



**SMALL
DONOR
ELECTIONS
PORTLAND**



Small Donor Elections Candidate Guide

**2024 Regular Election
July 3, 2023**

This guide is intended to explain the Small Donor Elections program in a format and manner that is helpful and easy to understand for candidates as well as campaign vendors, staff, and volunteers. It does not go into the level of detail and specificity as the Small Donor Elections Code, Administrative Rules, and Guidance. Candidates and campaigns are responsible for complying with the Small Donor Elections Code, Administrative Rules, and Guidance, which can be found on the program website: www.portland.gov/smalldonorelections.

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Small Donor Elections Program Overview

Candidates running for Mayor, Auditor, or City Councilor in Portland are eligible to participate in the Small Donor Elections program.

The Small Donor Elections program aims to reduce corruption and the perception of corruption that the influence of money in politics creates. It provides candidates who have broad community support and follow program rules with up to a 9-to-1 match on the first \$20 of small donations they receive from Portland residents. To be eligible for the match, candidates must prove they have broad community support by collecting hundreds of small contributions from Portlanders, following the program rules limiting the size of contributions they receive, and ensuring that funds are spent on legitimate campaign expenses. SDE has a nine-member Public Commission which holds public meetings to take community input and will advise program staff and the Council as this new program is implemented.

Before starting a campaign, interested candidates are encouraged to contact program staff for training on how to comply with program requirements.

Steps for Participation in the Small Donor Elections Program

Candidates running for office in the City of Portland must comply with all applicable state, county, and City elections and campaign finance laws. In addition, to participate in the Small Donor Elections program, candidates must do the following:

Step 1: Comply with Small Donor Elections rules. (December 23, 2022-November 5, 2024)

On December 23, 2022, Small Donor Elections requirements began to apply to any candidate who may choose to use the program in the 2024 election cycle. See the Compliance with Small Donor Elections section for the content of these rules. They are primarily campaign finance rules.

IMPORTANT TIPS:

- Take the mandatory training ASAP to learn about these rules. You must take the mandatory training (and file your Notice of Intent) prior to starting to raise matchable contributions, but you may take the mandatory training earlier. Trainings are scheduled individually for each campaign and can be done confidentially if you are not ready to announce your candidacy yet. Call 503.823.4345 to schedule. Your treasurer is also required to take the training before you start raising matchable contributions. You may also bring anyone else to the training.
- If you have a pre-existing campaign account that you cannot use as your 2024 account because it has funds in it raised in excess of program rules prior to December 23, 2024, you may transfer those funds into a savings account associated with a checking account that you use as your 2024 campaign account, as long as you keep the savings account inactive during the 2024 election cycle (except for de minimis transactions such as automatic interest payments). You may transfer up to \$500 from the savings account into the checking account as seed money, if you wish to, prior to filing a Certification Application.
- If a candidate violates Small Donor Elections contribution or expenditure rules prior to filing a Notice of Intent to participate, the candidate may cure the violations and pay a penalty within 30 days of filing a Notice of Intent and still participate in the program. The intent of this rule is to encourage candidates to participate in the program even if they were not planning on running for City office or participating in the program at the beginning of the election cycle.

Step 2: Take the mandatory training!

Even if you don't know whether you plan to run or use the program, you should take the mandatory training. Taking the training early enables candidates to make an informed choice about whether to participate in Small Donor Elections and how to comply with it.

Before beginning to raise matchable contributions, both the candidate and the candidate’s treasurer must have received a mandatory training. The training covers how the program works and how to follow the rules.

Trainings are scheduled individually with campaigns. They can be done confidentially for candidates who are not ready to announce. To schedule, email us or if you want a confidential training, call us. Program contact information is at the beginning of this guide.

Step 3: File Notice of Intent to participate in the program (December 23, 2022-August 20, 2024)

File a Notice of Intent form to participate in the program.

TIP: Campaigns may not begin raising matchable contributions until both the candidate and the campaign treasurer has taken the mandatory training and the Notice of Intent has been filed. Any contributions that would otherwise be matchable prior to receiving the mandatory training and filing Notice of Intent will not be matched and not be considered for qualification purposes.

Step 4: Start raising matchable contributions.

In order to get certified to use the program, a campaign must raise \$5-250 contributions from a minimum number of donors who are Portland residents and over the age of 18:

- For Mayoral candidates: 750 donors
- For City Councilor or Auditor candidates, 250 donors from anywhere in the City, regardless of district

Step 5: Begin reporting contributions and expenditures to the program and submitting required documentation.

To ensure campaigns are complying with program rules and to determine whether contributions submitted for a match are eligible, campaigns are required to report contributions and expenditures and submit any required documentation to the program.

Step 6: Apply for certification. (TBD-September 3, 2024)

Once a campaign has received the required number of matchable contributions, a campaign may apply for certification in the program. Once certified, the campaign will receive matching funds from the City for all eligible matchable contributions, including those contributions collected to qualify for Certification.

Step 7: Continue raising contributions and getting matching funds!

Once certified, campaigns may keep raising contributions and receiving matching funds for matchable contributions. Contributions raised will get matched for all participating candidates. For each race, Portlanders can get contributions between \$0.01 and \$20 matched 9:1.

Step 8: After the election, return unused public funds. (December 20, 2024)

Once the election is over, campaigns need to settle up their campaign financial obligations and then return any unspent City Matching Funds to the program. This is calculated proportionally. For example, if a campaign received 75% of its funding in City Matching Funds, it owes 75% of what is left in the campaign bank account to the Small Donor Elections program. Only obligations undertaken prior to the election may be deducted from what is owed to the Fund.

2022 Election Cycle Timeline & Deadlines

December 23, 2022	2024 Election Cycle begins	Candidates who wish to participate must begin following rules.
June 1, 2023	First day to file Notice of Intent	Candidates may file a Notice of Intent to participate in the program.
TBD	First day to apply for certification	Candidates may apply for certification and begin receiving matching funds.
June 5, 2024	Ballot Filing Period begins	Candidates may file to run for office.
August 1, 2024	Mandatory Training Deadline	Last day for candidates and their treasurers to receive the mandatory training
August 20, 2024	Notice of Intent deadline	Last day to file a Notice of Intent to participate in the program.
August 27, 2024	Ballot Filing Deadline	Last day for candidates to file to appear on the ballot
September 3, 2024	Certification Filing Deadline	Last day candidates can file for certification in the program.
October 25, 2024	Matching Ends	Last day for candidates to collect donations that can be matched
November 5, 2024	Election Day	
December 20, 2024	Deadline to Return Public Funds	For all participating candidates in the election.

Compliance with Small Donor Elections

Candidates running for office in the City of Portland must comply with all applicable state, county, and City elections and campaign finance laws. In addition, to participate in the Small Donor Elections program, candidates must follow the requirements of the program.

Limits on Contributions

Participating candidates must abide by limits on what types and amounts of contributions that can be accepted for the entire election cycle (December 23, 2022 through November 5, 2024). If a candidate accepts more than is permitted, the campaign must cure the violation and may owe a penalty to the Small Donor Elections Fund (see Administrative Rule 15).

Type of Contribution	Limit
Money from individuals	\$350 per donor per election
Money from entities or businesses	Small Donor Organizations can give up to \$350 in cash donations. Otherwise, not permitted, aside from seed funding or in-kind donations.
Volunteered time	Unlimited, no matter the skill level*
Seed Money (from any source)	\$500 per donor, \$5,000 total
In-Kind Contribution**	\$350 per donor for individuals. \$5,000 per donor per election from a qualified Small Donor Organization or for a “democracy-building activity” from a non-profit or political committee. Must be directly provided.
Loan***	Not permitted except from candidate or spouse as seed money. Limit of \$5000 per election.

*May be subject to in-kind reporting requirements by the state

**See the “How Campaigns can Raise In-Kind Contributions” page for more details

***See Administrative Rule 3 for parameters for what a loan is.

The chart below shows how much contributors can give in each category.

Who Can Contribute & How Much?			
Money		In-Kind	
Businesses			
Seed Money: <ul style="list-style-type: none"> • \$500/contributor • Subject to \$5,000 total limit per campaign • Collected prior to applying for certification Individuals associated with the business may also give within individual limits.		Individuals associated with the business may also contribute up to individual limits.	
Individuals			
The limit is \$350 total for both monetary and in-kind. Individuals can give \$850 if \$350 is the individual limit and \$500 is in Seed Money: <ul style="list-style-type: none"> • \$500/contributor • Subject to \$5,000 total limit • Collected prior to applying for certification If the program can validate that the contributor is an adult living in Portland, the first \$20 they give will be matched 9-to-1 (even if it is in separate contributions). Federal law permits only citizens and permanent residents to contribute.		The limit is \$350 total for both monetary and in-kind contributions. NOTE: Volunteer work, no matter the skill set or profession of the volunteer, is not an in-kind for Small Donor Elections purposes, so it has no limit (even if the state may require it to be reported).	
Non-Profit Organizations (501(c)(4, 5, and 6)) and Political Committees			
Small Donor Organizations:		All Other:	
Up to \$350/contributor, PLUS Seed Money: <ul style="list-style-type: none"> • \$500/contributor • Subject to \$5,000 total limit • Collected prior to applying for certification Individuals associated with organization may give within individual limits.		Seed Money: <ul style="list-style-type: none"> • \$500/contributor • Subject to \$5,000 total limit • Collected prior to applying for certification Individuals associated with organization may give within individual limits.	
Small Donor Organizations:		All Other:	
Up to \$5,000/contributor in: <ul style="list-style-type: none"> • Directly-provided in-kinds • Accessibility or language inclusivity goods or services, even if not directly provided. Individuals associated with organization may give within limits for individuals.		Up to \$5,000/contributor in: <ul style="list-style-type: none"> • Accessibility or language inclusivity goods or services • Directly-provided Democracy Building Activities: <ul style="list-style-type: none"> ○ Paid staff and related goods for a majority-volunteer canvass, phone bank, or text bank ○ Organization's own contact list to campaigns ○ Paid staff providing: messaging on issues related to contributor's mission, sharing voter models, increasing voter engagement, security planning, and campaign planning. Individuals associated with organization may give within individual limits.	

There are a few rules relating to when certain types of contributions can be accepted, as seen in this chart.

Type	Once election cycle begins	Once file NOI and trained	Once apply for certification
Seed	yes	yes	no
In-kind	yes	yes	yes
Allowable	yes	yes	yes
Matchable	no	yes	yes

Sometimes a contribution is made that doesn't feel like a contribution, and can trip up a campaign's compliance. For example, if a candidate is given polling information that is not available to the public (e.g. to encourage them to run), that is a contribution. As long as it is within the \$5,000 in-kind definition and limit (or if the polling was worth more, several organizations combine their in-kind donations) or the \$500 seed money limit and reported as such, the campaign is in compliance. Another common contribution that doesn't feel like a contribution is the use of lawn signs from a previous campaign. As long as the lawn signs are reported as a seed money contribution and within the \$500 limit, the campaign is in compliance.

Candidates are not permitted to solicit or direct contributions to entities that make independent expenditures to support their election or oppose the election of an opponent.

How Campaigns can Raise In-Kind Contributions

Campaigns may raise in-kind contributions, within certain rules and limits, from certain types of donors.

What is an in-kind contribution? How is it different from a money or volunteering?

Monetary Contribution	A contributor gives money to a campaign.
In-Kind Contribution	A contributor provides goods or services to a campaign for less compensation than the fair market value for the goods or services or no compensation. The value of the in-kind contribution is the difference between the fair market value of the goods or services and what the campaign paid for it.

Volunteering	<p>A person spends their free time (time when they are not being paid) to provide services to a campaign without compensation.</p> <p>Small Donor Elections does not count volunteered professional services as in-kind contributions, even though state law may count some professional services as in-kind contributions and require it to be reported.</p>
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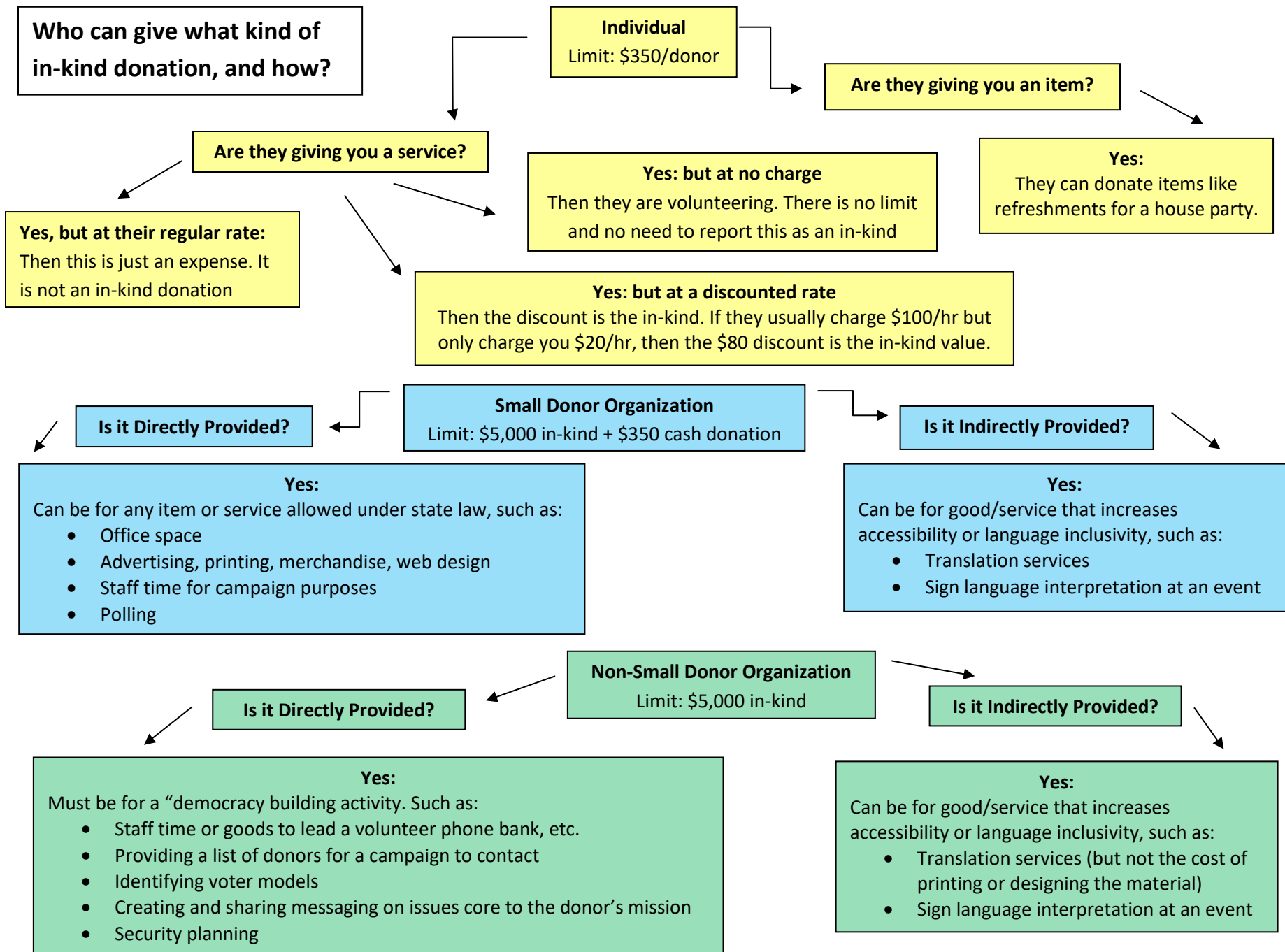
Who can give in-kind contributions and how much?

Individuals	
\$350/contributor total for money and in-kind contributions. Individuals may volunteer for campaigns without limit.	
Non-Profit Organizations (501(c)(4, 5, and 6)) and Political Committees	
Small Donor Organizations or PACs:	All Other Organizations or PACs:
Up to \$5,000/contributor in: <ul style="list-style-type: none"> • Accessibility or language inclusivity goods or services • Directly-provided in-kinds 	Up to \$5,000/contributor in: <ul style="list-style-type: none"> • Accessibility or language inclusivity goods or services • Directly-provided Democracy Building Activities: <ul style="list-style-type: none"> ○ Paid staff time/ goods for a majority-volunteer canvass, phone bank, or text bank ○ Providing one’s own contact list to campaigns ○ Paid staff time providing the following: sharing messaging on issues that are part of the contributor organization’s mission, sharing voter models, increasing voter engagement, security planning, and campaign planning.

Explanations of important terms:

Term	Explanation
Fair Market Value:	The amount the goods/services would cost in an arm’s length transaction between the general public and a vendor.
Arm’s Length Transaction:	<p>A transaction in which two or more unrelated and unaffiliated parties agree to do business, acting independently and in their self-interest as it relates to that transaction.</p> <p><i>Example A: An aunt might rent her ADU for \$1/month to her nephew, but if she were renting it to a stranger, she would charge its fair market value of \$1,000/month. The fact that this ADU – or one like it - was rented out for \$1/month to a related party does not make its fair market value \$1/month. Its fair market value remains \$1,000/month.</i></p> <p><i>Example B: A store owner sells three new laptop computers to a campaign for a candidate running for County Chair for \$100 even though the store lists the price for the same laptops as \$2,500 each. The fair market value for the three laptops is \$7,500. If the store also advertises a discount of \$500 off any \$5,000 purchase that any customer may use, the fair market value of the three laptops would be \$7,000. Because the County Chair position is a public official who has the power to make decisions that the store owner may support or not support, or which may benefit or be to the detriment of the store owner, selling the laptops to a candidate for County Chair for \$100 is not an arm’s length transaction and therefore not indicative of the fair market value.</i></p>

	<p><i>Example C: An owner of a billboard lists the price to rent the billboard for four weeks as \$1,000. No one has rented the space for six months because there is little demand at that price. The owner refuses to lower the listed price and allows the billboard to be blank. The fair market value of the billboard is the listed price of \$1,000.</i></p>
Small Donor Organization:	<p>A 501(c)(4), (5), or (6) nonprofit organization or a political committee that receives 90% of its funds in contributions of \$250/contributor/year or less. A Small Donor Organization does not have to get certified as a Small Donor Organization, but if one would like the clarity of an official determination by the program, they can submit a Small Donor Organization Application (found in the Documents section of Portland.gov/SmallDonorElections).</p>
Democracy Building Activities:	<ul style="list-style-type: none"> • Paid staff time and related goods for a majority-volunteer canvass, phone bank, or text bank • Providing one’s own contact list to campaigns • Paid staff time providing the following: <ul style="list-style-type: none"> ○ sharing messaging on issues that are part of the contributor organization’s mission, ○ sharing voter models, ○ increasing voter engagement, ○ security planning, and ○ campaign planning.
Directly-provided:	<p>When the contributor of the goods purchased the goods prior to providing them to the campaign, or when the contributor of a service provides the service themselves.</p> <p><i>Example of a contribution that is directly provided: An organization that already has a printing press on site uses it to print an item for your campaign. An example of a donation indirectly-provided: A donor paying a third-party print shop to print an item for your campaign.</i></p>
Increase Accessibility or Language Inclusivity:	<p>Goods and services that increase accessibility or language inclusivity do not have to be directly provided. These include paying for ASL interpretation at an event, translation of campaign materials into another language, translation software, or a device that prints in braille.</p>



Expenditures from the Campaign Bank Account

There are restrictions on which campaign expenses can be paid for with which types of contributions. Since all campaign expenses come out of the campaign bank account, the program determines whether certain expenses were paid with allowable or prohibited funds is through proportional calculation. If a campaign spent \$500 on travel to California, for which public funds may not be used, it is in compliance as long as the campaign raised at least \$500 in other types of funds. The campaign should--and the program will--add up all expenses that cannot be paid with any type of funds to determine whether the campaign, as a whole, staying in compliance with the expenditure restrictions.

This below chart shows which campaign expenditures can and cannot be made from different types of contributions.

Type of Expenditure	Private funds (anything but City Matching Funds)	City Matching Funds (public funds)
Anything prohibited by state law (e.g. personal expenses, cash)	No	No
Contributions (gifts) to non-profits	No	No
Paying penalties	Yes*	Yes*
Paying previous campaign debt	Yes	Yes**
Repaying loans	Yes	Yes**
Certain vehicle expenses (e.g. purchase, lease, rental, insurance, repair, fuel)	Yes	No
Supporting other campaigns	Yes	No
Consulting services paid above fair market value	Yes	No
Out of state travel (except to Clark and Skamania counties)	Yes	No
Salary or payment to a family member (other than reimbursements)	Yes	No
Gifts (not including brochures, buttons, signs, etc.)	Yes	No

*See the penalties section below for a list of which penalties can be paid from the campaign account.

**Except to a business licensed in Portland that only accepts cash payments. This does not prohibit campaigns from using non-cash resources to pay reimbursable expenses paid for in cash.

***City Matching Funds may be used to travel to campaign-related events in counties that are adjacent to the tri-county area (meaning Multnomah, Clackamas, and Washington counties). These specifically are Hood River, Wasco, Marion, Yamhill, Tillamook, Clatsop, Columbia, and Clark and Skamania counties. City Matching Funds may not be used to travel beyond those adjacent counties.

Running on a Slate

There is nothing in Small Donor Elections law or rules that prohibits running on a slate with other candidates and sharing expenses. However, shared expenses must be paid in proportion to the value to each campaign. Over-payment and under-payment of a shared expense violated program rules about contributions and expenditures.

If three Council candidates are running on a slate in their district and share a mail piece that features all of them equally, asking voters to “rank us as your top 3,” each campaign on the slate should pay one third of the cost of the mail piece. If a Mayoral candidate is running on a slate with one Council candidate from each of the four districts and they share a citywide mail piece, the Mayoral candidate should pay half and the Council candidates should split the remaining half in proportion to how many mail pieces were mailed to voters in their district.

There are many ways to demonstrate that you have complied with the requirement to share expenses proportionally to the benefit to each campaign. For example, if five candidates are on a slate and are sharing a full-time Field Director, they could use either of these methods to ensure and demonstrate compliance:

- Compliance Option 1: Have the Field Director log their time working for each campaign, including time working for multiple campaigns.
- Compliance Option 2: Write into the Field Director’s contract that will spend 20% of their time working on your campaign and pay 20% of their compensation. Be sure that they stick to the terms of their contract.

Tips to ensure compliance:

- Pay expenses directly to vendor, not to the others candidates’ political committee(s).
- If a member of the slate is not participating in Small Donor Elections, make sure communications do not imply that they are or that contributions to them will be matched.

If you are unsure of how to share expenses proportionally with your slate, do not hesitate to reach out to Small Donor Elections staff for advice.

Required Documentation Related to Contributions and Expenditures

When reporting contributions and expenditures, participating candidates must provide the following documentation.

Contribution or Expenditure Type	Required Documentation
Cash from any source	Attestation document

Money Order from any source	Attestation document
Check submitted for match	No attestation required
Credit card payment submitted on paper for a match	No attestation required
Credit Card payment made online	No attestation required

Attestation document includes either the Attestation form published on the program website or a remit slip with the required attestation information, an example of which is published on the program website.

When an attestation form with a handwritten signature is required, the handwritten signature requirement is waived if the donor has a disability that prevents them from providing a handwritten signature.

Requirements for Matchable Contributions

For a contribution to be matched from the Small Donor Elections Fund, it must:

- Be from a Portland resident who is 18 years of age or older,
- Be accompanied by attestation from the donor that the contribution was from them and not another source (if it's a cash or money order donation),
- The donor did not already get the maximum amount matched to another candidate seeking the same office as you. This means that if your donor gave \$10 to you and \$10 to your opponent, both could be matched. But if your donor gave \$20 to your opponent, their subsequent donations to you would not be matched and
- Be validated by the City of Portland that the donor is matchable.

IMPORTANT TIP: A participating candidate may not offer items of value in exchange for a matchable contribution, other than items of minimal value (such as a campaign button or a bumper sticker).

City Matching Funds Caps

City matching funds are capped for the election. For Mayor and Auditor, there is one match cap. For Council races, the match cap is tiered. For Council candidates who collect contributions from at least 250 Portland donors, the match cap is \$100,000. If the candidate needs more campaign funds, they may collect contributions from more Portland donors to qualify for a higher match cap. At a minimum of 750 Portland donors, the match cap becomes \$200,000. At

1,250, it becomes \$300,000. Once a candidate reaches their match cap, they may continue to raise funds but will not receive additional matching funds during that election.

MATCHING FUNDS CAPS			
The 2024 Election	Mayor	Auditor	City Council or Auditor
MATCH CAPS	\$750,000	\$100,000	250 Portland donors - \$100,000 750 Portland donors - \$200,000 1,250 Portland donors - \$300,000

Reporting Requirements

Candidates must follow all state reporting requirements to the Secretary of State’s office.

In addition, once a candidate files a Notice of Intent, they must begin reporting their contributions and expenditures to the Small Donor Elections program on the timeline described in the Reporting Schedule published on the program website and below. Candidates may do this using the OpenElectionsPortland Application found at openelectionsportland.org and linked on the program website. If directed by the Director, campaigns may use the reporting spreadsheet published on the program website to report data.

Even some non-participating candidates and political committees must follow the reporting requirements of the Small Donor Elections law. Non-participating candidates and political committees spending funds in City races in which there is a participating or certified candidate must report the campaign finance activity to the program within 14 days of the election they competed in.

A campaign may report contributions late without penalty if there is a personal emergency or mitigating circumstance as described in Administrative Rule 16. Campaigns that are not required by the state to have a campaign committee because they raise below a low threshold do not have to report to ORESTAR or the Small Donor Elections program.

2024 Election Cycle Reporting Schedule

Once candidates have filed their Notice of Intent, they must begin reporting all contributions to and expenditures from their campaign finance account to the Director according to the Reporting Schedule:

- Regardless of when their first report is due, it must include all transactions from the beginning of the election cycle until 7 days prior to the first deadline that applies.
- All subsequent reports.
- Candidates may stop submitting reports only once the candidate has returned all unspent public funds to the program.

Getting Certified

A candidate may only apply for certification twice in an election cycle. After filing a Notice of Intent, taking the mandatory training, carrying out all reporting requirements, raising enough matchable contributions, and filing for office, candidates may file for certification. Once certified, candidates will begin to receive City Matching Funds, including on the initial matchable contributions they collected to qualify before turning in their certification application.

Receiving Matching Funds

The program will distribute matching funds at least once every month, but likely more often than that. The distribution method will be electronic deposit into the campaign bank account.

Candidates who are not contested may participate in and get certified in the program, but matching funds will not be distributed until the race becomes contested. All matchable contributions will be matched, even the ones collected prior to the race becoming contested. If a candidate receiving matching funds becomes unopposed, no additional matching funds will be distributed as long as the race is uncontested.

Matching rates are subject to change in the event of budget shortfalls. While the Director will endeavor to avoid any lowering of the 9-to-1 match rate or the total match cap, she reserves the right to do so to ensure the solvency of the program. Notice of the lowering of the match rate or cap will be given to campaigns in advance of any changes to reduced payments from the program.

Penalties for Violating Program Requirements

If a candidate violated program requirements, the Director may impose a penalty on the candidate or campaign. The purpose of penalizing violations is to deter the intentional or negligent violation of program requirements, ensure the proper stewardship of public funds, and ensure public transparency in campaign finance. It is not intended to discourage candidates from participating in the program for fear of excessive penalties for errors that do not harm the purpose of the program.

Some penalties must be paid from the candidate's personal funds or another private source, others must be paid from a specific bank account, such as the candidate's campaign bank account. Below is a penalty matrix listing types of violations and penalties.

The Director has discretion as to the severity of the penalty, being able to reduce many similar reporting penalties when they are due to one error repeated several times, and being able to increase penalties for egregious violations, including decertification from the program which triggers the requirement to repay all city matching funds to the program with interest. If a violation occurs due to an error by the Director, the penalty will be waived. The Director may withhold city matching funds until penalties are paid and other required remedies are carried out.

VIOLATION TYPE	DESCRIPTION	PENALTY	CAP	PAYMENT SOURCE
Late Filings	Submitted a transaction late	0.5% of the amount(s) per calendar day	-	Campaign account*
Insufficient Filings	Missing required information or with inaccurate/inadequate information	0.5% if the transaction amount(s) per calendar day if not remedied in time	25% of the amount	Campaign account*
	Remedied in time	-	-	-
Fully Omitted Contributions and Expenditures	Not submitted on time or within the subsequent filing period	1% of the transaction amount(s) per calendar day	50% of transaction amount	Campaign account*
Prohibited Contributions	Returned/reimbursed within 7 days of the reporting deadline and reported as refunded at the next reporting deadline	-	-	Campaign account
	Not returned/reimbursed	Equal to the prohibited amount collected	-	Campaign account
Prohibited Contributions Collected Before Filing Notice of Intent	Provides documentation as to why it's not possible to return	Total amount of the prohibited contribution	-	Campaign account
	Not remedied by the campaign	Ineligibility for certification	-	Campaign account
Prohibited Expenditures	Expenditure made prior to filing Notice of Intent	Personal funds to campaign account in the same amount as the prohibited expenditure and 25% of the prohibited amount. If multiple or egregious prohibited expenditures are made, the candidate may be ineligible for certification.	-	Campaign account and Candidate's personal funds

	Prohibited expenditures after being certified	Curing the prohibited expenditure in time or decertification	Repayment of all public funds plus interest	Campaign account and Candidate's personal funds
In-Kind Contributions in Excess of the Caps (accrued cumulatively)	Violation totaling \$1,000 or less	Equal to the violation amount	-	Campaign account
	Violation totaling \$1,001 or more	Equal to 2x the violation	-	Campaign account
Soliciting/Directing Contributions to Other Campaign Finance Entities	Soliciting or directing contribution to a political committee for the purpose of independent expenditures to support one's own election	At the discretion of the Director	\$10,000	Candidate's personal funds
Misrepresentation of Program Status	Misrepresentation that a candidate is participating in the program when they are not, committed by candidates, campaign staff, or campaign surrogates	\$1,000 per incident	\$5,000	Candidate's personal funds
Falsifying Documents	Submitting to the Director documentation that has been falsified by candidate, campaign staff, or a third party that they do or should have known about	Decertification, repayment of all Public Contributions with 12% interest per annum.	-	Campaign account and candidate's personal funds
Campaign Account Violation	Minor violations	Up to 1x the violation amount	1x the violation	Candidate's personal funds
	Serious violation	Up to 3x the violation amount	3x the violation	Candidate's personal funds

Egregious Violations	Includes failure to timely & accurately report transactions that violate program requirements, failure to remedy a violation within a reasonable period, and failure to pay penalties totaling a large percentage of their privately raised funds within a reasonable time.	May increase penalties by 3x and/or decertification, which requires repayment of all public matching funds with interest.	-	
Other Violations	Campaign violates any other part of the law or rules not delineated here.	Up to \$10,000 or decertification, repayment of all public funds with interest.	\$10,000, not including repayment	Director will specify

*Reporting related violations may be paid by the campaign treasurer if paying such fines is part of the contract with the treasurer.

Documentation, Audits, and Investigations

Any documents participating candidates are required to collect must be retained by the campaign for at least six months after the November 5, 2024 election, unless the original document was given to the program Director.

In addition to the required documentation listed above, participating candidates must provide any records or documentation the Director requests and cooperate with any investigatory measures deemed relevant. The program may conduct unannounced site visits to campaigns to inspect documents.

Honest Elections and Small Donor Elections

In November 2018, Portland voters passed the [Honest Elections policy](#). The ballot measure amended the Portland City Charter to create contribution limits and disclosure requirements for candidates running for the city offices. This is a different policy than the Small Donor Elections program, which was created by a City Council vote in 2016.

If a candidate is running under Small Donor Elections, some of the Honest Elections rules apply to them and some do not:

- Candidates participating in Small Donor Elections are *exempt* from the contribution limits created by Honest Elections, provided that they comply with Small Donor Elections limits.
- Candidates participating in Small Donor Elections *must follow* the disclosure requirements. They must list on their advertisements the top 5 donors who have given \$1,158 or more to their campaign. For Small Donor Elections candidates, this would include their seed funders and their in-kind donors--if those individuals or entities have given over \$1,158 each. The Small Donor Elections program does not have to be disclosed as a donor.

It is important to note that the Office of Small Donor Elections does not oversee or enforce the Honest Elections provisions. Those provisions are enforced by the City Elections Office in the Auditor's office. If your campaign or organization has questions about how to comply with the Honest Elections law (including the disclosure requirements), please [review their website](#) and direct your questions to their office.

Glossary of Commonly Used Terms

Below is a chart of terms that are commonly used in the Small Donor Elections program. Please see the Small Donor Elections Code and Administrative Rules for legal definitions of all defined terms.

COMMONLY USED TERMS	
Participating candidate	A candidate who has filed a Notice of Intent to use the program and has not been rejected from certification nor has the deadline for certification passed without the candidate applying for certification, or A candidate who has been certified to use the program and has not been decertified.
Certified candidate	A candidate who has been certified to use the program and has not been decertified.
Nonparticipating candidate	A candidate who has not filed a Notice of Intent to use the program, A candidate who has filed and withdrawn a Notice of Intent to use the program, A candidate who filed a Notice of Intent to use the program but did not apply for certification before the deadline passed, A candidate who was applied for and was rejected from certification, or A candidate who was certified and then decertified.
Election cycle	The period that begins 45 days after the last election and ends on the November election day. Candidates who use Small Donor Elections program must follow program rules for this period.
Candidate's campaign account	The participating candidate's campaign bank account.
Allowable contribution	A contribution of up to \$350 per donor per election that is from an individual or a small donor organization that is not matchable.
Matchable contribution	A contribution of up to \$350 per donor per election that is from an individual of at least 18 years of age who lives in Portland and who has not already contributed the matchable amount to another candidate running for the same office.
Matchable donor	An individual of at least 18 years of age who lives in Portland.
Contested election	An election in which there are more candidates running than seats to fill.
Family	This includes a spouse, child, parent or step-parent, domestic partners, parents-in-law, grandparents or grandchildren, and household members.
Loan or debt	Participating candidates are prohibited from taking loans for their campaigns. This is not intended to prohibit the use of a campaign credit card, prohibit campaigns from being able to have vendors bill them after goods or services are provided, or pay reimbursable expenses (within reasonable limits in Administrative Rule 3).

Independent expenditure	An expenditure in support of or opposing a candidate or measure that was not coordinated with the candidate that benefits from the expenditure.
Individual	A person, as opposed to an entity (e.g. corporation).
City Matching Funds	Money from the Small Donor Elections Fund that is paid to a certified candidate to match eligible contributions.
Seed money	Up to \$500 of money from any source(s) that a candidate who participates in the program may collect without restriction prior to filing a Notice of Intent to participate in the program. Candidates cannot raise more than \$5000 total in seed funding per election