



# PUBLIC EMPLOYEE COMMUNICATIONS

Impartiality under ORS 260.432  
and OAR 165-013-0030

# The Heart of ORS 260.432

- Prohibits any person from coercing, commanding or requiring a public employee to engage in certain political activity
- Pertains to promotion or opposition of candidates, initiatives, referendums, recalls or measures
- Prohibits public employees from engaging in the above political activity on own accord.
- Statute available here <https://sos.oregon.gov/elections/Documents/ors-260.pdf>

**260.432 Solicitation of public employees; activities of public employees during working hours; recognized student government exception.** (1) No person shall attempt to, or actually, coerce, command or require a public employee to influence or give money, service or other thing of value to promote or oppose any political committee or to promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.

(2) No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.

# OAR 165-013-0030

- Interprets ORS 260.432
- Emphasizes impartiality as guiding principle
- Establishes Safe Harbor Program
- Manual available here  
<https://sos.oregon.gov/elections/Documents/restrictions.pdf>

## **Restrictions on Political Campaigning by Public Employees - ORS 260.432**

*Published by*

Elections Division  
255 Capitol St NE Suite 501  
Salem OR 97310-0722

 503 986 1518  
**fax** 503 373 7414  
**tty** 1 800 735 2900  
[www.oregonvotes.gov](http://www.oregonvotes.gov)

*Adopted by*

Oregon Administrative Rule No. 165-013-0030

# ORS 260.432 Enforcement

- Complaint- driven process
- Complaint must be signed by an Oregon elector and must enunciate a violation of Oregon election law.
- Complaint acknowledged and subject noticed within 72 hrs.
- Investigation typically includes letters of inquiry
- Complaints may be dismissed without further action, warning letter issued, referred to DOJ for criminal prosecution or Penalty assessed.



# Which of the following is a key element of ORS 260.432 compliance?

- A. A statement about what happens if the bond measure passes.
- B. A statement about the cost of the bond.
- C. A statement about what happens if the bond does not pass.
- D. A & B.
- E. All of the above.

# Who must comply with ORS 260.432?

- A. Public employees.
- B. Elected officials.
- C. All persons.
- D. A & B.

# What is the best way to refer to a proposed tax rate?

- A. \$1.23 per \$1000 of value.
- B. \$1.23 / \$1000 of assessed value.
- C. \$1.23 per \$1000 of assessed value.
- D. \$1.23 / each \$1000 of assessed value.



# DISTRICT REFERRAL PROCESS

ORS Chapter 255; ORS 250.035

OAR 165-014-0005



# How to place a measure on the ballot

- Obey the timeline – there are consequences if you don't!
- Seek legal counsel advice – fore warned is fore armed
- Know your resources
  - County Elections Officials
  - Secretary of State and the County, City, and District Referral Manual
  - Property Tax Division, Oregon Department of Revenue
  - Oregon State Treasury

## District Referral Steps

