



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED

07/10/2025 10:57 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Updates the financial threshold for administrative discontinuation from \$3,500 to \$5,000.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 08/25/2025 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:
Coline Benson
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HEARING(S)

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

DATE: 08/18/2025

TIME: 11:00 AM - 11:30 AM

OFFICER: Coline Benson

REMOTE HEARING DETAILS

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

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 2689372091489

SPECIAL INSTRUCTIONS:

Passcode: KD6BD9WH

Phone conference ID: 788 463 461#

NEED FOR THE RULE(S)

This rule provides the standards and process for administrative discontinuation of committees as required by ORS 260.046(2).

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS 260.043 and ORS 260.112 as amended by SB 1538 (2024). Available online at oregonlegislature.gov or from the Elections Division.

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

This rule promotes racial equity. The terms of the rule and manuals promote racial equity by protecting against implicit bias and ensuring that the same guidelines and procedures apply consistently to all individuals, committees, and filers.

FISCAL AND ECONOMIC IMPACT:

The proposed amendments may cause minimal fiscal or economic impact for political committees, filers, and the Secretary of State, Elections Division.

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).

There may be a minimal fiscal impact for the Elections Division to answer questions regarding compliance with this rule, or for other unanticipated reasons. There may be a minimal fiscal impact for political committees and filers who must take action to comply with this rule.

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

Small businesses were not involved as this rule does not directly affect small businesses.

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

The fiscal impact of the proposed amendments is expected to be minimal.

AMEND: 165-012-0240

RULE SUMMARY: SB 1538 (2024) increased the limit for a Certificate of Limited Contributions and Expenditures (PC7) "Certificate" from \$3,500 to \$5,000. The Certificate limit is also used in the criteria for determining which committees may be considered for Administrative Discontinuation. This update aligns OAR 165-012-0240 with the updated \$5,000 Certificate limit in ORS 260.043 and ORS 260.112.

CHANGES TO RULE:

165-012-0240

Administrative Discontinuation of a Political Committee ¶¶

(1) The Elections Division may administratively discontinue a political or petition committee when:¶¶

(a) The committee has not filed any transactions under ORS 260.057 for one calendar year; ¶¶

(b) The committee's ending cash balance reflected on the committee's ORESTAR Account Summary is between \$5,000.00 and negative \$5,000.00; and¶¶

(c) The committee's balance deficit reflected on the committee's ORESTAR Account Summary is between \$5,000.00 and negative \$5,000.00.¶¶

(2) Not later than 30 days before administratively discontinuing a committee under this section, the Elections Division shall attempt to inform the committee of the proposed discontinuation.¶¶

(a) For a candidate committee:¶¶

(A) By first class mail sent to the mailing address reported on the most recent Statement of Organization for the candidate and by first class mail to the most recent mailing address for the candidate reported in the Oregon Centralized Voter Registration System. If both addresses are the same, only one letter shall be sent; and¶¶

(B) If the treasurer is someone other than the candidate, by first class mail to the mailing address reported on the most recent Statement of Organization for the treasurer.¶¶

(b) For a political committee notice will be sent by first class mail sent to the mailing address reported on the most recent Statement of Organization for the treasurer and by first class mail to the most recent mailing address for the treasurer reported in the Oregon Centralized Voter Registration System. If both addresses are the same, only one letter shall be sent.¶¶

(c) For a petition committee:¶¶

(A) By first class mail sent to the mailing address reported on the most recent Statement of Organization for the chief petitioner(s) and by first class mail to the most recent address for the chief petitioner(s) in the Oregon

Centralized Voter Registration System. If both addresses are the same, only one letter shall be sent; and¶
(B) If the treasurer is someone other than the chief petitioner(s), by first class mail to the mailing address reported on the most recent Statement of Organization for the treasurer.¶
(3) In lieu of sending the notification by first class mail under (2), the Elections Division may choose to send the notification via email to the email address reported on the most recent statement of organization for each person.¶
(4) The notice shall inform the committee that it will be discontinued by the Elections Division unless the committee notifies the Elections Division of reasons why the committee does not meet the criteria of this rule for administrative discontinuation; notification from the committee must be received not later than 20 days after the service date of the letter. "Notification" means contact in writing, via mail, email, fax transmission, or making contact with the Elections Division by phone. The written notice from the Elections Division shall also include:¶
(a) Notification that the statement of organization will be administratively discontinued 30 days from the date of the notice; and¶
(b) The applicable reasons for discontinuation listed in subsection (1) of this section.¶
(5) If the candidate of a candidate committee, the treasurer of a political action committee, or if all of the chief petitioners of a petition committee are identified as deceased in the Oregon Centralized Voter Registration System, the Division shall administratively discontinue the committee without attempting to inform the committee of the proposed discontinuation.
Statutory/Other Authority: ORS 246.150, ORS 260.046, ~~SB 1538 (2024)~~
Statutes/Other Implemented: ORS 260.046