

A-Engrossed
Senate Bill 1018

Ordered by the Senate April 8
Including Senate Amendments dated April 8

Sponsored by COMMITTEE ON CAMPAIGN FINANCE

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.

Requires independent expenditures in support of or in opposition to clearly identified candidate to include statement "This [*independent*] message was paid for and produced without the [*knowledge, consent or cooperation*] **coordination or prior consent** of any candidate **in the election for this position.**"

A BILL FOR AN ACT

1
2 Relating to independent expenditures.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 260.**

5 **SECTION 2. (1) Each communication in support of or in opposition to a clearly identified**
6 **candidate that qualifies as an independent expenditure must include the statement that "This**
7 **message was paid for and produced without the coordination or prior consent of any candi-**
8 **date in the election for this position."**

9 **(2) This section does not apply to:**

10 **(a) Communications in support of or in opposition to candidates for federal office.**

11 **(b) Items of de minimis value relating to a candidate, including but not limited to:**

12 **(A) Lawn signs, pins, pens and other similar items;**

13 **(B) Skywriting; or**

14 **(C) Wearable merchandise.**

15 **(c) Any other item that the Secretary of State by rule determines is too small to feasibly**
16 **include the identifying information required by this section.**

17 **(3) As used in this section:**

18 **(a) "Clearly identified" has the meaning given that term in ORS 260.005 (10)(b).**

19 **(b)(A) Except as provided in subparagraph (B) of this paragraph, "communication in**
20 **support of or in opposition to a clearly identified candidate" means:**

21 **(i)(I) The communication, taken in its context, clearly and unambiguously urges the**
22 **election or defeat of a clearly identified candidate for nomination or election to public office;**

23 **(II) The communication, as a whole, seeks action rather than simply conveying infor-**
24 **mation; and**

25 **(III) It is clear what action the communication advocates; or**

26 **(ii)(I) The communication contains aggregate expenditures of more than \$750 by a person;**

27 **(II) The communication refers to a clearly identified candidate who will appear on the**

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 **ballot; and**

2 **(III) The communication is published and disseminated to the relevant electorate within**
3 **30 calendar days before a primary election or 60 calendar days before a general election.**

4 **(B)(i) "Communication in support of or in opposition to a clearly identified candidate"**
5 **includes but is not limited to communications distributed via print, telephone, radio, tele-**
6 **vision or the Internet.**

7 **(ii) "Communication in support of or in opposition to a clearly identified candidate" does**
8 **not include newspaper editorials, printed advertisements with a fair market value of less**
9 **than \$500 or communications made via telephone that have a fair market value of less than**
10 **\$500.**

11
