27 Fund of the larger of either \$2,500 or five percent of the amount set forth in paragraph (a)  
28 of this subsection during the period ending on the date of the primary election and:

29 (i) If the candidate is running unopposed in the general election, the larger of either  
30 \$2,500 or five percent of the amount set forth in paragraph (a) of this subsection during the  
31 period beginning on the day after the date of the primary election and ending on the date  
32 of the general election; or

33 (ii) If the candidate is not running unopposed in the general election, the total amount  
34 of moneys remaining from the amount set forth in paragraph (a) of this subsection after the  
35 date of the primary election.

36 (B) For a candidate for state office who is running unopposed in the general election,  
37 “maximum public match” means a candidate’s receipt from the Grassroots Donor Election  
38 Fund of the larger of either \$2,500 or five percent of the amount set forth in paragraph (a)  
39 of this subsection during the period beginning on the day after the date of the primary  
40 election and ending on the date of the general election and:

41 (i) If the candidate is running unopposed in the primary election, the larger of either  
42 \$2,500 or five percent of the amount set forth in paragraph (a) of this subsection during the  
43 period ending on the date of the primary election; or

44 (ii) If the candidate is not running unopposed in the primary election, 50 percent of the  
45 amount set forth in paragraph (a) of this subsection during the period ending on the date

1 of the primary election.

2 (4) “Member of the household” and “relative” have the meanings given those terms in  
3 ORS 244.020.

4 (5) “Minimum number of in-state qualifying contributions” means the following number  
5 of individuals who must make an in-state qualifying contribution to a candidate for state  
6 office in order for the candidate to participate in the Grassroots Donor Election Program:

7 (a) 1,500 donors for a candidate for the office of Governor;

8 (b) 200 donors for a candidate for the office of Secretary of State, State Treasurer, At-  
9 torney General, Commissioner of the Bureau of Labor and Industries, state Senator or state  
10 Representative;

11 (c) 150 donors for a candidate for the office of judge of the Supreme Court;

12 (d) 50 donors for a candidate for the office of judge of the Court of Appeals or Oregon  
13 Tax Court; and

14 (e) 25 donors for a candidate for the office of circuit court judge.

15 (6) “Nonmatching grassroots donor contributions” means contributions in an aggregate  
16 amount of no more than \$250 per election from an individual who:

17 (a) Does not reside in Oregon; or

18 (b) Is under 16 years of age at the time the contribution is made.

19 (7)(a) “Participating candidate” means a candidate for state office who timely files a  
20 statement of intent to participate in the Grassroots Donor Election Program under section  
21 13 (1)(a) of this 2022 Act.

22 (b) “Participating candidate” does not include any candidate who has withdrawn from the  
23 Grassroots Donor Election Program, is expelled from the program or fails to be certified to  
24 use the program before the deadline for certification has ended.

25 (8) “Qualified grassroots donor contributions” means monetary contributions in an ag-  
26 gregate amount of not more than \$250 per election cycle to a candidate for state office from  
27 an in-state individual who is 16 years of age or older.

28 (9) “Qualifying period” means the period that begins on the date a candidate for state  
29 office can first file for that office and ends on the last day of the period the candidate can  
30 file for the state office being sought.

31 **SECTION 13.** (1) In order to participate in the Grassroots Donor Election Program, a  
32 candidate for state office:

33 (a) Must file a statement of intent with the Secretary of State at any time during the  
34 period that begins immediately after the date of a general election and ends on the last day  
35 of the filing period for election to the relevant state office;

36 (b) Must collect at least the minimum number of in-state qualifying contributions during  
37 the qualifying period; and

38 (c) Must sign an affidavit, designed by the Secretary of State by rule, stating that the  
39 candidate will follow the requirements of the Grassroots Donor Election Program set forth  
40 in sections 12 to 17 of this 2022 Act.

41 (2) Subject to the applicable maximum public match for the state office sought, a candi-  
42 date who satisfies each requirement set forth in subsection (1) of this section shall receive  
43 from the Grassroots Donor Election Fund an amount equal to:

44 (a) \$20 for every \$1 of the first \$25 in aggregate qualified grassroots donor contributions  
45 received per individual per election cycle; and

1 (b) In addition to the amount set forth in paragraph (a) of this subsection, \$10 for every  
 2 \$1 of the first \$50 in aggregate qualified grassroots donor contributions received per individ-  
 3 ual per election cycle.

4 (3) In addition to qualified grassroots donor contributions and moneys received from the  
 5 Grassroots Donor Election Fund under subsection (2) of this section and section 14 of this  
 6 2022 Act, candidates who participate in the Grassroots Donor Election Program may:

7 (a) Receive during an election cycle:

8 (A) Nonmatching grassroots donor contributions from an unlimited number of donors;

9 (B) Additional in-state qualifying contributions, to be matched under the formula estab-  
 10 lished in subsection (2) of this section, up to the maximum public match for the office  
 11 sought;

12 (C) Not more than \$1,000 from any principal campaign committee other than the  
 13 candidate's principal campaign committee;

14 (D) From any small donor committee, the greater of:

15 (i) All amounts up to \$50 contributed to the small donor committee by any individual who  
 16 resides in Oregon, is enrolled at an institution of education in Oregon or is employed to work  
 17 in Oregon; or

18 (ii)(I) \$20,000 if seeking statewide public office; or

19 (II) \$10,000 if seeking a state office that is not a statewide public office;

20 (E) No more than \$20,000 from any legislative caucus political committee, provided that  
 21 all contributions to the legislative caucus political committee were from individuals in an  
 22 amount that did not exceed \$250 per individual donor per calendar year; and

23 (F) No more than \$20,000 from all political party committees of any one political party,  
 24 provided that the contributions to the political party committees under this subparagraph  
 25 were from individuals in an amount that did not exceed \$250 per individual donor per calen-  
 26 dar year.

27 (b) Use an aggregate total of up to \$6,000 of moneys not described in paragraph (a) of this  
 28 subsection per election cycle in order to establish the candidate's campaign. Moneys used or  
 29 raised under this paragraph may be composed of:

30 (A) Personal moneys; or

31 (B) Moneys raised from any legal source, up to \$500 per individual donor.

32 (4) During an election cycle, moneys that a candidate receives from the Grassroots Donor  
 33 Election Fund:

34 (a) Except as provided in paragraph (b) of this subsection, may be used in any manner  
 35 consistent with ORS 260.407; and

36 (b) Notwithstanding ORS 260.407, may not be used to:

37 (A) Pay salaries or any form of compensation to the candidate or any relative of the  
 38 candidate;

39 (B) Make purchases from a business or entity owned by the candidate or a relative of the  
 40 candidate;

41 (C) Pay for campaign expenditures at a rate greater than fair market value;

42 (D) Make a contribution to the campaign of another candidate;

43 (E) Make a contribution to any political committee or political party;

44 (F) Pay for fundraising expenses for any person or entity other than the candidate;

45 (G) Pay for any legal expenses incurred by the candidate in any civil, criminal or other



1 legal proceeding or investigation that relates to or arises from the course and scope of the  
2 duties of the person as a candidate or public official;

3 (H) Pay any expenses incurred in connection with the recipient's duties as a holder of  
4 public office;

5 (I) Make a donation to any person, other than a donation to cover the cost of attending  
6 an event sponsored by a not-for-profit corporation that is tax exempt under section 501(c)  
7 of the Internal Revenue Code, provided that the cost of attending the event is no more than  
8 the reasonable advertised cost to sponsor one table or the equivalent amount needed for the  
9 candidate, staff and volunteers to attend the event; or

10 (J) Make an independent expenditure.

11 (5) A candidate who participates in the Grassroots Donor Election Program may not:

12 (a) Coordinate election activities with any entity that makes independent expenditures  
13 related to the candidate, the office the candidate is seeking or the election in which the  
14 candidate is participating.

15 (b) Receive contributions that are not authorized by this section.

16 (6) If a candidate has received contributions from a single person in an aggregate amount  
17 of more than the amounts permitted to be received from the Grassroots Donor Election  
18 Fund under this section or section 12 of this 2022 Act prior to filing a statement of intent  
19 under subsection (1)(a) of this section, the candidate must return all excess amounts re-  
20 ceived to the contributor within 30 calendar days of filing the statement of intent. If the  
21 excess amounts cannot be returned to the contributor, the excess amounts shall be trans-  
22 ferred to the Grassroots Donor Election Fund. A penalty may not be levied against a candi-  
23 date for excess contributions that are either returned or transferred in compliance with this  
24 subsection.

25 (7) A candidate who participates in the Grassroots Donor Election Program and receives  
26 a contribution that exceeds the amount that would constitute a qualified grassroots donor  
27 contribution or a nonmatching grassroots donor contribution shall within 30 calendar days:

28 (a) Return to the person making the contribution the amount contributed that is in ex-  
29 cess of the statutory limits;

30 (b) Transfer the amount contributed that is in excess of the statutory limits to the  
31 Grassroots Donor Election Fund; or

32 (c) Withdraw from the Grassroots Donor Election Program and return to the Secretary  
33 of State for deposit into the Grassroots Donor Election Fund the total amount of public  
34 moneys distributed to the candidate under subsection (2) of this section or section 14 of this  
35 2022 Act.

36 (8)(a) No later than 60 days after each general election, a candidate who participates in  
37 the Grassroots Donor Election Program shall return to the Secretary of State for deposit  
38 into the Grassroots Donor Election Fund any unspent public moneys that were provided to  
39 the candidate under subsection (2) of this section or section 14 of this 2022 Act.

40 (b) In order to ensure the return of unspent public moneys that are required to be re-  
41 turned under this subsection, the candidate shall:

42 (A) Keep detailed records establishing the total amount of moneys from the Grassroots  
43 Donor Election Fund and the total amount of moneys from other sources that compose the  
44 total amount of moneys deposited into the campaign bank account of the candidate; and

45 (B) After campaign expenses are paid, return a percentage of the total amount of moneys

1 remaining in the account that is equal to the percentage of the total amount of moneys de-  
2 posited into the account that came from the Grassroots Donor Election Fund.

3 (9) Except as otherwise provided in section 12 (3)(b) of this 2022 Act, a candidate who  
4 participates in the Grassroots Donor Elections Program may receive up to 50 percent of the  
5 maximum public match during the primary election.

6 **SECTION 14.** (1) The Secretary of State by rule shall establish a process for distributing  
7 moneys from the Grassroots Donor Election Fund to candidates who have met all of the re-  
8 quirements set forth in section 13 (1) of this 2022 Act for participation in the Grassroots  
9 Donor Elections Program. As part of this process:

10 (a) The Secretary of State shall certify that a candidate has completed each requirement  
11 set forth in section 13 (1) of this 2022 Act.

12 (b) The Secretary of State shall provide moneys up to the maximum public match in ac-  
13 cordance with section 13 (2) of this 2022 Act.

14 (2) The Oregon Elections Commission established in section 18 of this 2022 Act shall es-  
15 tablish by rule the information that candidates participating in the Grassroots Donor  
16 Election Program are required to include when filing statements of contribution in order for  
17 the Secretary of State to verify that the contributions are qualified grassroots donor con-  
18 tributions eligible for matching funds. The secretary may not distribute moneys from the  
19 Grassroots Donor Election Fund for any contributions for which a candidate has not sub-  
20 mitted the information required under this subsection.

21 (3) Following an initial distribution made under subsection (1) of this section, the candi-  
22 date may file with the Secretary of State additional contribution statements seeking moneys  
23 from the Grassroots Donor Election Fund in the manner and on the schedule established by  
24 the secretary by rule.

25 (4) The Secretary of State shall by rule establish a schedule to make payments from the  
26 Grassroots Donor Election Fund to candidates participating in the Grassroots Donor  
27 Election Program. Any rules established under this subsection must ensure that for any  
28 amount owed to candidates in excess of \$1,500, payment is provided:

29 (a) Except as provided in paragraph (b) of this subsection, on a monthly or more frequent  
30 basis; and

31 (b) On a weekly or more frequent basis during the 10 weeks prior to each primary or  
32 general election.

33 **SECTION 15.** (1) In addition to any civil penalty imposed by the Oregon Elections Com-  
34 mission under section 23 (2) of this 2022 Act, a candidate participating in the Grassroots  
35 Donor Election Program who knowingly falsifies campaign records or who knowingly violates  
36 any provision of sections 12 to 17 of this 2022 Act:

37 (a) May no longer participate in the program;

38 (b) Shall be required to return to the Secretary of State for deposit into the Grassroots  
39 Donor Election Fund the total amount of public moneys distributed to the candidate under  
40 sections 13 (2) and 14 of this 2022 Act, plus interest;

41 (c) Is personally liable for the return of any public moneys that have already been ex-  
42 pended; and

43 (d) Is subject to criminal liability under ORS 260.993 (2) and civil liability under ORS  
44 260.995 (2)(c) for a violation of ORS 260.715 (1).

45 (2) The commission shall conduct reasonable audits of participants in the program to

1 ensure the integrity of the program.

2 (3) A candidate may use the appeal mechanism established in ORS 246.910 to challenge  
3 any decision of the commission relating to the candidate's ability to participate in the pro-  
4 gram.

5 (4) A candidate participating in the program may at any time voluntarily withdraw from  
6 the program by returning to the Secretary of State for deposit into the Grassroots Donor  
7 Election Fund 100 percent of the total amount of public moneys distributed to the candidate  
8 under sections 13 (2) and 14 of this 2022 Act.

9 **SECTION 16.** (1) The Grassroots Donor Election Fund is established in the State Treas-  
10 ury, separate and distinct from the General Fund. Interest earned by the Grassroots Donor  
11 Election Fund shall be credited to the fund. All moneys in the fund are continuously appro-  
12 priated to the Secretary of State for the purpose of administering sections 12 to 17 of this  
13 2022 Act.

14 (2) Except as provided in subsection (3) of this section, immediately after the ending  
15 balance for a biennium is determined, an amount equal to one quarter of one percent of the  
16 amount of total appropriations made from the General Fund for that biennium shall be  
17 transferred from the General Fund to the Grassroots Donor Election Fund.

18 (3)(a) If at the time immediately prior to a transfer under subsection (2) of this section  
19 the moneys in the Grassroots Donor Election Fund are equal to at least two percent of the  
20 amount of moneys deposited into the General Fund during the prior biennium, there may  
21 not be a transfer of moneys from the General Fund to the Grassroots Donor Election Fund.

22 (b) If at the time immediately prior to a transfer under subsection (2) of this section the  
23 moneys in the Grassroots Donor Election Fund are not equal to at least two percent of the  
24 total amount of moneys deposited into the General Fund during the prior biennium, the  
25 transfer of moneys from the General Fund to the Grassroots Donor Election Fund must oc-  
26 cur, even if the transfer of moneys will result in the Grassroots Donor Election Fund having  
27 moneys equal to or greater than two percent of the total amount of moneys deposited into  
28 the General Fund during the prior biennium.

29 (4) The Legislative Assembly may transfer moneys out of the Grassroots Donor Election  
30 Fund only if the appropriation that takes moneys out of the fund is approved by at least a  
31 three-fifths vote in each house of the Legislative Assembly.

32 (5) The Grassroots Donor Election Fund consists of moneys appropriated to the fund by  
33 the Legislative Assembly, moneys transferred from the General Fund and moneys trans-  
34 ferred or returned to the Grassroots Donor Election Fund by candidates who participate in  
35 the Grassroots Donor Election Program in the manner set forth in sections 12 to 17 of this  
36 2022 Act and moneys paid into the fund under section 15 of this 2022 Act. The Secretary of  
37 State may accept grants, donations, contributions or gifts from any source for deposit into  
38 the fund.

39 **SECTION 17.** (1) Except as provided in subsection (2) of this section, the maximum public  
40 match for the period beginning on the day after the 2024 general election and ending on the  
41 date of the 2026 general election shall be:

42 (a) \$4 million for candidates for the office of Governor;

43 (b) \$300,000 for candidates for the office of Secretary of State, State Treasurer, Attorney  
44 General or Commissioner of the Bureau of Labor and Industries;

45 (c) \$75,000 for candidates for the office of state Senator or state Representative;

1 (d) \$30,000 for candidates for the office of judge of the Supreme Court;

2 (e) \$10,000 for candidates for the office of judge of the Court of Appeals or Oregon Tax  
3 Court; and

4 (f) \$5,000 for candidates for the office of circuit court judge or district attorney.

5 (2)(a) Candidates for state office who participate in the Grassroots Donor Election Pro-  
6 gram may increase the maximum public match amount set forth in subsection (1) of this  
7 section by receiving additional in-state qualifying contributions in the manner set forth in  
8 this subsection:

9 (A) The maximum public match for candidates for the office of Governor is:

10 (i) \$6 million for candidates who receive a total of at least 4,000 but not more than 7,999  
11 in-state qualifying contributions; or

12 (ii) \$8 million for candidates who receive a total of 8,000 or more in-state qualifying con-  
13 tributions;

14 (B) The maximum public match for candidates for the office of Secretary of State, State  
15 Treasurer, Attorney General or Commissioner of the Bureau of Labor and Industries is  
16 \$750,000 for candidates who receive a total of 1,000 or more in-state qualifying contributions;

17 (C) The maximum public match for candidates for the office of state Senator or state  
18 Representative is:

19 (i) \$300,000 for candidates who receive a total of at least 300 but not more than 449 in-  
20 state qualifying contributions; or

21 (ii) \$600,000 for candidates who receive a total of 450 or more in-state qualifying contri-  
22 butions;

23 (D) The maximum public match for candidates for the office of judge of the Supreme  
24 Court is \$300,000 for candidates who receive a total of 450 or more in-state qualifying con-  
25 tributions;

26 (E) The maximum public match for candidates for the office of judge of the Court of  
27 Appeals or Oregon Tax Court is \$150,000 for candidates who receive a total of 150 or more  
28 in-state qualifying contributions; and

29 (F) The maximum public match for candidates for the office of circuit court judge or  
30 district attorney is the lesser of \$250,000 or \$1 per resident of the relevant district for can-  
31 didates who receive a total of 250 or more in-state qualifying contributions.

32 (b) The maximum public match amounts set forth in paragraph (a) of this section include  
33 the amounts set forth in subsection (1) of this section.

34 (c) A candidate who participates in the Grassroots Donor Election Program may continue  
35 to submit in-state qualifying contributions that count toward the number of contributions  
36 required under this subsection at any point during the election cycle.

37 **SECTION 18.** (1) The Oregon Elections Commission is established, consisting of 11 mem-  
38 bers appointed by the Governor.

39 (2)(a) Each member of the commission appointed under this section must meet the el-  
40 igibility requirements set forth in subsection (3) of this section.

41 (b) Before appointing commission members, the Oregon Government Ethics Commission  
42 shall provide the Governor with a list of individuals who have expressed a desire to serve on  
43 the Oregon Elections Commission and who are eligible to serve on the commission.

44 (c) In order to provide the list required under paragraph (b) of this subsection, the  
45 Oregon Government Ethics Commission shall by rule:

1 (A) Establish an application processes by which any individual may express interest in  
2 being appointed to the Oregon Elections Commission;

3 (B) Establish a procedure to review all applications to determine which applicants meet  
4 the qualifications for membership in the commission set forth in subsection (3) of this sec-  
5 tion; and

6 (C) Identify qualified applicants.

7 (3)(a) In order to be eligible to be appointed to the Oregon Elections Commission under  
8 this section, an individual must:

9 (A) Have a demonstrated commitment to ensuring that Oregon's democracy is equitable,  
10 accessible and inclusive and that the government of Oregon is accountable to all Oregonians;

11 (B) Reflect the diversity of this state; and

12 (C) Meet any additional requirement for membership on the commission established by  
13 rule by the commission in the bylaws of the commission.

14 (b) The following individuals are ineligible to be appointed to the Oregon Elections Com-  
15 mission under this section:

16 (A) Current elected officials, relatives of current elected officials and members of the  
17 household of current elected officials;

18 (B) Former elected officials, relatives of former elected officials and members of the  
19 household of former elected officials, for two years after the elected official has ceased to  
20 be an elected official;

21 (C) Candidates for state office, relatives of candidates for state office, members of the  
22 household of candidates for state office, staff to candidates for state office and individuals  
23 employed by vendors hired by candidates for state office; and

24 (D) Former candidates for state office, relatives of former candidates for state office,  
25 members of the household of former candidates for state office, staff to former candidates  
26 for state office and individuals employed by vendors hired by former candidates for state  
27 office, for two years after the election for the state office sought.

28 (4)(a) In making appointments to the Oregon Elections Commission under this section,  
29 the Governor shall ensure that:

30 (A) At least one member resides in each congressional district in this state;

31 (B) At least three members have demonstrated expertise in increasing democratic en-  
32 gagement among historically underrepresented communities including Black communities,  
33 Indigenous communities and communities of other People of Color;

34 (C) At least three members of have demonstrated expertise in campaign finance and  
35 government accountability policy best practices;

36 (D) At least three members of have experience in campaign strategy in competitive  
37 elections;

38 (E) At least one member has demonstrated expertise in how policy decisions in public  
39 financing of elections programs affect the cost of such programs; and

40 (F) At least one member has demonstrated expertise in financial or governmental budg-  
41 ets.

42 (b) Individuals appointed to the commission may satisfy multiple requirements set forth  
43 in paragraph (a) of this subsection.

44 (5)(a) The term of office of each member of the commission is four years. Before the  
45 expiration of the term of a member, the Governor shall appoint a successor under the pro-

cess set forth in this section, whose term begins on May 1 of the next odd-numbered year. If no replacement has been appointed prior to the expiration of a member's term, a member may continue to serve on the commission for a maximum of six months after the expiration of the member's term or until the member's replacement is appointed.

(b) No individual may serve more than two full terms as a member of the commission.

(c) Upon notice and opportunity for a hearing, a member may be removed by a two-thirds majority vote of the commission for due cause, as defined by the commission by rule in the commission's bylaws.

(d) If a position on the commission is vacated during a member's term, the position shall be filled for the unexpired term through the process set forth for appointment of members under this section.

(6) The appointment of each member of the commission is subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

**SECTION 19.** Notwithstanding the term of office specified by section 18 (5) of this 2022 Act, of the members first appointed to the Oregon Elections Commission:

(1) Five shall serve for a term ending April 30, 2025.

(2) Six shall serve for a term ending April 30, 2027.

**SECTION 20.** Section 19 of this 2022 Act is repealed on January 2, 2028.

**SECTION 21.** (1) The Oregon Elections Commission shall select one of its members as chairperson.

(2)(a) A majority of the members of the commission constitutes a quorum for the transaction of business.

(b) If a quorum exists, the commission may take official action based on a majority vote of the members present.

(3) The commission shall meet at least once every two months at a time and place determined by the chairperson. The program director of the commission, hired by the commission under section 24 of this 2022 Act, also may convene additional meetings of the commission.

(4) In accordance with the provisions of ORS chapter 183, the commission may adopt rules for the administration of the laws the commission is charged with administering.

**SECTION 22.** (1) The Oregon Elections Commission shall:

(a) Oversee the administration of the Grassroots Donor Election Program and the program director in the implementation of the program.

(b) Adopt by rule bylaws for the commission and any other rules necessary for the effective implementation of the program.

(c) Regularly convene an advisory committee of elections stakeholders to consult on the content of administrative rules.

(d) No later than September 1 of each odd-numbered year, publish a fiscal report that sets forth:

(A) The amount of moneys in the Grassroots Donor Election Fund established in section 16 of this 2022 Act;

(B) The approximate amount expected to be transferred into the fund under section 16 (2) and (3) of this 2022 Act;

(C) The commission's analysis of the solvency of the fund through the end of the current election cycle; and

1 (D) Any options the commission may need to pursue to ensure program solvency through  
2 the end of the current election cycle.

3 (e) No later than February 1 of each even-numbered year, publish a fiscal report that sets  
4 forth:

5 (A) The amount of moneys in the Grassroots Donor Election Fund following the transfer  
6 from the General Fund described in section 16 of this 2022 Act;

7 (B) The commission's analysis of the solvency of the Grassroots Donor Election Fund  
8 through the end of the current election cycle; and

9 (C) Any options the commission may need to pursue to ensure program solvency through  
10 the end of the current election cycle.

11 (f) After each election cycle:

12 (A) Use qualitative and quantitative metrics to assess whether the program is decreasing  
13 actual and perceived corruption and enhancing political participation; and

14 (B) Publish the assessment in a publicly available report.

15 (g) After each election cycle, administer a user experience survey to program partic-  
16 ipants and solicit specific recommendations for how to improve the program.

17 (h) After each election cycle, make recommendations to the Legislative Assembly on how  
18 to best improve the program. In making recommendations under this paragraph, the com-  
19 mission shall assess whether any statutory changes, including contribution limits for par-  
20 ticipating candidates, would be likely to improve program participation or improve the  
21 program's ability to meet the goals set forth in paragraph (f)(A) of this subsection.

22 (2)(a) If the commission determines under subsection (1)(d) or (e) of this section that the  
23 Grassroots Donor Election Fund may not be solvent through the end of an election cycle, the  
24 commission must adopt a plan to ensure solvency of the program.

25 (b) If there are insufficient moneys in the Oregon Grassroots Donor Fund to fund the  
26 program for all state offices, no later than February 1 of an even-numbered year, the com-  
27 mission must:

28 (A) Adopt a plan that removes one or more state offices from participation in the pro-  
29 gram for the current election cycle; and

30 (B) Ensure that the program is fully funded for all state offices that continue to partic-  
31 ipate in the program during the current election cycle.

32 (c)(A) If the commission determines it is likely that there will be insufficient moneys in  
33 the Grassroots Donor Election Fund to fully pay for the program, by July 15 of an even-  
34 numbered year, the commission may reduce the maximum public match available by the  
35 greater of:

36 (i) Five percent from the previous election cycle; or

37 (ii) Five percent from the amount set forth in section 17 of this 2022 Act.

38 (B) In adjusting the maximum public match under this paragraph, the commission may  
39 make different adjustments to different state offices or electoral races, provided that the  
40 adjustments are made for the purpose of limiting the disruption for candidates participating  
41 in the program.

42 (C) The commission may completely or partially reverse the reduction of a maximum  
43 public match made under this paragraph before July 15 of an even-numbered year, if a fi-  
44 nancial analysis made after the reduction was initially made shows that the Grassroots Do-  
45 nor Election Fund will be solvent in the current election cycle without the full reduction.

1       **(3)(a) Except as provided in paragraph (b) of this subsection, during the six-month period**  
 2 **immediately following each election cycle, the commission may by rule change:**

3       **(A) The match rate of public moneys provided to candidates for state office from the**  
 4 **Grassroots Donor Election Fund under section 13 (2) of this 2022 Act;**

5       **(B) The amount of qualified grassroots donor contributions eligible for matching public**  
 6 **moneys under section 13 (2) of this 2022 Act;**

7       **(C) The maximum public match amounts under section 17 of this 2022 Act;**

8       **(D) The minimum number of in-state qualifying contributions required; or**

9       **(E) The number of in-state qualifying contributions required for an increased maximum**  
 10 **public match under section 17 (2) of this 2022 Act.**

11       **(b) Any changes to the program made by the commission by rule under this subsection:**

12       **(A) Must ensure that the amount of qualified grassroots donor contributions eligible for**  
 13 **matching public moneys results in a candidate for state office who receives a \$250 qualified**  
 14 **grassroots donor contribution from one individual in an election period receiving \$1,000 of**  
 15 **matching public moneys;**

16       **(B) May not increase or decrease the maximum public match amounts by more than five**  
 17 **percent each election cycle; and**

18       **(C) May not increase or decrease the minimum number of in-state qualifying contribu-**  
 19 **tions by more than 10 percent each election cycle.**

20       **SECTION 23. (1) The Oregon Elections Commission shall adopt rules to establish:**

21       **(a) The method and timing for candidates for state office who participate in the**  
 22 **Grassroots Donor Election Program to report all contributions and expenditures to the pro-**  
 23 **gram;**

24       **(b) The schedule by which the program distributes matching funds to candidates who**  
 25 **have qualified to participate in the program;**

26       **(c) The documents and information that candidates for state office who participate in the**  
 27 **program must submit to the program to receive matching public moneys and remain in good**  
 28 **standing in the program;**

29       **(d) Any information in addition to the contents required under ORS 260.044, 260.057,**  
 30 **260.076, 260.078, 260.083 or 260.118 that candidates for state office who participate in the**  
 31 **program are required to submit when filing statements of contribution in order for the Sec-**  
 32 **retary of State to verify that the contributions received by the candidate are qualified**  
 33 **grassroots donor contributions that are eligible for matching public moneys;**

34       **(e) Any protocols that are necessary to ensure the integrity of the program; and**

35       **(f) Any additional requirements that the commission determines are necessary to operate**  
 36 **and implement the program effectively.**

37       **(2) The commission shall enforce the provisions of the program. The commission by rule**  
 38 **shall establish procedures for reviewing alleged violations of the program and for imposing**  
 39 **penalties for violations of the program. Penalties imposed under this subsection must be**  
 40 **proportionate to the violation. Rules adopted under this subsection shall ensure that any vi-**  
 41 **olation of the program is punished by the imposition of a civil fine that is not less than one**  
 42 **quarter of the amount of the unlawful receipt of public moneys, contribution or expenditure,**  
 43 **or more than five times the amount of the unlawful receipt of public moneys, contribution**  
 44 **or expenditure.**

45       **SECTION 24. (1)(a) The Secretary of State shall hire all employees necessary to fully**



1 **implement the Grassroots Donor Election Program effectively, including the program direc-**  
 2 **tor for the commission and any employees necessary for:**

3 **(A) Program management;**

4 **(B) Voter education, support and outreach regarding Oregon’s campaign finance laws and**  
 5 **the program;**

6 **(C) Candidate outreach and technical assistance; and**

7 **(D) Ensuring program integrity.**

8 **(b) The salary of employees hired under this subsection shall be paid for out of the**  
 9 **Grassroots Donor Election Fund.**

10 **(2)(a) The Secretary of State, in consultation with the Oregon Elections Commission,**  
 11 **shall publish on the website of the secretary, data that show each contribution received by**  
 12 **each candidate for state office by:**

13 **(A) Amount of contribution;**

14 **(B) Whether the person making the contribution was an individual or what type of entity**  
 15 **made the contribution; and**

16 **(C) The city and state in which the person who made the contribution is based.**

17 **(b) The information described under paragraph (a) of this subsection must:**

18 **(A) Be published in a manner that can be easily understood by members of the public and**  
 19 **may include the use of maps, pie charts or bar graphs; and**

20 **(B) Include contributions from contributors who contribute an aggregate amount of \$100**  
 21 **or less, provided that the names and addresses of the contributors are not disclosed.**

22 **SECTION 25.** ORS 251.085 is amended to read:

23 251.085. (1) The candidate’s statement shall begin with a summary of the following: Occupation,  
 24 educational and occupational background, and prior governmental experience.

25 **(2) If the candidate is a candidate for a state office as defined in ORS 260.005, the**  
 26 **candidate’s statement must disclose whether the candidate is participating in the Grassroots**  
 27 **Donor Election Program.**

28 **SECTION 26.** ORS 251.026 is amended to read:

29 251.026. (1) The Secretary of State shall prepare and have printed in the voters’ pamphlet for  
 30 the state primary election, the general election and any special election described in ORS 251.022  
 31 a statement containing, if applicable:

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

33 (b) When an elector is required to register or update a registration.

34 (c) In the voters’ pamphlet for the primary election, a statement of the duties and responsibil-  
 35 ities of a precinct committeeperson to be elected at the primary election.

36 **(d) An accurate, plain language description of the Grassroots Donor Election Program,**  
 37 **in a form provided to the secretary by the Oregon Elections Commission.**

38 [(d)] (e) Any other information the Secretary of State considers relevant to the conduct of the  
 39 election.

40 (2) The Secretary of State, in cooperation with the county clerks, shall include:

41 (a) A statement on the cover of the voters’ pamphlet that the pamphlet may be used to assist  
 42 electors in voting; and

43 (b)(A) Statements in the information section of the voters’ pamphlet on the pages immediately  
 44 following the page containing the Secretary of State letter, to the extent reasonably practicable,  
 45 that, for residents of each county to which the voters’ pamphlet is distributed:

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

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

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

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

8 (C) The Secretary of State may adopt rules necessary to implement this paragraph.

9 (3) The Secretary of State may include in the voters’ pamphlet the following information:

10 (a) Maps showing the boundaries of senatorial and representative districts.

11 (b) Voter registration forms.

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

14 (4)(a) The name of the county clerk or other filing officer may not appear in the voters’ pamphlet  
 15 in the county clerk’s or filing officer’s official capacity if the county clerk or filing officer is a  
 16 candidate in the election for which the voters’ pamphlet is printed.

17 (b) As used in this subsection, “filing officer” has the meaning given that term in ORS 254.165.

18 **SECTION 27. Chapter 3, Oregon Laws 2007, is repealed.**

19 **SECTION 28. Sections 2, 3, 12 to 18, 21 and 22 of this 2022 Act and the amendments to**  
 20 **ORS 251.026, 251.085, 260.005, 260.041, 260.042, 260.044, 260.083, 260.266 and 260.275 by sections**  
 21 **4 to 10, 25 and 26 of this 2022 Act become operative on November 6, 2024.**

22 **SECTION 29. (1) The Secretary of State and the Oregon Elections Commission may take**  
 23 **any action before the operative date specified in section 28 of this 2022 Act that is necessary**  
 24 **for the Secretary of State and Oregon Elections Commission to exercise, on and after the**  
 25 **operative date specified in section 28 of this 2022 Act, all of the duties, functions and powers**  
 26 **conferred on the Secretary of State by sections 2, 3, 12 to 18, 21 and 22 of this 2022 Act and**  
 27 **the amendments to ORS 251.026, 251.085, 260.005, 260.041, 260.042, 260.044, 260.083, 260.266 and**  
 28 **260.275 by sections 4 to 10, 25 and 26 of this 2022 Act.**

29 **(2) No later than September 15, 2023, the Secretary of State shall propose revisions to the**  
 30 **manual on campaign finance that is adopted by administrative rule and made publicly avail-**  
 31 **able on the secretary’s website to ensure that it incorporates and describes the contents of**  
 32 **this 2022 Act in a clear and straightforward manner.**

33 **(3) No later than April 30, 2023, the first 11 members of the Oregon Elections Commission**  
 34 **shall be appointed.**

35 **(4) No later than November 1, 2023, the Oregon Elections Commission shall report to the**  
 36 **interim committees of the Legislative Assembly related to campaign finance on the actions**  
 37 **taken by the Secretary of State to implement the provisions of this 2022 Act.**

38