



Via Email

February 17, 2026

The Honorable Kayse Jama
Chair, Committee on Rules
Oregon Senate

The Honorable Bruce Starr
Vice-Chair, Committee on Rules
Oregon Senate

RE: Testimony in Opposition to HB 4018-8

Chair Jama, Vice-Chair Starr, and Members of the Committee,

Campaign Legal Center (“CLC”) respectfully submits this statement in opposition to HB 4018-8, a bill that would substantially revise critical campaign finance reforms enacted two years ago in Oregon.

CLC is a nonpartisan legal organization dedicated to solving the wide range of challenges facing American democracy. Since the organization’s founding in 2002, CLC has participated in every major campaign finance case before the U.S. Supreme Court, as well as in numerous other federal and state court cases. CLC fights for every American’s freedom to vote and participate meaningfully in the democratic process, particularly Americans who have faced political barriers because of race, ethnicity or economic status.

In 2024, the Oregon Legislature passed groundbreaking campaign finance reforms for the state that, among other things, established contribution limits to candidates for elected office in the state and required transparency for the original sources of big money spent on state elections. These reforms are strongly supported across the political spectrum: In 2020, Oregonians resoundingly passed Measure 107—with over 78% voting in favor—amending the Oregon constitution to explicitly permit political contribution limits and transparency for political spending in the

state.¹ Indeed, across the country, Americans—both Democrats and Republicans—identify “the role of money in politics” as one of the biggest problems in our country.²

Unfortunately, while HB 4018-8 has been described as a bill to implement technical fixes to improve and strengthen HB 4024, several of the proposed policies would undermine those historic reforms, fail to accomplish the bill’s stated goal, or introduce new ambiguities in the law.

First, HB 4018-8 would weaken laws intended to prevent corruption and provide voters with information about who is spending big money to influence their vote. For example, Section 10 of the bill would amend the definition of “contribution” by deleting the provision that explicitly provides that a coordinated expenditure is a contribution (pp.32-33). Since the Supreme Court’s seminal decision 50 years ago in *Buckley v. Valeo*, courts have consistently recognized that spending that is coordinated with a candidate is indistinguishable from writing a check to a candidate.³ Deleting this provision would, at best, raise serious questions as to whether coordinated expenditures are considered a contribution to a candidate, potentially creating a glaring loophole in all of the contribution limits.

Section 13 of the bill similarly weakens the law by adopting a provision that, ostensibly, prevents evasion of contribution limits through the proliferation of multiple entities that can make contributions but does so in a manner that fails to meaningfully prevent such evasion. Specifically, the anti-proliferation provision in Section 13 would require treating multiple entities as one entity and, thus, subject to a single, shared contribution limit, only if one of the entities was created “for the sole purpose of evading the contribution limits” in the bill (p.50, lines 24-28). This requirement would create an extraordinarily high bar that would impede the goal of the anti-proliferation provision. Indeed, as drafted, the language appears to permit a person to create multiple entities with a *purpose* of evading contribution limits and, so long as evasion was not the *only purpose*, the provision would not require those entities to share a contribution limit.

Second, the bill fails to fix notable problems that were present in HB 4024 when enacted. For example, HB 4024’s anti-proliferation provisions provided that multiple entities are considered to be one entity for purposes of contribution limits where they are established, financed, maintained, or controlled by the same person or group of persons but also created an exception where such groups have the

¹ *November 3, 2020 General Election Abstract of Votes, Measure 107*, Or. Sec’y of State, <https://sos.oregon.gov/elections/Documents/results/november-general-2020.pdf> (last visited June 24, 2025).

² Pew Research Center, *Americans Continue to View Several Economic Issues as Top National Problems* (Feb. 20, 2025), <https://www.pewresearch.org/politics/2025/02/20/americans-continue-to-view-several-economic-issues-as-top-national-problems/> (finding that 72% of Americans, including 78% of Democrats and 66% of Republicans, believe “the role of money in politics” is a “very big problem in the country today”).

³ 424 U.S. 1, 46-47 (1976) (per curiam); see also *McConnell v. FEC*, 540 U.S. 93, 221 (2003) (“[E]xpenditures made after a wink or nod often will be as useful to the candidate as cash.” (internal quotation marks omitted)).

“authority to make independent decisions as to which candidates, if any, to support or oppose.”⁴ But whether entities have the independent “authority” to make these decisions matters much less than whether such entities, in fact, act independently of each other, and HB 4018-8 fails to fix this problem.

Third, the bill introduces new inconsistencies and unclarity in some provisions, likely creating new ambiguities that future legislation or the Secretary of State would be required to address. For example, Section 2 of the bill appears to create a firewall requirement (pp.14-15) for entities that make both coordinated and independent expenditures to ensure that any purported independent expenditures are, in fact, independent of a candidate. However, as drafted, the provision nonsensically provides that “an in-kind contribution to, or coordinated expenditure with, a candidate ... may not be deemed to be coordinated” where the firewall is complied with (p.14, lines 3-7).

We commend the Committee for considering how to best implement and strengthen the critically important reforms adopted two years ago in HB 4024. However, several of the policies contained in HB 4018-8 would hinder rather than advance those reforms, and we urge the Committee to consider alternatives.

We appreciate the opportunity to submit this statement and would welcome the opportunity to work with the Committee to develop policies that would accomplish the goal of creating a campaign finance system that protects Oregon elections from corruption and ensures Oregonians know who is spending big money to influence their vote

Respectfully submitted,

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⁴ HB 4024 (2024), §§ 3(1)(c), 4(14)(b).