

HB 2930 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 1/27, 4/2

WHAT THE MEASURE DOES:

The measure adds a person who resides with a public official or candidate to the conflict of interest laws.

Detailed Summary

Adds member of the household, which is any person who resides with a public official or candidate, to the:

- definitions of actual conflict of interest, business with which the person is associated, and potential conflict of interest in Oregon government ethics statutes;
- Oregon Transportation Commission statutes prohibiting a member or a relative of a member from having an actual conflict of interest at the time of appointment; and,
- Oregon Investment Council statutes on conflicts of interest for council members.

FISCAL: Minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- New coverage of member of household
- Difference in coverage and cases often including use of office and conflicts of interest
- Ability to address conduct now and under the bill

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon's government ethics laws were established in 1974, as approved by the voters with Ballot Measure 14, and codified in Oregon Revised Statutes (ORS) Chapter 244. Ethics legislation was originally guided by the recognition that a conflict of interest is inevitable in any government that relies on citizen lawmakers. Under current law, a public official is met with a conflict of interest when participating in official action or when making a decision that could or would result in a financial benefit or detriment to the public official, a relative of the public official, or a business with which either is associated.

In 1974, a potential conflict of interest was defined as any action or any decision or recommendation by a public official that **would** be to the private pecuniary benefit or detriment of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated.

In 1993, the definition of actual conflict of interest was added to the statutes to mean when any action, decision, or recommendation by the person **would** result in a private pecuniary benefit or detriment to the person or the person's relative or any business with which the person or a relative of the person is associated. The definition of a potential conflict of interest was changed to mean when any action, decision, or recommendation by a person acting in a capacity as a public official **could** result in a private pecuniary benefit or detriment.

"Member of the household" in statute now means any person who resides with the public official or candidate. From 1993 to 2007, a "member of household" meant any relative who resided with the public official, and from 1975 to 1993 it had meant the spouse and children of a public official.

Oregon's ethics statutes on gifts, prohibited use of an official office or position, receipt of honoraria, information to include on a statement of economic interest, and the employment and supervision of certain persons currently include relatives or members of the household of a public official or candidate.

PRELIMINARY