



City of Portland



Campaign Finance Regulations



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Getting Started

Disclaimer

This manual does *not* include any state campaign finance regulations and is only applicable to City of Portland candidate elections. For questions related to state campaign finance requirements, contact the [State Elections Division](#) or view the [State Campaign Finance Manual](#).

Nothing in this manual replaces or supersedes City Charter, City Code, Auditor’s Office Administrative Rules, or any applicable state law related to campaign finance regulations. If this manual conflicts with or contradicts any local, state, or federal law, such law takes precedent.

Using the City of Portland’s Campaign Finance Manual

The City of Portland’s Campaign Finance Manual includes information about City-specific regulations for City candidate elections. It is intended to provide information related to:

- **Contribution limits** for City candidates who do not participate in the City’s public funding of campaigns program, [the Open and Accountable Elections Program](#), and
- **Disclosure requirements** for City candidates *and any organization, business, nonprofit, political committee, or any other entity* that produces communication supporting or opposing City candidates

Contribution Limits

Effective January 1, 2023, City candidates are limited to accepting no more than **\$579** from **individual contributors** and **political committees**. The limits take effect beginning the day an individual become a candidate.

While candidates must file with the City Elections Office to appear on the ballot, the day a candidate files for office is not necessarily the same day that they are officially a candidate. An individual becomes a candidate under the earliest of the following days:

- An individual declares they are a candidate on any publicly accessible source, including social media.
- An individual expresses consent to be named a candidate for nomination or election to City office, including agreeing to being a write-in candidate or accepting a campaign contribution.
- An individual qualifies as a candidate under ORS 260.005(1).

FOR INCUMBENTS: The City's contribution limits apply to incumbents the beginning the day the City Auditor certifies the results showing that they have been elected to their office, regardless of when they become a candidate for re-election.

→ Contribution limits are adjusted for inflation each odd-numbered year.

→ Only individuals and political committees registered in [ORESTAR](#) may contribute to City candidates.

Candidates Participating in the City's Open and Accountable Elections Program

City candidates who participate in the City's public funding of campaigns program, the [Open and Accountable Elections Program](#), may accept any contributions that the Program allows. **However**, once a candidate is no longer participating in the Program, they are subject to the City's campaign contribution limits.

Most commonly, a candidate is no longer participating in the Program and is subject to the City's contribution limits starting **the day after the general election until the day the Auditor's Office certifies election results for the relevant office.**

Correcting Unlawful Contributions

Under [Portland City Charter 3-301\(b\)\(1\)–\(4\)](#) and [Code Section 2.10.010\(B\)\(1\)–\(4\)](#), candidates are prohibited from receiving certain contributions. **Any unlawful contribution received will result in civil penalties between two to 20 times the amount of unlawful contributions.** To avoid campaign finance violations and civil penalties, candidates must refund or decline to accept unlawful contributions in a timely manner as described below:

- 1. For contributions received more than 42 days before the applicable primary nomination or general election:** Unlawful contributions must be refunded or declined no later than 30 calendar days after the contribution was made.
- 2. For contributions received on or after the 42nd day before the applicable primary election or general election through the night of the applicable primary election or general election:** Unlawful contributions must be refunded or declined no later than seven (7) calendar days after the contribution was made.
- 3. For contributions received after the night of the applicable primary election or general election through certification of election results:** Unlawful contributions must be refunded or

declined no later than 30 calendar days after the contribution was made.

Exceptions to Contribution Limits

The following types of contributions are exempt from the City's contribution limits:

1. Funds directly from the Open and Accountable Elections Program.
2. Contributions received while a candidate participates in the Open and Accountable Elections Program.
3. In-kind contributions for providing rooms, phones, and internet access.
4. Contributions received from Small Donor Committees.

SMALL DONOR COMMITTEES

Small Donor Committees are political committees that only accept up to \$101.60 in contributions from individuals per calendar year. The Auditor's Office will verify whether a political committee meets the definition of a Small Donor Committee only if the complainant or subject of the complaint alleges the political committee is a Small Donor Committee.

Contribution Limits for Recalls and Special Elections

Recall Elections

Before a recall election date is declared by City Council, contribution limits and regulations are no different from any other elected City official who is not facing a recall effort. Starting from the day the Auditor's Office certified their previous election, elected City officials **may not accept more than \$579** in contributions to their principal campaign accounts.

Once a recall election date is declared by City Council, a special recall election cycle begins. During this special recall election cycle, the City elected official who is the subject of the recall election may collect \$579 in

campaign contributions, **even if the contributor contributed the maximum amount during the normal election cycle.**

After midnight of the recall election, the special recall election cycle ends, and the elected City official’s normal election cycle resumes. **Contributions received during the special recall election do not count toward limits for normal election cycles.**

Prior to Recall Election Date being Declared	After Recall Election Date is Declared through Midnight of Recall Election	After Midnight of Recall Election
Candidate receives \$579 from Contributor 1	Candidate may receive up to \$579 from Contributor 1	Candidate may not receive additional contributions from Contributor 1
Candidate receives \$250 from Contributor 2	Candidate may receive up to \$579 from Contributor 2	Candidate may receive up to \$258 from Contributor 1
Candidate receives \$0 from Contributor 3	Candidate may receive up to \$579 from Contributor 2	Candidate may receive up to \$579 from Contributor 1

Special Elections

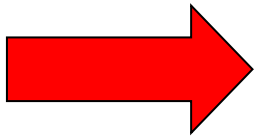
For special elections, the earliest date a candidate’s election cycle may begin is the day City Council calls or declares a special election. **Even if an individual publicly declares their intention to run or receives and accepts a contribution or makes an expenditure, their election cycle does not begin until the day City Council calls or declares a recall election.**

For special elections, the election cycle ends at midnight on the night of the recall election. **The elected candidate’s new election cycle begins that day at 12:01 a.m. and ends when the Auditor’s Office certifies their next regularly-scheduled election.**

Enforcement and Civil Penalties

Each contribution violation will result in civil penalties ranging from two to 20 times the amount of unlawful contributions, and City Charter does **not** allow for warning upon first offense. Late payments may result in late fees

of up to \$500. **Both candidates AND contributors will be assessed civil penalties for each contribution violation.**



Candidates are responsible for ensuring their contributors are aware of the City's campaign contribution limits. To avoid receiving unlawful contributions, candidates are encouraged to provide a disclaimer on the contribution section of their campaign website with the aggregate contribution limit of \$579 per

!! REMINDER !!

Individual contribution limits apply for the **entirety of a candidate's election cycle. IT IS NOT AN ANNUAL LIMIT.**

Beginning of a Candidate's Election Cycle: The day an individual becomes a candidate, *OR*

Beginning of an Incumbent's Election Cycle: The day the Auditor's Office certified their previous election in which they were elected to their current office.

End of an Election Cycle: The day the Auditor's Office certifies the individual contributor listed.

Disclosures of Large Contributions

Each communication supporting or opposing a City of Portland candidate must contain certain disclosures. This requirement applies to *all* of the following:

- candidate committees
- petition committees
- political committees
- nonprofit organizations
- businesses
- labor unions, and

- any other entities not specifically listed.

Prominent Disclosure Requirement

Under [Charter Section 3-303](#), [Charter Section 3-308\(o\)](#), [Code Section 2.10.030](#), and [Code Section 2.10.080\(O\)](#), disclosures must be readily comprehensible to a person with average reading, vision, and hearing faculties.

→**Printed and website disclosures** must be in contrasting colors in a font size that is at least the same size as a majority of text on the material.

→**Video disclosures** must remain on screen for at least four seconds. Closed captioning does not count.

→**Auditory disclosures** must be spoken at a maximum rate of five words per second.

→**Disclosures on billboard signs and signs larger than six square feet** must be in contrasting colors and at least 10 percent of the height of the sign.

Levels of Disclosure

The amount of detail required in disclosures depends on the amount of money an entity raises or spends to support or oppose a political party, measure, or candidate **within an election cycle**. In general, the City's communication disclosure requirements have three levels of disclosures.

!! REMINDER !!

An election cycle spans the entirety of an individual's candidacy. IT IS NOT AN ANNUAL LIMIT.

Entities must disclose their largest contributors **based on those who have contributed within the relevant candidate's election cycle.** The relevant candidate is generally the subject of the communication.

Beginning of a Candidate's Election Cycle: The day an individual becomes a candidate, *OR*

Beginning of an Incumbent's Election Cycle: The day the Auditor's Office certified their previous election in which they were elected to their current office.

End of an Election Cycle: The day the Auditor's Office certifies the

Level 1: Disclosure of the Entity Providing the Communication

Applies to: All political committees and entities producing communication supporting or opposing a City candidate.

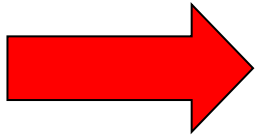
Requirement: All communication supporting or opposing a City candidate must disclose the name(s) of all political committees and entities that paid to provide or paid to present the communication, regardless of the amount of funds expended.

Example: "Paid for by Friends of Candidate X," or "Paid for by Business Organization Y."

Level 2: Disclosure of Dominant Contributors

Applies to: Any entity or political committee that has **received contributions** or **made expenditures totaling at least \$1,158** for the purpose of supporting or opposing a candidate, measure, or political party

within the relevant candidate's election cycle. The relevant candidate is generally the subject of the communication.



An **election cycle** is unique to each City of Portland candidate. **For incumbents**, the election cycle begins the day the Auditor's Office certified the last election in which they were seated in their current office. **For all other candidates**, the election cycle begins the day they become a candidate. See **page four** to determine when an individual became a candidate. **It is generally NOT the same as the day they filed for office with the City Elections Office.**

Requirements:

1. Disclose the name(s) of all entities and political committees paying to provide or paying to present the communication (as specified on **page nine**).
2. For each political committee or entity that paid to provide or paid to present the communication, list its **top five dominant contributors** during the relevant **election cycle**.

→ A dominant contributor is an individual, entity, or political committee who contributes **more than \$1,158** during an election cycle.

Tiebreakers:

In some instances, an entity or political committee may have more than five dominant contributors. For example, a political committee may have six contributors who each contributed \$5,000, with no contributor contributing more than \$5,000. In these instances, a political committee should list its five **most recent** dominant contributors who provided the largest amount of funding within an election cycle.

Information for Candidates:

Because candidates are generally prohibited from accepting more than \$579 from individual contributors and political committees, this level of disclosure should be rare.

→ Candidates participating in the Open and Accountable Elections Program do not need to list the Program as a dominant contributor. However, in-kind contributions and seed money contributions should be disclosed if those contributions exceed \$1,158 from any single contributor.

→ Candidates contributing more than \$1,158 to their own campaign **must disclose themselves as dominant contributors.**

Level 3: Disclosure of Income Sources

Applies to: Any dominant contributor listed on communications, except for Small Donor Committees.

Requirements: For each dominant contributor listed, the types of businesses where they received a majority of income over the last five year must be disclosed.

→ Each business must be listed using its name associated with its six-digit code of the [North American Industry Classification System](#).

→ In addition, if a dominant contributor is a **political committee** or **non-profit organization**, disclosures must include its top three funders.

Timeliness

Printed Material: Disclosures must current to within 10 business days of its printing date.

Audio and Video: Disclosures must current to within five business days of transmission.

Internet and other Electronic Communication (Other than Audio and Video): Disclosures must current to within 10 business days of transmission.

Disclosure Requirements for Recalls and Special Elections

Recall Elections

Prior to Declaration of Recall Election

Before a recall election date is declared by City Council, disclosure requirements are no different from communication supporting or opposing any other candidate. Communication supporting or opposing recall efforts of an elected City official must include:

- Any political committee or entity paying to provide or paying to present the communication.
- *For political committees or entities receiving or expending at least \$1,158:* For each political committee and entity paying to provide or paying to present the communication, list their **top five dominant contributors** during the relevant **election cycle**.

→ A dominant contributor is an individual, entity, or political committee who contributes **more than \$1,158** during an election cycle.

- For each dominant contributor listed, the types of businesses where they received a majority of income over the last five year must be disclosed.

→ Each business must be listed using its name associated with its six-digit code of the [North American Industry Classification System](#).

→ In addition, if a dominant contributor is a **political committee** or **non-profit organization**, disclosures must include its top three funders.

After Declaration of Recall Election through Election Night

Once a recall election date is declared by City Council, a special recall election cycle begins. During this special recall election cycle, communication disclosures should only include dominant contributors and related information if those contributions were made on or after the day that City Council called or declared a recall election.

After midnight of the recall election, the special recall election cycle ends, and the elected City official's normal election cycle resumes.

Communications presented after midnight of a recall election should include dominant contributors for the normal election cycle. **Contributions received during the recall election cycle do not count toward determining dominant contributors to disclose on communications presented after midnight of a recall election.**

Communication Provided or Presented Prior to Declaration of Recall Election Date	Communication Provided or Presented After Declaration of Recall Election Date Through Midnight of Recall Election	Communication Provided or Presented After Midnight of Recall Election
List Top Five Dominant Contributors Starting from the Date the Auditor's Office Certified the Relevant Election	List Top Five Dominant Contributors Starting from the Date the Recall Election is Declared	List Top Five Dominant Contributors Starting from the Date the Auditor's Office Certified the Relevant Regularly Scheduled Election → When determining Dominant Contributors, do NOT include contributions received during Recall Election Cycle

Special Elections

For special elections, the earliest date a candidate's election cycle may begin is the day City Council calls or declares a special election. **Even if an individual publicly declares their intention to run or receives and accepts a contribution or makes an expenditure, their election cycle**

cannot begin until the day City Council calls or declares a recall election.

For special elections, the election cycle ends at midnight on the night of the recall election.

Enforcement and Civil Penalties

- 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 letter after the relevant election has passed, the Auditor's Office may issue a warning and letter of education instead of a monetary civil penalty.

Additional Requirements and Information

→ **Within three business days of exceeding aggregate independent expenditures of \$868 in an election cycle**, an entity must register as a political committee with the Oregon Secretary of State.

⇒ If an entity fails to register as a political committee within three business days of exceeding \$868 in independent expenditures, the entity may be subject of civil penalties of up to \$3,000.

→ Individuals have the right to make contributions via payroll deduction, provided that their employer allows for payroll deduction for other purposes.

→ If an employee elects to make contributions to City candidates via payroll deductions, **they may be subject to civil penalties if their payroll deductions exceed the City's contribution limits.**

→ If an employer fails to allow candidates to make campaign contributions through payroll deductions, the employer may be subject to civil penalties of **up to \$3,000.**

Complaints, Appeals, and Reconsideration

Complaints

Any person may file a complaint alleging violations of any provisions of the City's campaign finance regulations. Complainants should submit complaints in writing by emailing a detailed description of the complaint to elections@portlandoregon.gov

Information Needed for a Complaint:

- The name and contact information of the complainant.

→ The City Elections Office does not accept allegations submitted anonymously. However, individuals may request for their *contact information* to be confidential.
- The name(s) of any candidate, entity, or political committee that is allegedly in violation of the City's [campaign finance regulations](#).
- A description of the alleged violation, with supporting evidence if available.

Complaint Timeline:

Typical Timeline

1. The Auditor's Office issues a notification to the subject(s) of a complaint within two business days of receiving or issuing a complaint.
2. The subject(s) of a complaint have 10 business days to submit a written statement related to the complaint.
3. The Auditor's Office issues a determination within 10 business days of the closing of the material submission period.

Total Complaint Timeline: Up to 22 business days

Abbreviated Timeline

For complaints received within 30 days of an election

1. The Auditor's Office issues a notification to the subject(s) of a complaint within two business days of receiving or issuing a complaint.
2. The subject(s) of a complaint have five business days to submit a written statement related to the complaint.
3. The Auditor's Office issues a determination within five business days of the closing of the material submission period.

Total Complaint Timeline: Up to 12 business days

Contribution Allegations Against Candidates in Open and Accountable Elections Program

If the City Elections Office receives allegations of contribution violations against a candidate participating in the Open and Accountable Elections Program, the complaint timeline is pausing while the Program conducts its own investigation.

After receipt of the determination, the City Elections Office will resume its investigation and issue an independent determination.

Appeals and Reconsideration:

Court Appeals

[Portland City Charter Section 3-305 \(i\)](#) allows for the complainant(s) or subject(s) of the complaint to appeal the complaint determination within 30 days of issuance of the decision. Such appeals must be made to the Multnomah County Circuit Court as an agency order in other than a contested case.

Reconsideration

The Auditor's Office may, on its own discretion or at the request of an interested party, withdraw a decision for reconsideration at any time **before a decision is final.**

→ A decision is final:

- After 30 days from the issuance of the decision if no appeal is sought, OR
- After entry of a judgement by a court that is not subject to appeal.

Upon withdrawal of a decision, the Auditor's Office may accept additional relevant evidence for consideration.

References

[Portland City Charter Chapter 3, Article 3: Campaign Finance in Candidate Elections](#)

[Portland City Code 2.10: Campaign Finance in Candidate Elections](#)

[ARA-13.01: Purpose, Authority, and Construction](#)

[ARA-13.02: Campaign Finance: Definitions](#)

[ARA-13.03: Campaign Finance: Complaint Process](#)

[ARA-13.04: Campaign Finance: Disclosure Requirements](#)

[ARA-13.05: Campaign Finance: Contribution Limits](#)

[ARA-13 Appendix A: Inflation Chart Update](#)