



NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165

**SECRETARY OF STATE
ELECTIONS DIVISION**

FILED: 09/17/2026 9:22 AM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Specifies filing requirements for covered organizations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/16/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:

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HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 10/19/2026

TIME: 11:00 AM - 11:30 AM

OFFICER: Russell Buttram

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-503-446-4951

CONFERENCE ID: 866812270

SPECIAL INSTRUCTIONS:

Passcode: 9rJ7wv36

NEED FOR THE RULE(S):

This rule is necessary to implement the new requirements created by sections 23-24 of HB 4018 (2026). Further, this rule is needed to enable regulated stakeholders to comply with and understand relevant laws and rules, and to keep the

public informed about requirements related to regulation of covered organizations.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 4018 (2026) available online and from the Elections Division.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

This rule promotes racial equity by protecting against implicit bias and ensuring that the same guidelines and procedures apply consistently to all regulated stakeholders.

FISCAL AND ECONOMIC IMPACT:

This rule implements new requirements created by HB 4018 (2026). The majority of this new rule does not create additional requirements beyond those found in statute, therefore the fiscal and economic impact of this rule to affected parties is expected to be minimal.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) The creation of this new administrative rule may create an economic impact on the state Elections Division and persons that meet the definition of a "covered organization." The Elections Division anticipates needing to answer questions and assist filers required to comply with new requirements that did not exist previously. The Elections Division will also need to help the public understand what the new requirements are.

(2)(a)-(c) These rules regulate "covered organizations." While small businesses may be involved in providing services to regulated entities, they typically pass incurred costs on to their clients, the regulated entities. As such, these rules do not regulate small businesses as a class. Further, the costs they would incur and pass on to the regulated entity is dependent on the specific facts of their unique choices and circumstances and cannot be readily determined.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rules because these rules do not directly affect small businesses as a class.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The statutory requirements are prescriptive and a rules advisory committee was not required to be convened.

ADOPT: 165-012-9901

RULE SUMMARY: This proposed rule implements sections 23-24 of HB 4018 (2026). The rule specifies how a "covered organization" will submit filings disclosing their donors to the Elections Division. It also specifies the type of information filings must include, defines key terms, and outlines how the Elections Division will make filings available to the public.

CHANGES TO RULE:

165-012-9901

Covered Organization Disclosures

(1) The purpose of this rule is to establish guidelines for the implementation of HB 4018 (2026), Sections 23-25.

(2) Definitions:

(a) "Authorized Representative" means any person who:

(A) directly or substantially participates in decision-making on behalf of the covered organization concerning the solicitation or expenditure of funds; and

(B) has actual oral or written authority, either express or implied, to make or to authorize the action of the covered organization; or

(C) been placed in a position within or on behalf of the covered organization where it would reasonably appear that the person may authorize the conduct or action of the covered organization.

(b) "Cash donation" includes cash, checks, or any legal instrument redeemable as currency, transmitted via physical or electronic means.

(c) "In-kind donation" is a good or service, other than money, having monetary value. The value is based on the fair market value of the good or service. Fair market value is the dollar amount a consumer would expect to pay for the good or service.

(d) "Name" means any identifying label or other information which a person or organization is known by or responds to.

(A) For individuals, the full name of the individual.

(B) For persons that are not individuals:

(i) The full name by which the person is registered with the Oregon Secretary of State's Office or comparable agency in the applicable state. If the person does business under a different name, as reflected on the person's website or social media, that name shall be included in the disclosure.

(ii) For persons not otherwise described, the name the group or entity most often uses in conjunction with their website or social media accounts, or the name used in conjunction with their financial records or other official business documentation.

(e) The electioneering cost threshold as described in Section 23, HB 4018 (2026) is as follows:

(A) \$25,000 for a candidate for state senator or representative.

(B) \$100,000 for a candidate for state office as defined in ORS 249.215.

(C) \$25,000 for city measures in cities with a population of less than 60,000.

(D) \$25,000 for a county measure in counties with a population of less than 60,000.

(E) \$100,000 for any measure not otherwise described in this rule.

(F) \$100,000 for a political committee.

(f) To determine population counts for purposes of Section 23, HB 4018 (2026) and this administrative rule, the Elections Division will use the most recent data available from Portland State University's Population Research Center.

(3)(a) Covered organizations must use form SEL 240 designated by the Secretary of State, Elections Division for use in complying with applicable reporting requirements. A covered organization must only file one initial SEL 240 form per election cycle and must list every candidate, measure, or political committee the organization has met the electioneering threshold for. If there isn't enough space on the form, the covered organization must attach additional pages with all required information. The following is required for each SEL 240 filing:

(A) Filing Type: the filing must indicate whether the filing is an initial filing or a supplemental filing.

(i) An Initial Filing is the Covered Organization's first filing in the election cycle.

(ii) A Supplemental Filing is the Covered Organization's supplemental filing to provide updated information required under Section 24, HB 4018 (2026).

(B) Covered Organization information:

(i) Organization Name as described in (2)(d) of this administrative rule.

(ii) Address: the street address of a residence, office, headquarters, or similar location where the covered organization conducts routine business or a mailing address at which the covered organization receives correspondence.

(C) Authorized Representative information:

(i) Name: the individual's name as described in (2)(d) of this administrative rule.

(ii) Role: the role or job title the individual holds in the covered organization.

(iii) Mailing Address: a mailing address at which the authorized representative receives correspondence.

(iv) Contact Information: include at least one phone number where the authorized representative of the covered organization can be reached and an email address where the authorized representative receives email correspondence.

(D) Electioneering Threshold Information:

(i) If applicable, the covered organization must list the name of each candidate which the organization has reached or exceeded the electioneering threshold for, the office the candidate is seeking, the election at which each candidate's name will appear on the ballot, and the date the electioneering threshold was met.

(ii) If applicable, the covered organization must list the measure number for each measure which the organization has reached or exceeded the electioneering threshold for and the election at which each measure will be voted on, and the date the electioneering threshold was met.

(iii) If applicable, the covered organization must list the name of each political committee which the organization has reached or exceeded the electioneering threshold for, the committee ID number of the committee, and the date the electioneering threshold was met. The name and committee ID of the political committee must be the name it is registered with in the Oregon Election System for Tracking and Reporting (ORESTAR).

(E) Donation information:

(i) Date of Donation: the date the covered organization received a single donation of \$10,000 or more or the date a donor's aggregate donations reached \$10,000, whichever occurs first. To determine the date of a cash donation, the standards adopted for reporting the date of a cash contribution under OAR 165-012-0005 must be used. To determine the date of a donation received in the form of an item of value ("in-kind donation"), the standards adopted for reporting the date of an in-kind contribution under OAR 165-012-0005 must be used.

(ii) Donor Name: the name of each donor that has donated an aggregate amount of \$10,000 or more to the covered organization during the election cycle. When listing the donor's name, the name must meet the standards as described in (2)(f) of this administrative rule. If the donor's name is not known, it is considered an anonymous donation.

(iii) Donor Address: when listing the donor's address, the standards adopted for reporting a contributor's address under OAR 165-012-0005 must be used. If the donor's address is not known, it is considered an anonymous donation.

(iv) Donation Amount: the full amount of the donation. When disclosing a donation from a donor whom was included on a previously filed SEL 240, the covered organization shall report the updated total amount of the aggregate donation(s), not the amount of the change in donation(s).

(v) Disclosure Information: indicate whether each donation is from a new donor, a previous donor with an increased aggregate amount, or an amendment or correction.

(I) A new donor is a donor who has not been previously disclosed because they had not reached the \$10,000 aggregate donation threshold.

(II) A previous donor with an increased amount is a donor who was previously disclosed because they had reached the \$10,000 aggregate donation threshold, but who has donated again since the previous filing, resulting in a higher aggregate donation amount.

(III) When reporting an amendment or correction to a previous disclosure filed, the covered organization must list the date the previous disclosure was filed.

(F) Authorized Representative Attestation: the signature provided by the authorized representative on an initial or supplemental donor identification list must be an original signature, though it may be submitted via a scanned document or online form. In signing the SEL 240, the authorized representative is attesting they understand the potential liability of being an authorized representative and that the information provided is true and correct.

(b) Filings using form SEL 240 will be converted to an electronic document and will become the official record. Form SEL 240 may be filed by:

(A) mailing or hand delivering to the Elections Division's address provided in OAR 165-002-0025(A) mailing or hand delivering to the Elections Division's address provided in OAR 165-002-0025;

(B) email to orestar-support.sos@sos.oregon.gov; or

(c) If any of the required information on the form received by the Elections Division is incomplete, the Elections Division will notify the filer by phone, email, or in writing of the deficiencies on the form(s). The form(s) will not be processed or considered filed until all the required information is provided.

(d) An amended SEL 240 must be filed if some element of the previously filed SEL 240 is inaccurate or identified as insufficient.

(4) All SEL 240 forms filed by covered organizations will be publicly posted on the Elections Division's website. Requests made under Section 24(4), HB 4018 (2026) will be fulfilled by directing requestors to the website.

(5) The deadline to file a required SEL 240 for a covered organization that exceeded the electioneering threshold prior to January 1, 2027, is February 1, 2027.

Statutory/Other Authority: ORS 246.150, Section 24, Chapter 139, Oregon Laws 2026

Statutes/Other Implemented: Section 23, Chapter 139, Oregon Laws 2026, Section 24, Chapter 139, Oregon Laws 2026