February 11, 2026

The Honorable Ben Bowman
Chair, House Committee on Rules
Oregon House of Representatives

The Honorable Lucetta Elmer
Vice-Chair, House Committee on Rules
Oregon House of Representatives

The Honorable Hai Pham
Vice-Chair, House Committee on Rules
Oregon House of Representatives

RE: Testimony in Opposition to HB 4018-6

Chair Bowman, Vice-Chair Elmer, Vice-Chair Pham, and Members of the
Committee,

Campaign Legal Center ("CLC") respectfully submits this statement in
opposition to HB 4018-6, 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 4018-6 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 4018-6 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 (p.24, lines 25-30). 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.

Second, the bill fails to fix notable problems that were present in HB 4024 when enacted. For example, HB 4024 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 "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 4018-6 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

[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)).

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

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 4018-6 would hinder rather than advance those reforms, and we urge the Committee to oppose HB 4018-6.

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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