

Senate Bill 983

Sponsored by COMMITTEE ON EDUCATION

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: The Act lets local officials act on certain budgets after saying they have a conflict. (Flesch Readability Score: 61.8).

Permits local public officials to participate in discussion and debate and to vote on the adoption of a local budget that includes compensation for the public official or a relative of the public official after announcing an actual conflict of interest.

A BILL FOR AN ACT

1
2 Relating to the adoption of local budgets; amending ORS 244.120.

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

4 **SECTION 1.** ORS 244.120 is amended to read:

5 244.120. (1) Except as provided in subsection (2) of this section, when met with an actual or
6 potential conflict of interest, a public official shall:

7 (a) If the public official is a member of the Legislative Assembly, announce publicly, pursuant
8 to rules of the house of which the public official is a member, the nature of the conflict before taking
9 any action thereon in the capacity of a public official.

10 (b) If the public official is a judge, remove the judge from the case giving rise to the conflict
11 or advise the parties of the nature of the conflict.

12 (c) If the public official is any other appointed official subject to this chapter, notify in writing
13 the person who appointed the public official to office of the nature of the conflict, and request that
14 the appointing authority dispose of the matter giving rise to the conflict. Upon receipt of the re-
15 quest, the appointing authority shall designate within a reasonable time an alternate to dispose of
16 the matter, or shall direct the official to dispose of the matter in a manner specified by the ap-
17 pointing authority.

18 (2) An elected public official, other than a member of the Legislative Assembly, or an appointed
19 public official serving on a board or commission, shall:

20 (a) When met with a potential conflict of interest, announce publicly the nature of the potential
21 conflict prior to taking any action thereon in the capacity of a public official; or

22 (b) When met with an actual conflict of interest, announce publicly the nature of the actual
23 conflict and:

24 (A) Except as provided in subparagraph (B) **or** (C) of this paragraph, refrain from participating
25 as a public official in any discussion or debate on the issue out of which the actual conflict arises
26 or from voting on the issue.

27 (B) If any public official's vote is necessary to meet a requirement of a minimum number of votes
28 to take official action, be eligible to vote, but not to participate as a public official in any discussion
29 or debate on the issue out of which the actual conflict arises.

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 **(C) If the official action is the adoption of a local budget under ORS 294.305 to 294.565**
2 **that includes providing compensation or benefits to the public official or a relative of the**
3 **public official, be eligible to participate in any discussion or debate on the budget and to vote.**

4 (3) Nothing in subsection (1) or (2) of this section requires any public official to announce a
5 conflict of interest more than once on the occasion which the matter out of which the conflict arises
6 is discussed or debated.

7 (4) Nothing in this section authorizes a public official to vote if the official is otherwise pro-
8 hibited from doing so.

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