

# House Bill 2821

Sponsored by Representative EVANS (Pre-session 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Requires the heads of businesses that receive at least \$10 million in public funds over five years to file an SEI. (Flesch Readability Score: 60.6).

Requires directors and senior executives of businesses that receive \$10 million or more in public moneys over a five-year period to file a statement of economic interest.

## A BILL FOR AN ACT

1  
2 Relating to disclosure of information from executives of businesses receiving public moneys; creating  
3 new provisions; and amending ORS 244.020, 244.050, 244.060 and 244.090.

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

5 **SECTION 1.** ORS 244.020 is amended to read:

6 244.020. As used in this chapter, unless the context requires otherwise:

7 (1) "Actual conflict of interest" means any action or any decision or recommendation by a per-  
8 son acting in a capacity as a public official, the effect of which would be to the private pecuniary  
9 benefit or detriment of the person or the person's relative or any business with which the person  
10 or a relative of the person is associated unless the pecuniary benefit or detriment arises out of cir-  
11 cumstances described in subsection (13) of this section.

12 (2) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise,  
13 association, organization, self-employed individual and any other legal entity operated for economic  
14 gain but excluding any income-producing not-for-profit corporation that is tax exempt under section  
15 501(c) of the Internal Revenue Code with which a public official or a relative of the public official  
16 is associated only as a member or board director or in a nonremunerative capacity.

17 (3) "Business with which the person is associated" means:

18 (a) Any private business or closely held corporation of which the person or the person's relative  
19 is a director, officer, owner or employee, or agent or any private business or closely held corpo-  
20 ration in which the person or the person's relative owns or has owned stock, another form of equity  
21 interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding cal-  
22 endar year;

23 (b) Any publicly held corporation in which the person or the person's relative owns or has  
24 owned \$100,000 or more in stock or another form of equity interest, stock options or debt instru-  
25 ments at any point in the preceding calendar year;

26 (c) Any publicly held corporation of which the person or the person's relative is a director or  
27 officer; or

28 (d) For public officials required to file a statement of economic interest under ORS 244.050, any  
29 business listed as a source of income as required under ORS 244.060 (3).

30 (4) "Candidate" means an individual for whom a declaration of candidacy, nominating petition

**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 or certificate of nomination to public office has been filed or whose name is printed on a ballot or  
2 is expected to be or has been presented, with the individual's consent, for nomination or election to  
3 public office.

4 (5) "Development commission" means any entity that has the authority to purchase, develop,  
5 improve or lease land or the authority to operate or direct the use of land. This authority must be  
6 more than ministerial.

7 (6) "First Partner" means the spouse or domestic partner of the Governor, or an individual who  
8 primarily has a personal relationship with the Governor as determined by the Oregon Government  
9 Ethics Commission by rule. "First Partner" encompasses any alternative title that the Governor may  
10 publicly substitute for "First Partner," including, but not limited to, "First Lady," "First Husband"  
11 or "First Spouse."

12 (7)(a) "Gift" means something of economic value given to a public official, a candidate or a rel-  
13 ative or member of the household of the public official or candidate:

14 (A) Without valuable consideration of equivalent value, including the full or partial forgiveness  
15 of indebtedness, which is not extended to others who are not public officials or candidates or the  
16 relatives or members of the household of public officials or candidates on the same terms and con-  
17 ditions; or

18 (B) For valuable consideration less than that required from others who are not public officials  
19 or candidates.

20 (b) "Gift" does not mean:

21 (A) Contributions as defined in ORS 260.005.

22 (B) Gifts from relatives or members of the household of the public official or candidate.

23 (C) An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item,  
24 wall memento or similar item, with a resale value reasonably expected to be less than \$25.

25 (D) Informational or program material, publications or subscriptions related to the recipient's  
26 performance of official duties.

27 (E) Admission provided to or the cost of food or beverage consumed by a public official, a rel-  
28 ative of the public official accompanying the public official, a member of the household of the public  
29 official accompanying the public official or a staff member of the public official accompanying the  
30 public official, at a reception, meal or meeting held by an organization when the public official re-  
31 presents state government as defined in ORS 174.111, a local government as defined in ORS 174.116  
32 or a special government body as defined in ORS 174.117.

33 (F) Reasonable expenses paid by any unit of the federal government, a state or local government,  
34 a Native American tribe that is recognized by federal law or formally acknowledged by a state, a  
35 membership organization to which a public body as defined in ORS 174.109 pays membership dues  
36 or a not-for-profit corporation that is tax exempt under section 501(c)(3) of the Internal Revenue  
37 Code, for attendance at a convention, fact-finding mission or trip, conference or other meeting if the  
38 public official is scheduled to deliver a speech, make a presentation, participate on a panel or rep-  
39 resent state government as defined in ORS 174.111, a local government as defined in ORS 174.116  
40 or a special government body as defined in ORS 174.117.

41 (G) Contributions made to a legal expense trust fund established under ORS 244.209 for the  
42 benefit of the public official.

43 (H) Reasonable food, travel or lodging expenses provided to a public official, a relative of the  
44 public official accompanying the public official, a member of the household of the public official ac-  
45 companying the public official or a staff member of the public official accompanying the public offi-

1 cial, when the public official is representing state government as defined in ORS 174.111, a local  
 2 government as defined in ORS 174.116 or a special government body as defined in ORS 174.117:

3 (i) On an officially sanctioned trade-promotion or fact-finding mission; or

4 (ii) In officially designated negotiations, or economic development activities, where receipt of the  
 5 expenses is approved in advance.

6 (I) Food or beverage consumed by a public official acting in an official capacity:

7 (i) In association with the review, approval, execution of documents or closing of a borrowing,  
 8 investment or other financial transaction, including any business agreement between state govern-  
 9 ment as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special govern-  
 10 ment body as defined in ORS 174.117 and a private entity or public body as defined in ORS 174.109;

11 (ii) While engaged in due diligence research or presentations by the office of the State Treasurer  
 12 related to an existing or proposed investment or borrowing; or

13 (iii) While engaged in a meeting of an advisory, governance or policy-making body of a corpo-  
 14 ration, partnership or other entity in which the office of the State Treasurer has invested moneys.

15 (J) Waiver or discount of registration expenses or materials provided to a public official or  
 16 candidate at a continuing education event that the public official or candidate may attend to satisfy  
 17 a professional licensing requirement.

18 (K) Expenses provided by one public official to another public official for travel inside this state  
 19 to or from an event that bears a relationship to the receiving public official's office and at which  
 20 the official participates in an official capacity.

21 (L) Food or beverage consumed by a public official or candidate at a reception where the food  
 22 or beverage is provided as an incidental part of the reception and no cost is placed on the food or  
 23 beverage.

24 (M) Entertainment provided to a public official or candidate or a relative or member of the  
 25 household of the public official or candidate that is incidental to the main purpose of another event.

26 (N) Entertainment provided to a public official or a relative or member of the household of the  
 27 public official where the public official is acting in an official capacity while representing state  
 28 government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special  
 29 government body as defined in ORS 174.117 for a ceremonial purpose.

30 (O) Anything of economic value offered to or solicited or received by a public official or candi-  
 31 date, or a relative or member of the household of the public official or candidate:

32 (i) As part of the usual and customary practice of the person's private business, or the person's  
 33 employment or position as a volunteer with a private business, corporation, partnership,  
 34 proprietorship, firm, enterprise, franchise, association, organization, not-for-profit corporation or  
 35 other legal entity operated for economic value; and

36 (ii) That bears no relationship to the public official's or candidate's holding of, or candidacy for,  
 37 the official position or public office.

38 (P) Reasonable expenses paid to a public school employee for accompanying students on an ed-  
 39 ucational trip.

40 (8) "Honorarium" means a payment or something of economic value given to a public official in  
 41 exchange for services upon which custom or propriety prevents the setting of a price. Services in-  
 42 clude, but are not limited to, speeches or other services rendered in connection with an event.

43 (9) "Income" means income of any nature derived from any source, including, but not limited to,  
 44 any salary, wage, advance, payment, dividend, interest, rent, honorarium, return of capital,  
 45 forgiveness of indebtedness, or anything of economic value.

1 (10) "Legislative or administrative interest" means an economic interest, distinct from that of  
 2 the general public, in:

3 (a) Any matter subject to the decision or vote of the public official acting in the public official's  
 4 capacity as a public official; or

5 (b) Any matter that would be subject to the decision or vote of the candidate who, if elected,  
 6 would be acting in the capacity of a public official.

7 (11) "Member of the household" means any person who resides with the public official or can-  
 8 didate.

9 (12) "Planning commission" means a county planning commission created under ORS chapter 215  
 10 or a city planning commission created under ORS chapter 227.

11 (13) "Potential conflict of interest" means any action or any decision or recommendation by a  
 12 person acting in a capacity as a public official, the effect of which could be to the private pecuniary  
 13 benefit or detriment of the person or the person's relative, or a business with which the person or  
 14 the person's relative is associated, unless the pecuniary benefit or detriment arises out of the fol-  
 15 lowing:

16 (a) An interest or membership in a particular business, industry, occupation or other class re-  
 17 quired by law as a prerequisite to the holding by the person of the office or position.

18 (b) Any action in the person's official capacity which would affect to the same degree a class  
 19 consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or  
 20 other group including one of which or in which the person, or the person's relative or business with  
 21 which the person or the person's relative is associated, is a member or is engaged.

22 (c) Membership in or membership on the board of directors of a nonprofit corporation that is  
 23 tax-exempt under section 501(c) of the Internal Revenue Code.

24 (14) "Public office" has the meaning given that term in ORS 260.005.

25 (15) "Public official" means the First Partner and any person who, when an alleged violation  
 26 of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other  
 27 public body as defined in ORS 174.109 as an elected official, appointed official, employee or agent,  
 28 irrespective of whether the person is compensated for the services.

29 **(16)(a) "Public partner" means any business or income-producing not-for-profit corpo-**  
 30 **ration that is tax exempt under section 501(c) of the Internal Revenue Code that has re-**  
 31 **ceived, over the previous five years, \$10 million or more in payment of public moneys.**

32 **(b) As used in this subsection, "payment of public moneys" includes:**

33 **(A) Payments for work performed on behalf of a public body as defined in ORS 174.109;**

34 **(B) Grants awarded by a public body;**

35 **(C) Loans from a public body that were received at below market rate; or**

36 **(D) Any other expenditure of public moneys that benefited the business or not-for-profit**  
 37 **corporation.**

38 ~~[(16)]~~ (17) "Relative" means:

39 (a) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the  
 40 public official or candidate;

41 (b) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse  
 42 of the public official or candidate;

43 (c) Any individual for whom the public official or candidate has a legal support obligation;

44 (d) Any individual for whom the public official provides benefits arising from the public official's  
 45 public employment or from whom the public official receives benefits arising from that individual's

1 employment; or

2 (e) Any individual from whom the candidate receives benefits arising from that individual's em-  
 3 ployment.

4 [(17)] (18) "Statement of economic interest" means a statement as described by ORS 244.060 or  
 5 244.070.

6 [(18)] (19) "Zoning commission" means an entity to which is delegated at least some of the dis-  
 7 cretionary authority of a planning commission or governing body relating to zoning and land use  
 8 matters.

9 **SECTION 2.** ORS 244.050 is amended to read:

10 244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon  
 11 Government Ethics Commission a verified statement of economic interest as required under this  
 12 chapter:

13 (a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the  
 14 Bureau of Labor and Industries, district attorneys and members of the Legislative Assembly.

15 (b) Any judicial officer, including justices of the peace and municipal judges, except any pro tem  
 16 judicial officer who does not otherwise serve as a judicial officer.

17 (c) Any candidate for a public office designated in paragraph (a) or (b) of this subsection.

18 (d) The Deputy Attorney General.

19 (e) The Deputy Secretary of State.

20 (f) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the  
 21 Legislative Policy and Research Director, the Secretary of the Senate, the Chief Clerk of the House  
 22 of Representatives and the Legislative Equity Officer.

23 (g) The president and vice presidents, or their administrative equivalents, in each public uni-  
 24 versity listed in ORS 352.002.

25 (h) The following state officers:

26 (A) Adjutant General.

27 (B) Director of Agriculture.

28 (C) Manager of State Accident Insurance Fund Corporation.

29 (D) Water Resources Director.

30 (E) Director of the Department of Environmental Quality.

31 (F) Director of the Oregon Department of Administrative Services.

32 (G) State Fish and Wildlife Director.

33 (H) State Forester.

34 (I) State Geologist.

35 (J) Director of Human Services.

36 (K) Director of the Department of Consumer and Business Services.

37 (L) Director of the Department of State Lands.

38 (M) State Librarian.

39 (N) Administrator of the Oregon Liquor and Cannabis Commission.

40 (O) Superintendent of State Police.

41 (P) Director of the Public Employees Retirement System.

42 (Q) Director of Department of Revenue.

43 (R) Director of Transportation.

44 (S) Public Utility Commissioner.

45 (T) Director of Veterans' Affairs.

- 1 (U) Executive director of Oregon Government Ethics Commission.
- 2 (V) Director of the State Department of Energy.
- 3 (W) Director and each assistant director of the Oregon State Lottery.
- 4 (X) Director of the Department of Corrections.
- 5 (Y) Director of the Oregon Department of Aviation.
- 6 (Z) Executive director of the Oregon Criminal Justice Commission.
- 7 (AA) Director of the Oregon Business Development Department.
- 8 (BB) Director of the Oregon Department of Emergency Management.
- 9 (CC) Director of the Employment Department.
- 10 (DD) State Fire Marshal.
- 11 (EE) Chief of staff for the Governor.
- 12 (FF) Director of the Housing and Community Services Department.
- 13 (GG) State Court Administrator.
- 14 (HH) Director of the Department of Land Conservation and Development.
- 15 (II) Board chairperson of the Land Use Board of Appeals.
- 16 (JJ) State Marine Director.
- 17 (KK) Executive director of the Oregon Racing Commission.
- 18 (LL) State Parks and Recreation Director.
- 19 (MM) Executive director of the Oregon Public Defense Commission.
- 20 (NN) Chairperson of the Public Employees' Benefit Board.
- 21 (OO) Director of the Department of Public Safety Standards and Training.
- 22 (PP) Executive director of the Higher Education Coordinating Commission.
- 23 (QQ) Executive director of the Oregon Watershed Enhancement Board.
- 24 (RR) Director of the Oregon Youth Authority.
- 25 (SS) Director of the Oregon Health Authority.
- 26 (TT) Deputy Superintendent of Public Instruction.
- 27 (i) The First Partner, the legal counsel, the deputy legal counsel and all policy advisors within
- 28 the Governor's office.
- 29 (j) Every elected city or county official.
- 30 (k) Every member of a city or county planning, zoning or development commission.
- 31 (L) The chief executive officer of a city or county who performs the duties of manager or prin-
- 32 cipal administrator of the city or county.
- 33 (m) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
- 34 (n) Every member of a governing body of a metropolitan service district and the auditor and
- 35 executive officer thereof.
- 36 (o) Each member of the board of directors of the State Accident Insurance Fund Corporation.
- 37 (p) The chief administrative officer and the financial officer of each common and union high
- 38 school district, education service district and community college district.
- 39 (q) Every member of the following state boards, commissions and councils:
- 40 (A) Governing board of the State Department of Geology and Mineral Industries.
- 41 (B) Oregon Business Development Commission.
- 42 (C) State Board of Education.
- 43 (D) Environmental Quality Commission.
- 44 (E) Fish and Wildlife Commission of the State of Oregon.
- 45 (F) State Board of Forestry.

- 1 (G) Oregon Government Ethics Commission.
- 2 (H) Oregon Health Policy Board.
- 3 (I) Oregon Investment Council.
- 4 (J) Land Conservation and Development Commission.
- 5 (K) Oregon Liquor and Cannabis Commission.
- 6 (L) Oregon Short Term Fund Board.
- 7 (M) State Marine Board.
- 8 (N) Mass transit district boards.
- 9 (O) Energy Facility Siting Council.
- 10 (P) Board of Commissioners of the Port of Portland.
- 11 (Q) Employment Relations Board.
- 12 (R) Public Employees Retirement Board.
- 13 (S) Oregon Racing Commission.
- 14 (T) Oregon Transportation Commission.
- 15 (U) Water Resources Commission.
- 16 (V) Workers' Compensation Board.
- 17 (W) Oregon Facilities Authority.
- 18 (X) Oregon State Lottery Commission.
- 19 (Y) Pacific Northwest Electric Power and Conservation Planning Council.
- 20 (Z) Columbia River Gorge Commission.
- 21 (AA) Oregon Health and Science University Board of Directors.
- 22 (BB) Capitol Planning Commission.
- 23 (CC) Higher Education Coordinating Commission.
- 24 (DD) Oregon Growth Board.
- 25 (EE) Early Learning Council.
- 26 (FF) The Oversight and Accountability Council.
- 27 (r) The following officers of the State Treasurer:
- 28 (A) Deputy State Treasurer.
- 29 (B) Chief of staff for the office of the State Treasurer.
- 30 (C) Director of the Investment Division.
- 31 (s) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725
- 32 or 777.915 to 777.953.
- 33 (t) Every member of the board of directors of an authority created under ORS 441.525 to 441.595.
- 34 (u) Every member of a governing board of a public university listed in ORS 352.002.
- 35 (v) Every member of the district school board of a common school district or union high school
- 36 district.
- 37 (w) Every member of the board of directors of an authority created under ORS 465.600 to
- 38 465.621.
- 39 **(x) Every director and senior executive of a public partner.**
- 40 (2) By April 15 next after the date an appointment takes effect, every appointed public official
- 41 on a board or commission listed in subsection (1) of this section **and every director or senior**
- 42 **executive of a public partner** shall file with the Oregon Government Ethics Commission a state-
- 43 ment of economic interest as required under ORS 244.060, 244.070 and 244.090.
- 44 (3) By April 15 next after the filing deadline for the primary election, each candidate described
- 45 in subsection (1) of this section shall file with the commission a statement of economic interest as

1 required under ORS 244.060, 244.070 and 244.090.

2 (4) Not later than the 40th day before the date of the statewide general election, each candidate  
 3 described in subsection (1) of this section who will appear on the statewide general election ballot  
 4 and who was not required to file a statement of economic interest under subsections (1) to (3) of this  
 5 section shall file with the commission a statement of economic interest as required under ORS  
 6 244.060, 244.070 and 244.090.

7 (5) Subsections (1) to (3) of this section apply only to persons who are incumbent, elected or  
 8 appointed public officials **or who are directors or senior executives of a public partner** as of  
 9 April 15 and to persons who are candidates on April 15.

10 (6) If a statement required to be filed under this section has not been received by the commis-  
 11 sion within five days after the date the statement is due, the commission shall notify the public of-  
 12 ficial, **director or senior executive of a public partner** or candidate and give the public official,  
 13 **director or senior executive of a public partner** or candidate not less than 15 days to comply  
 14 with the requirements of this section. If the public official, **director or senior executive of a public**  
 15 **partner** or candidate fails to comply by the date set by the commission, the commission may impose  
 16 a civil penalty as provided in ORS 244.350.

17 **NOTE:** Section 3 was deleted. Subsequent sections were not renumbered.

18 **SECTION 4.** ORS 244.060 is amended to read:

19 244.060. The statement of economic interest filed under ORS 244.050 shall be on a form pre-  
 20 scribed by the Oregon Government Ethics Commission. The public official, **director or senior**  
 21 **executive of a public partner** or candidate filing the statement shall supply the information re-  
 22 quired by this section and ORS 244.090, as follows:

23 (1) The names of all positions as officer of a business and business directorships held by the  
 24 public official, **director or senior executive of a public partner** or candidate or a member of the  
 25 household of the public official or candidate during the preceding calendar year, and the principal  
 26 address and a brief description of each business.

27 (2) All names under which the public official, **director or senior executive of a public partner**  
 28 or candidate and members of the household of the public official or candidate do business and the  
 29 principal address and a brief description of each business.

30 (3) The names, principal addresses and brief descriptions of the sources of income received  
 31 during the preceding calendar year by the public official, **director or senior executive of a public**  
 32 **partner** or candidate or a member of the household of the public official or candidate that produce  
 33 10 percent or more of the total annual household income.

34 (4)(a) A list of all real property in which the public official, **director or senior executive of a**  
 35 **public partner** or candidate or a member of the household of the public official or candidate has  
 36 or has had any personal, beneficial ownership interest during the preceding calendar year, any  
 37 options to purchase or sell real property, including a land sales contract, and any other rights of  
 38 any kind in real property located within the geographic boundaries of the governmental agency of  
 39 which the public official holds, or the candidate if elected would hold, an official position or over  
 40 which the public official exercises, or the candidate if elected would exercise, any authority.

41 (b) This subsection does not require the listing of the principal residence of the public official,  
 42 **director or senior executive of a public partner** or candidate.

43 (5) All expenses with an aggregate value exceeding \$50 received by the public official during the  
 44 preceding calendar year when participating in a convention, mission, trip or other meeting described  
 45 in ORS 244.020 (7)(b)(F), including the name and address of the organization, unit of government,

1 tribe or corporation paying the expenses, the nature of the event and the date and amount of the  
 2 expense.

3 (6) All expenses with an aggregate value exceeding \$50 received by the public official during the  
 4 preceding calendar year when participating in a mission, negotiations or economic development ac-  
 5 tivities described in ORS 244.020 (7)(b)(H), including the name and address of the person paying the  
 6 expenses, the nature of the event and the date and amount of the expenditure.

7 (7) All honoraria and other items allowed under ORS 244.042 with a value exceeding \$15 that  
 8 are received by the public official, candidate or member of the household of the public official or  
 9 candidate during the preceding calendar year, the provider of each honorarium or item and the date  
 10 and time of the event for which the honorarium or item was received.

11 (8) The name, principal address and brief description of each source of income exceeding an  
 12 aggregate amount of \$1,000, whether or not taxable, received by the public official or candidate, or  
 13 a member of the household of the public official or candidate, during the preceding calendar year,  
 14 if the source of that income is derived from an individual or business that has a legislative or ad-  
 15 ministrative interest or that has been doing business, does business or could reasonably be expected  
 16 to do business with the governmental agency of which the public official holds, or the candidate if  
 17 elected would hold, an official position or over which the public official exercises, or the candidate  
 18 if elected would exercise, any authority.

19 (9)(a) Except as provided in paragraph (b) of this subsection, the name, principal address and  
 20 brief description of each source of income received during the preceding calendar year by a business  
 21 identified under subsections (1) and (2) of this section if:

22 (A) The source of income has a legislative or administrative interest or has been doing business,  
 23 does business or could reasonably be expected to do business with the governmental agency of  
 24 which the public official holds, or the candidate if elected would hold, an official position or over  
 25 which the public official exercises, or the candidate if elected would exercise, any authority; and

26 (B) Ten percent or more of the total gross annual income of the business identified under sub-  
 27 sections (1) and (2) of this section comes from the source of income.

28 (b)(A) This subsection does not require the public official or candidate filing the statement to  
 29 supply information that the public official or candidate has a statutory duty to keep privileged or  
 30 confidential if the public official or candidate complies with the procedure set forth in subparagraph  
 31 (B) of this paragraph.

32 (B) If the public official or candidate has a statutory duty to keep privileged or confidential in-  
 33 formation otherwise required to be disclosed under this subsection, the public official or candidate  
 34 shall:

35 (i) Make a formal request to each source of income for which the statutory duty exists, asking  
 36 if the public official or candidate has the permission of the source of income to make the disclosure  
 37 required under this subsection;

38 (ii) File a signed statement with the commission stating that the public official or candidate has  
 39 made the formal request described in sub-subparagraph (i) of this subparagraph; and

40 (iii) Report each source of income that responds in the affirmative to the request made under  
 41 sub-subparagraph (i) of this subparagraph within 10 business days of receiving the request.

42 (c) A public official or candidate shall be deemed to be in compliance with supplying the infor-  
 43 mation required under this subsection if the public official or candidate:

44 (A) Accurately submits the information required under this subsection; or

45 (B)(i) Makes a formal request to each source of income that provided 10 percent or more of the

1 total gross annual income of the business identified under subsections (1) and (2) of this section,  
 2 asking if that source of income has a legislative or administrative interest or has been doing busi-  
 3 ness, does business or could reasonably be expected to do business with the governmental agency  
 4 of which the public official holds, or the candidate if elected would hold, an official position or over  
 5 which the public official exercises, or the candidate if elected would exercise, any authority; and

6 (ii) Reports each source of income that responds in the affirmative to the request made under  
 7 sub-subparagraph (i) of this subparagraph.

8 **SECTION 5.** ORS 244.090 is amended to read:

9 244.090. (1) Each public official, **director or senior executive of a public partner** or candidate  
 10 required to file a statement of economic interest under this chapter shall include on the statement  
 11 the name of any compensated lobbyist who, during the preceding calendar year, was associated with  
 12 a business with which the public official, **director or senior executive of a public partner** or  
 13 candidate or a member of the household of the public official or candidate was also associated.

14 (2) Subsection (1) of this section does not apply if the only relationship between the public offi-  
 15 cial, **director or senior executive of a public partner** or candidate and the lobbyist is that the  
 16 public official, **director or senior executive of a public partner** or candidate and lobbyist hold  
 17 stock in the same publicly traded corporation.

18 (3) As used in this section, “lobbyist” has the meaning given that term in ORS 171.725.

19 **SECTION 6.** The amendments to ORS 244.020, 244.050, 244.060 and 244.090 by sections 1  
 20 to 5 of this 2025 Act first apply to statements of economic interest that are required to be  
 21 filed on or after the effective date of this 2025 Act.

22