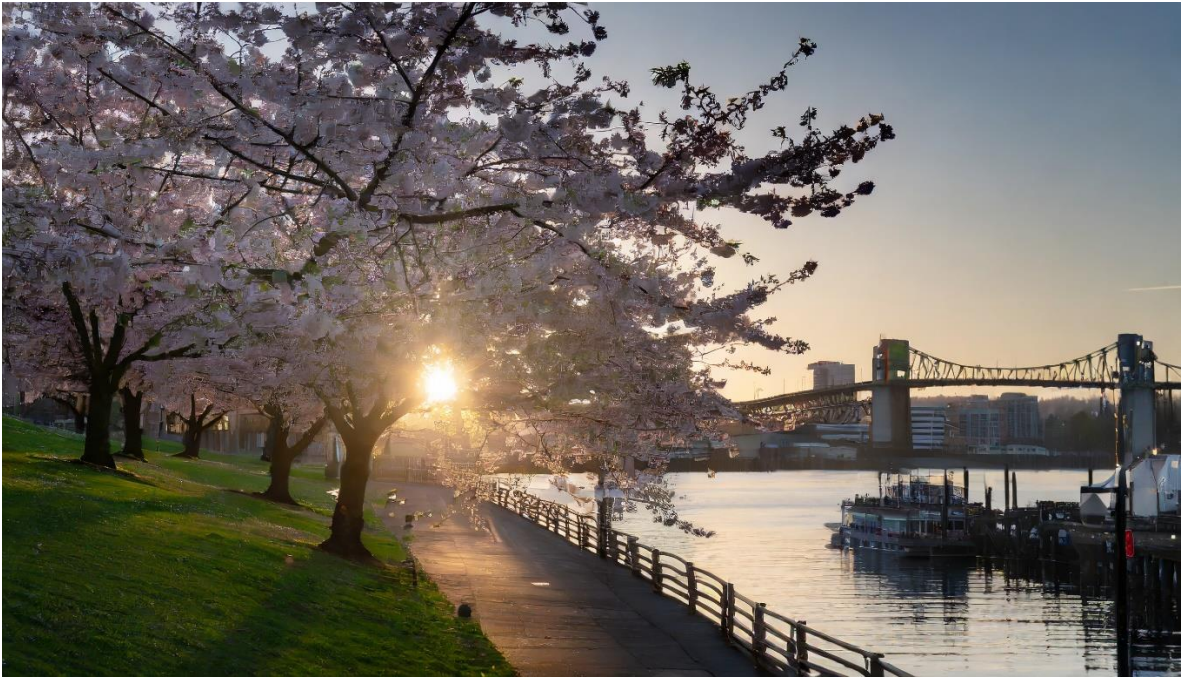


City of Portland

Campaign Finance Guide



November 2024
General Municipal Election



**Portland
City Auditor**
Campaign Finance &
Lobbying Regulations



Table of contents

Introduction	3
Contact the City Elections Office	3
About the City Elections Office and the Portland City Auditor.....	4
Unenforced City campaign finance provisions	4
Contributions	5
Disclosures on communications	9
Enforcement and civil penalties	17
Appendix A: City and State Resources	19

Introduction

The purpose of this guide is to be an informative resource for campaign finance regulations in City of Portland elections. This guide is based on regulations under state law, City Charter, City Code, and Auditor Office Administrative Rules (ARAs). For City references, see [Appendix A](#). Although every effort has been made to present clear and accurate information, the applicable state or local law, and not this guide is the official source. In the event this guide conflicts with any legal authority, the relevant legal authority should be followed.

This guide does not cover separate campaign finance rules for the City’s public campaign funding program (Small Donor Elections) and is not inclusive of all state campaign finance regulations. For more information and questions contact those offices directly. Their contact information is included in [Appendix A](#).

Contact the City Elections Office

Outgoing communications from the City Elections Office to candidates or interested parties will be primarily by email, unless specified otherwise.

Web	portland.gov/elections
Email	elections@portlandoregon.gov
Phone	(503) 823-4022
Office	City Hall 1221 SW 4th Avenue, Room 130 Portland, OR 97204

About the City Elections Office and the Portland City Auditor

The City Elections Office is located in the independent office of the City Auditor and oversees City of Portland’s elections processes and enforcement of campaign finance regulations.

The City Auditor’s Office provides independent and impartial programmatic reviews, access to public information, and services for City government and the public through its Audit Services, Ombudsman, Council Clerk, Operations Management, Archives and Records Management, and Elections divisions. The City Elections Office supports the City Auditor’s Office mission to ensure open and accountable government and Office values of accountability, transparency, customer service, inclusion, and equity.

Unenforced City campaign finance provisions

The City Elections Office does not enforce the following Charter and Code provisions due to restrictions arising from case and constitutional law:

- Any expenditure limits, including those set out in City Charter Subsections 3-302(a), (c) and corresponding City Code Subsections 2.10.020 A., C.
- Any self-funding limits placed on candidates, including those set out in City Charter Subsection 3-301(b)(3) and corresponding City Code Subsection 2.10.010 B.3.

Communications costing less than **\$250** to create do not require disclosure information. See the Disclosures on Communications section in this manual.

Contributions

Contribution limits for participants in the public campaign funding program (Small Donor Elections program)

All City candidates fall under the campaign finance limits in [Charter Section 3-301](#) (Contributions in City of Portland Candidate Elections).

However, candidates participating in Small Donor Elections are additionally allowed to accept any contributions the Small Donor Elections program allows. See [Charter Subsection 3-301\(b\)\(4\)](#) and [Charter Section 3-304](#) (Coordination with Public Funding of Campaigns).

If a candidate starts off in the Small Donor Elections program but then leaves the program (as determined by the program), the candidate can no longer accept contributions the Small Donor Elections program allows unless the contributions are also allowed under [Charter Chapter 3, Article 3](#) (Campaign Finance in Candidate Elections).

Additional information for Small Donor Elections participants

The following is important information specifically for candidates participating in Small Donor Elections:

- Small Donor Elections is a separate, independent program that operates outside of the City Elections Office (or the City Auditor's Office).
- Small Donor Elections has its own set of regulations containing separate requirements about how to raise and spend campaign funds.
- In some instances, Small Donor Elections requirements are more restrictive than what is allowed under [Charter Section 3-301](#) (Contributions in City of Portland Candidate Elections), and vice versa. It is possible to violate regulations of one or both sets of regulations at the same time.
- Some definitions are different between Small Donor Elections and the campaign finance regulations of [Charter Chapter 3, Article 3](#) (Campaign Finance in Candidate

Elections). Some examples include definitions for election cycle, in-kind contributions, and small donor organization versus small donor committee.

- All City candidates, regardless of participation in Small Donor Elections, are subject to the same communication disclosure regulations in Charter Section 3-303 (Timely Disclosure of Large Contributions and Expenditures). These requirements also apply to individuals and other entities, like political action committees, and are discussed more in the Disclosures on Communications section of this manual.

Election cycle

City contribution limits and required communication disclosures are based on the election cycle for each office. Generally, the election cycle runs from the day after the last election for an office until the next election day for the same office.

For all City candidates running in the November 2024 General Election, the election cycle for all offices is **November 9, 2022**, through **November 5, 2024**. This election cycle accounts for the City’s transition to a new form of government and the addition of offices with no prior election history.

Figure 1. Election cycles run from the previous election to the next election.

Election cycle dates (2024 election)	
Start date	November 9, 2022
End date	November 5, 2024

For a recall election, the election cycle runs from the day City Council declares the date of the recall election up until midnight of the recall election.

City contribution limits

For the election cycle for the 2024 November General Election, City candidates (and their candidate committees) are allowed to accept, and individuals and committees are allowed to give, only the following contributions¹:

- No more than **\$579** from each individual contributor
- No more than **\$579** from each political committee
- Any amount from small donor committees
- For Small Donor Elections participants:
 - Any other contributions allowed by Small Donor Elections

Individuals and political committees are allowed to contribute to more than one candidate.

Example: An individual or political committee could donate up to \$579 to Candidate A and still donate up to \$579 to Candidate B.

Contributions can take the form of payments, loans, gifts, services, etc. For more information on how political committees, small donor committees, and contributions (including exceptions) are defined, see [Charter Section 3-308](#) (Definitions) and also ARA 13, Appendix B.

For the contribution limits listed above, candidates and their candidate committees may be liable if they accept more than the stated amounts. At the same time, **contributors may also be held liable** for contributing more than the stated amounts. For more on enforcement of the City's contribution limits, see the [Enforcement and Civil Penalties](#) section in this manual.

Important note: As a best practice to help contributors avoid over donating, candidates and candidate committees should consider listing the City's contribution limits for donors in places like campaign websites.

¹Contribution limits are adjusted for inflation on January 1st of odd-numbered years. The amounts listed in this manual apply through the end of the election cycle for the November 2024 General Municipal Election. See [ARA 13, Appendix A](#) for all inflation adjustments.

Returning contributions that exceed the limits

If a City candidate or candidate committee refunds or returns a donation within **seven (7) calendar days** of receiving that donation, under ARA 13.05(B), the City Elections Office will not count that donation when determining whether contribution limits in this section have been exceeded.

Example: Candidate Candid Camel received a donation of \$500 from Individual Eager Beaver on June 5. Candidate Camel received another donation of \$100 from Eager Beaver on July 14, exceeding the limit by \$21 within the election cycle. On July 17, Candidate Camel refunded \$21 to Eager Beaver. As a result, Candidate Camel would not be in violation of the limits for initially accepting the \$100 contribution by Eager Beaver.

Independent expenditures

If any entity spends more than a total of **\$750** in independent expenditures on communications to support or oppose any City candidate for election, the entity must register as a political committee with the Oregon Secretary of State, as required by Charter Subsection 3-302(b).

“Independent expenditures” are defined by state law (and included in ARA 13, Appendix B), and mean communications in support of or opposition to a clearly identified City candidate made without cooperation, prior consent, consultation, request, or suggestion of the candidate (or an agent or authorized committee of the candidate).

Registration is completed through the State’s Oregon Elections System for Tracking and Reporting (ORESTAR), and must occur within **three (3) business days** of exceeding the **\$750** limit.

Contribution and disclosure requirements for recall elections

During a recall election cycle, the same contribution limits and communication disclosure requirements apply as for any other election cycle. Recall elections cycles are covered in the Election Cycle section.

Disclosures on communications

Exemptions

In general, any communication supporting or opposing a Portland City candidate costing **\$250** or more to create must include certain disclosures as discussed in this section. The following chart shows communications that are **exempt** from this requirement.

Figure 2. Certain campaign communications are exempt from disclosure requirements.

Exemptions from communications disclosures (examples)



Exempt: a personalized communication prepared by an unpaid volunteer without the use of a template. For example, if a volunteer prepares, writes, and sends out texts supporting a candidate using their own device, they do not need to follow disclosure requirements in those texts.





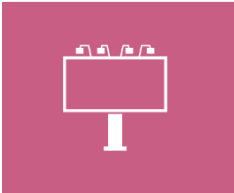


Exempt: a communication by means of small items worn or carried by individuals, bumper stickers, signs smaller than **6 square feet**, or a distribution of **500** or fewer substantially similar pieces of literature within any **10-day period**.

Formatting of the disclosure

Disclosures must be prominently displayed and easily comprehensible to a person with average reading, vision, and hearing faculties.

Figure 3. Different campaign communications require different formatting for campaign disclosure information.

Communication Type	Formatting Requirements
 <p>Printed Materials</p>	<ul style="list-style-type: none"> • Font is in contrasting color from the background. • Font size is at least the same size as the majority of text in the material.
 <p>Websites</p>	<ul style="list-style-type: none"> • Font is in contrasting color from the background. • Font size is at least the same size as the majority of text in the material.
 <p>Videos</p>	<ul style="list-style-type: none"> • Disclosure remains on the screen for at least four (4) seconds. • Closed captioning does not count.
 <p>Auditory</p>	<ul style="list-style-type: none"> • Disclosure is spoken at a maximum rate of five (5) words per second.
 <p>Billboards or signs larger than six square feet (6 ft²)</p>	<ul style="list-style-type: none"> • Font is in contrasting color from the background. • Font size is at least 10% of the height of the sign.

Content of the disclosure

Primary disclosure

All communications requiring a disclosure must include the name(s) of all political committees, individuals, or entities that paid to either provide or present the communication. This includes independent spenders.

Example: “Paid for by Friends of Rose Moore,” or “Paid for by the Parents for Progress PAC.”

Disclosure of top contributors

In addition to listing the names of political committees, individuals or entities that paid to provide or present the communication, communications also need to disclose the top five (5) contributors to any political committee or other entity that presented the communication. Each communication funded by an entity or political committee should:

- List the **top five (5) contributors** who gave the entity or political committee more than the value of **\$1,158** between November 8, 2022, and November 6, 2024 (the day before the last election through the day after the 2024 election; for a recall election, use the election cycle described in the [Election Cycle](#) section above).²
- Contributors should be listed in order of the amount given, from highest to lowest. If there are any ties, list the most recent contributors first. (See ARA 13.04(C) for more detail about tie situations.)
- Include the type of business that each top contributor received a majority of their income from over the last five (5) years. Each business type must be listed using the name associated with its six-digit code of the [North American Industry Classification System](#). (Note that this requires the name of the industry, and not the six-digit code, to be disclosed.)

Important note: When there are ties for top contributors, list the contributors who have given the most recent donations first.

² Amounts in this section are adjusted for inflation on January 1st of odd-numbered years. See [ARA 13, Appendix A](#) for all inflation adjustments.

Example: A political committee may have six contributors who each contributed \$5,000, with no contributor contributing more than \$5,000. In this instance, the political committee should list its five most recent contributors who provided the largest amount of funding within an election cycle.

Disclosures of top independent spenders

If independent spenders paid to provide or present the communication, communications also need to disclose the **top five (5) dominant independent spenders** that presented the communication as described below. Each communication funded by independent spenders should include:

- The top five (5) independent spenders who spent more than the value of **\$1,158** to support or oppose a particular candidate between November 8, 2022, and November 6, 2024 (the day before the last election through the day after the 2024 election; for a recall election, use the election cycle described in the [Election Cycle](#) section above).³
- The top five (5) independent spenders should be listed in order of the amount given, from highest to lowest. If there are any ties, list the most recent dominant independent spender first. (See [ARA 13.04\(C\)](#) for more detail about tie situations.)

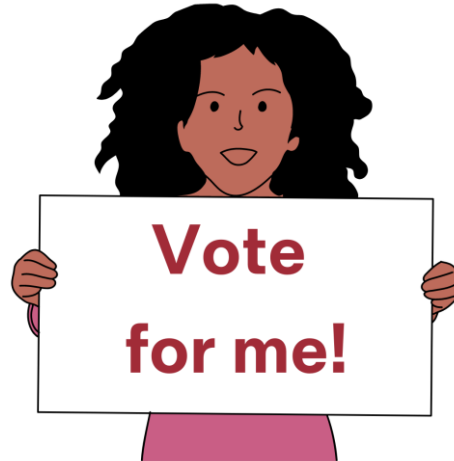
Disclosure of top three funders

In addition to including the above disclosures on communications, if any of the top five contributors or dominant independent spenders are a political committee (not including small donor committees) or nonprofit organizations, disclosures must also include the **top three (3) funders** of the political committee or nonprofit. As with listing the top five contributors or dominant independent spenders, if ties for funding amounts exist, the funder who provided the most recent funding should be listed first.

Disclosure Examples

Figure 4. Campaign disclosure example for fictional candidate Harmony Candito.

³ Amounts in this section are adjusted for inflation on January 1st of odd-numbered years. See [ARA 13, Appendix A](#) for all inflation adjustments.



Paid for by Friends of Harmony Candito. Dominant Contributors: Razzle Dazzle, LLC (Offices of Lawyers); Toothy Grins (Offices of Dentists); Put A Bird On It (Environment, Conservation and Wildlife Organizations) [Sweet Tweet, Inc.; Bird Is the Word; Time 2 Fly, LLC]; Spittin' Images, Inc. (Commercial Photography); What's the Buzz (Apiculture).

Figure 5. Campaign disclosure example for a Political Action Committee (PAC) supporting fictional candidate Rose Moore.



Paid for by Parents for Progress PAC (Political Organizations) [Playful Playgrounds, Inc.; Teachable Moments, Corp.; Daryl Darling]; Moolah, Inc. (Commercial Banking); Business Interest Collective, Corp. (Business Associations); Society of Socials (Professional Organizations); Dreamy Designs (Graphic Design Services); Dr. Erlenmeyer Bunsen, M.D. (Medical Laboratories).

Important disclosure information for candidates

- Candidates contributing more than **\$1,158** to their own campaign must disclose themselves as dominant contributors.
- Candidates participating in the Small Donor Elections program:
 - Program participation does not exempt you from including the Primary Disclosure above on your communications.
 - In-kind contributions and seed money contributions should be disclosed if they exceed **\$1,158** from any single contributor.
 - You do not need to list the program as a dominant contributor.

Disclosure requirements for digital communications

Certain communication platforms can make it difficult to meet the above disclosure requirements:

- A social media platform where message content is limited to **1,000 characters** or less; or
- A platform which would require the above disclosure to take up **40%** or more of the message space,

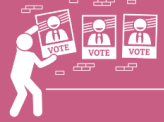

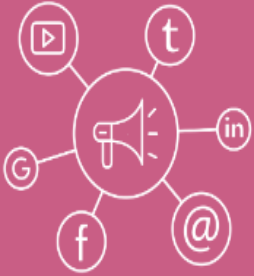

For only these types of platforms, under ARA 13.04(B), disclosure requirements may be satisfied if you include both of the following two elements:

- Identify who paid to either provide or present the communication (see the Primary Disclosure section above), and
- Provide a link to an active website that prominently displays the remaining required information.

Important note: Digital Communication means a communication that is placed or promoted on an internet platform. Internet platform means a public-facing website or internet-enabled application including, but not limited to, a social media network, ad network, or search engine that displays, or causes to be displayed, digital communications.

Ensure communication disclosures are current

Figure 6. Different types of campaign communications have different disclosure timelines.

Communication Type	Disclosure Timeliness
	<p>Printed material</p> <ul style="list-style-type: none"> Disclosures must be current to within 10 business days of its printing date.
	<p>Audio and video communications</p> <ul style="list-style-type: none"> Disclosures must be current to within five (5) business days of transmission.
	<p>Digital communications linked to full disclosure on active website</p> <ul style="list-style-type: none"> The full disclosure included on the linked webpage must be kept current to within five (5) business days of the initial transmission of the communication. Transmission of a communication may include, but is not limited to, posting an online advertisement or submitting necessary information to circulate a scheduled online advertisement. Anytime disclosure information on the website is updated, a copy of the webpage with the disclosure must be archived and retained for one (1) year following the end of the relevant election cycle.
	<p>Electronic communications</p> <ul style="list-style-type: none"> For other electronic communications, such as emails, disclosures must be current to within five (5) business days of transmission.

Enforcement and civil penalties

Auditor's Office enforcement of contribution limits

In accordance with Charter Section 3-301, both contributors and candidates (or their candidate committee) may be liable for exceeding the contribution limits listed in the City Contribution Limits section of this manual.

Violations of these limits are subject to mandatory civil penalties ranging from two to 20 times the amount of the unlawful contribution.

The Auditor's Office enforces the campaign finance regulations under Charter Chapter 3, Article 3. For more information about enforcement or the complaint process, see the City Administrative Rules (ARAs) on campaign finance (Appendix A).

Small Donor Elections enforcement of contribution limits

Small Donor Elections is a separate program outside the Auditor's Office that conducts its own investigations and enforces its own contribution limits under City Code Chapter 2.16 (Small Donor Elections Program) and its own administrative rules. For more information, contact the program directly (Appendix A).

Auditor's Office enforcement of communication disclosures

Each disclosure violation is subject to civil penalties of up to \$3,000 per violation.

Upon first offense, the Auditor's Office may issue a warning and letter of education instead of a monetary civil penalty.

If the Auditor's Office receives a complaint or issues a determination after the relevant election, the Auditor's Office may issue a warning and letter of education instead of a monetary civil penalty.

Auditor's Office enforcement of independent expenditures

Failure to file with the State in ORESTAR upon reaching **\$750** in independent expenditures is subject to civil penalties of up to \$3,000.

Appendix A: City and State Resources

City of Portland – Elections Office

City Charter

- [Portland City Charter Chapter 3, Article 3: Campaign Finance in Candidate Elections](http://www.portland.gov/charter/3/3) (www.portland.gov/charter/3/3)

City Code

- [Portland City Code 2.10: Campaign Finance in Candidate Elections](http://www.portland.gov/code/2/10) (www.portland.gov/code/2/10)

City Administrative Rules

- [ARA-13.01: Purpose, Authority, and Construction](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1301-purpose-authority-and-construction) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1301-purpose-authority-and-construction>)
- [ARA-13.02: Campaign Finance: Definitions](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1302-campaign-finance-definitions) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1302-campaign-finance-definitions>)
- [ARA-13.03: Campaign Finance: Complaint Process](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1303-campaign-finance-complaint-process) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1303-campaign-finance-complaint-process>)
- [ARA-13.04: Campaign Finance: Disclosure Requirements](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1304-campaign-finance-disclosure) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1304-campaign-finance-disclosure>)
- [ARA-13.05: Campaign Finance: Contribution Limits](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1305-campaign-finance-contribution) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/ara-1305-campaign-finance-contribution>)
- [ARA-13 Appendix A: Inflation Chart Update](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/appendix-ara-13-campaign-finance) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/appendix-ara-13-campaign-finance>)
- [ARA-13 Appendix B: Definitions](https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/appendix-b-ara-13-campaign-finance) (<https://www.portland.gov/policies/adopted-rules-auditors-office/campaign-finance/appendix-b-ara-13-campaign-finance>)

Small Donor Elections

The Small Donor Elections program seeks to reduce the influence of money in politics and encourage election of people to City office who are reflective of and accountable to all Portlanders. It is separate from the City Elections Office. Importantly, Small Donor Elections requires all candidates, whether they are participating in the program or not, to file detailed financial transaction information with the program. Please contact the program for more information.

Web <https://www.portland.gov/smalldonorelections>

Email smalldonorelections@portlandoregon.gov

Phone (503) 823-4345

Office 1120 SW 5th Avenue, 10th Floor
Portland, OR 97214

Program Administrators:

Susan Mottet, Director of Small Donor Elections

(503) 823-4345 | Susan.Mottet@portlandoregon.gov

Daniel Lewkow, Deputy Director of Small Donor Elections

(503) 865-6185 | Daniel.Lewkow@portlandoregon.gov

Oregon Secretary of State Elections Division

The Secretary of State enforces the State of Oregon’s campaign finance regulations and manages the Oregon Elections System for Tracking and Reporting (ORESTAR) database, which is used by candidates, campaigns, and political action committees to meet disclosure and filing requirements.

Web <https://www.sos.oregon.gov/elections>

Email elections.sos@sos.oregon.gov

Phone (503) 986-1518 or toll free 1-866-673-VOTE (1-866-673-8683)

Office Public Service Building, Suite 126
 255 Capitol Street NE
 Salem, OR 97310

State of Oregon Campaign Finance Resources

- [Campaign Finance Transparency & Education \(CLEAR Initiative\)](https://sos.oregon.gov/elections/Pages/campaign-finance.aspx)
(<https://sos.oregon.gov/elections/Pages/campaign-finance.aspx>)
- [State Campaign Finance Manual](https://sos.oregon.gov/elections/Documents/campaign-finance.pdf) (pdf)
(<https://sos.oregon.gov/elections/Documents/campaign-finance.pdf>)
- [Transaction Filing in ORESTAR – Quick Guide](https://sos.oregon.gov/elections/Documents/Transaction_Filing_Quick_Guide.pdf) (pdf)
([https://sos.oregon.gov/elections/Documents/Transaction_Filing_Quick_Guide.p
df](https://sos.oregon.gov/elections/Documents/Transaction_Filing_Quick_Guide.pdf))
- [ORESTAR’s User’s Manual: Transaction Filing](https://sos.oregon.gov/elections/Documents/orestarTransFiling.pdf) (pdf)
(<https://sos.oregon.gov/elections/Documents/orestarTransFiling.pdf>)
- [ORESTAR’s User’s Manual: Statement of Organization](https://sos.oregon.gov/elections/Documents/orestarSOO.pdf) (pdf)
(<https://sos.oregon.gov/elections/Documents/orestarSOO.pdf>)