SUMMARY

Directs Oregon Government Standards and Practices Commission to consider public interest and other penalties that may be imposed against public official before imposing penalty for violation of government ethics laws.

Directs commission to consider adoption of rules on issues of general interest to public officials or that are addressed by commission on recurring basis.

Authorizes public bodies or statewide associations of public bodies to adopt government ethics rules or policies consistent with state law. Allows commission to approve or reject rules or policies. Prohibits commission from imposing penalty against public official if official acted in compliance with rule or policy approved by commission.

Sets 60-day deadline for commission to address requests for commission advisory opinions. Allows two 30-day extensions. Specifies that commission or court may not impose penalty against person for good faith action taken in reliance on commission advisory opinion.

Sets 30-day deadline for executive director of commission to address requests for staff advisory opinions. Allows one 30-day extension. Specifies that before imposing penalty against person, commission or court must consider whether action subject to penalty was taken in reliance on staff advisory opinion.

Authorizes staff of commission to issue staff advice. Specifies that before imposing penalty against person, commission or court may consider whether action subject to penalty was taken in reliance on staff advice.

A BILL FOR AN ACT

Relating to government ethics; creating new provisions; amending ORS 171.745, 171.750, 244.020, 244.100, 244.110, 244.130, 244.195, 244.250, 244.270, 244.280, 244.290, 244.310 and 244.390; and repealing ORS 244.080.

Be It Enacted by the People of the State of Oregon:

COMMISSION STRUCTURE

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.
SECTION 1. ORS 244.250 is amended to read:

244.250. (1) The Oregon Government Standards and Practices Commission is established, consisting of seven members. The appointment of a member of the commission is subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. Members shall be appointed in the following manner [to be confirmed by the Senate]:

(a) [Four members appointed by] The Governor shall appoint four members from among persons recommended, one each by the leadership of the Democratic and Republican parties in each house of the Legislative Assembly. If a person recommended by the leadership of the Democratic or Republican party is not approved by the Governor, the leadership shall recommend another person [shall be recommended].

(b) [Three members appointed by] The Governor shall appoint three members without leadership recommendation[.]. No more than two [of whom shall be from] members appointed under this paragraph may be members of the same major political party.

(2) [No] A person who holds any public office listed in ORS 244.050 (1) except as a member of the commission [shall] may not be appointed to the commission. No more than four members [shall] may be members of the same political party.

(3) The term of office is four years. [No] A member [shall be] is not eligible to be appointed to more than one full term but may serve out an unexpired term. [However, those members first appointed to the commission serving less than a three-year term are eligible for a second appointment for a full term.] Vacancies shall be filled by the appointing authority for the unexpired term.

(4) The commission shall elect a chairperson and vice chairperson for such terms and duties as the commission may require.

(5) A quorum consists of four members but [no] a final decision may not be made without an affirmative vote of the majority of the members appointed to the commission.
(6) Members shall be entitled to compensation and expenses as provided in ORS 292.495.

(7) The commission may retain or appoint qualified legal counsel who [shall] must be a member of the Oregon State Bar and who [shall be] is responsible to the commission. The appointment of legal counsel under this subsection [shall] may be made only when the commission finds it is inappropriate and contrary to the public interest for the office of the Attorney General to represent concurrently more than one public official or agency in any matter before the commission because [such] the representation:

(a) Would create or tend to create a conflict of interest; and

(b) Is not subject to ORS 180.230 or 180.235.

(8) The Attorney General [shall] may not represent before the commission any state public official who is the subject of any complaint or action of the commission at the commission’s own instigation.

CONSIDERATION OF OTHER SANCTIONS

SECTION 2. ORS 244.390 is amended to read:

244.390. (1) The penalties and sanctions that may be imposed by the Oregon Government Standards and Practices Commission or a court under this chapter are in addition to and not in lieu of any other penalty or sanction prescribed or authorized by law [which] that applies to the conduct of public officials.

(2) Before making a finding that there is cause to undertake an investigation under ORS 244.260, before imposing a civil penalty under ORS 244.350 involving a violation of any provision of this chapter and before requiring forfeiture of any amount under ORS 244.360, the commission or a court shall consider the public interest and any other penalty or sanction that has or may be imposed against the public official as a result of the same conduct that is the subject of action by the commission or court under ORS 244.260.
RULEMAKING

SECTION 3. ORS 244.290 is amended to read:

244.290. (1) The Oregon Government Standards and Practices Commission shall:

[(1)] (a) Prescribe forms for statements required by this chapter and provide the forms to persons required to file the statements under this chapter or pursuant to a resolution adopted [pursuant thereto] under this chapter.

[(2)] (b) Prepare, publish and provide a manual setting forth recommended uniform methods of reporting for use by persons filing statements under this chapter or pursuant to a resolution adopted [pursuant thereto] under this chapter.

[(3)] (c) Develop a filing, coding and cross-indexing system consistent with the purposes of this chapter.

[(4)] (d) Prepare and publish [such] reports [as] the commission finds are necessary.

[(5)] (2) The commission shall adopt rules necessary to carry out its duties under ORS 171.725 to 171.785 and 171.992 and this chapter, including rules to:

(a) Create a procedure under which items before the commission may be treated under a consent calendar and voted on as a single item;

(b) Exempt a public official who is otherwise required to file a statement pursuant to ORS 244.050 from filing the statement if the regularity, number and frequency of the meetings and actions of the body over which the public official has jurisdiction are so few or infrequent as not to warrant the public disclosure;

(c) Establish an administrative process whereby a person subpoenaed by the commission may obtain a protective order; and

(d) List criteria and establish a process for the commission to use prosecutorial discretion to decide whether to proceed with an inquiry or in-
vestigation.

(3) The commission may adopt rules that:

(a) Limit the minimum size of, or otherwise establish criteria for
or identify, the smaller classes that qualify under the class exception
from the definition of “potential conflict of interest” under ORS 244.020
(14);

(b) Require the disclosure and reporting of gifts or other compens-
sation made to or received by a public official or candidate for public
office;

(c) Establish criteria for cases in which information relating to
notices of actual or potential conflicts of interest shall, shall not, or
may be provided to the commission under ORS 244.130; or

(d) Allow the commission to accept the filing of a form containing
less than the information required under ORS 244.060 and 244.070 if the
public official certifies on the form that the information contained on
the form previously filed is unchanged or certifies only as to any
changed material.

(4) Not less frequently than once each calendar year, the commis-
sion shall:

(a) Consider adoption of rules the commission deems necessary to
implement or interpret provisions of this chapter on issues the com-
mission determines are of general interest to public officials or that
are addressed by the commission or by commission staff on a recur-
ring basis; and

(b) Review rules adopted by the commission to determine whether
the rules have continuing applicability or whether the rules should be
amended or repealed.

SECTION 4. Section 5 of this 2007 Act is added to and made a part
of ORS chapter 244.

SECTION 5. (1) For the purpose of protecting against violations of
the provisions of this chapter, a public body as defined in ORS 174.109,
or a statewide association of public bodies, may adopt rules or policies interpreting the provisions of this chapter. The rules or policies must be consistent with the provisions of this chapter. A public body or an association of public bodies may submit rules or policies adopted under this subsection to the Oregon Government Standards and Practices Commission for review.

(2) Upon receiving rules or policies submitted under subsection (1) of this section, the commission shall review the rules or policies to determine whether the rules or policies are consistent with the provisions of this chapter. The commission, by a vote of the majority of the members of the commission at a meeting, shall approve or reject the rules or policies. The approval or rejection shall be in writing. A written rejection shall explain the reasons for the rejection.

(3) Unless the applicable rule or policy is revised or revoked, the commission or a court may not impose a penalty under ORS 244.350 or 244.360 against a public official for any good faith action the official takes in compliance with a rule or policy adopted by the public body the official serves, or by an association of which that public body is a member, and approved by the commission under subsection (2) of this section.

SECTION 6. ORS 244.100 is amended to read:

244.100. [(1) The Oregon Government Standards and Practices Commission by rule may require the disclosure and reporting of gifts or other compensation made to or received by a public official or candidate for elective office.]

[(2) The commission by rule may exempt from the gift limitation contained in ORS 244.040, any gift of food or beverage but may require that when gifts of food or beverage exceed a dollar amount fixed by the commission, the source thereof shall be disclosed on a form prescribed by the commission.]

[(3)] In addition to any disclosures or reports required under [subsections (1) and (2) of this section] rules adopted under ORS 244.290, any person or organization that provides a public official with food, lodging or travel ex-
penses exceeding [$50] $100, as described in ORS 244.060 (6), shall notify the
public official in writing of the amount of the expense. The notice shall be
sent to the public official within 10 days from the date [such] the expenses
are incurred.

SECTION 7. ORS 244.110 is amended to read:
244.110. (1) Any statement of economic interest required to be filed by
ORS 244.050, 244.060, 244.070[. 244.080, 244.090 or 244.100] or 244.090 or by
rule under ORS 244.290 shall contain or be verified by a written declaration
that it is made under the penalties of false swearing. [Such] The declaration
[shall be] is in lieu of any oath otherwise required.
(2) [No] A person [shall] may not willfully make and subscribe any re-
turn statement or other document [which] that contains or is verified by a
written declaration that it is made under penalties for false swearing, which
the person does not believe to be true and correct to every matter.

SECTION 8. ORS 244.020 is amended to read:
244.020. As used in this chapter, unless the context requires otherwise:
(1) “Actual conflict of interest” means any action or any decision or rec-
ommendation by a person acting in a capacity as a public official, the effect
of which would be to the private pecuniary benefit or detriment of the person
or the person’s relative or any business with which the person or a relative
of the person is associated unless the pecuniary benefit or detriment arises
out of circumstances described in subsection (14) of this section.
(2) “Business” means any corporation, partnership, proprietorship, firm,
enterprise, franchise, association, organization, self-employed individual and
any other legal entity operated for economic gain but excluding any
income-producing not-for-profit corporation that is tax exempt under section
501(c) of the Internal Revenue Code with which a public official or a relative
of the public official is associated only as a member or board director or in
a nonremunerative capacity.
(3) “Business with which the person is associated” means:
(a) Any private business or closely held corporation of which the person
or the person's relative is a director, officer, owner or employee, or agent
or any private business or closely held corporation in which the person or
the person's relative owns or has owned stock, another form of equity in-
terest, stock options or debt instruments worth $1,000 or more at any point
in the preceding calendar year;
(b) Any publicly held corporation in which the person or the person's
relative owns or has owned $100,000 or more in stock or another form of
equity interest, stock options or debt instruments at any point in the pre-
ceding calendar year;
(c) Any publicly held corporation of which the person or the person's
relative is a director or officer; or
(d) For public officials required to file a statement of economic interest
under ORS 244.050, any business from which 50 percent or more of the total
annual income of the person and members of the person's household is de-
rived during the current calendar year.
(4) "Commission" means the Oregon Government Standards and Practices
Commission.
(5) "Development commission" means any entity which has the authority
to purchase, develop, improve or lease land or the authority to operate or
direct the use of land. This authority must be more than ministerial.
(6) "Expenditure" has the meaning given that term in ORS 260.005.
(7) "Gift" means something of economic value given to a public official
or the public official's relative without valuable consideration of equivalent
value, including the full or partial forgiveness of indebtedness, which is not
extended to others who are not public officials or the relatives of public of-
ficials on the same terms and conditions; and something of economic value
given to a public official or the public official's relative for valuable con-
sideration less than that required from others who are not public officials.
However, "gift" does not mean:
(a) Campaign contributions, as described in ORS chapter 260.
(b) Gifts from family members.
(c) The giving or receiving of food, lodging and travel when participating in an event which bears a relationship to the public official's office and when appearing in an official capacity, subject to the reporting requirement of ORS 244.060 (6).

(d) The giving or receiving of food or beverage if the food or beverage is consumed by the public official or the public official's relatives in the presence of the purchaser or provider thereof.

(e) The giving or receiving of entertainment if the entertainment is experienced by the public official or the public official's relatives in the presence of the purchaser or provider thereof and the value of the entertainment does not exceed $100 per person on a single occasion and is not greater than $250 in any one calendar year.

(8) "Honoraria" means a payment or something of economic value given to a public official in exchange for services upon which custom or propriety prevents the setting of a price. Services include, but are not limited to, speeches or other services rendered in connection with an event at which the public official appears in an official capacity.

(9) "Income" means income of any nature derived from any source, including, but not limited to, any salary, wage, advance, payment, dividend, interest, rent, honoraria, return of capital, forgiveness of indebtedness, or anything of economic value.

(10) "Legislative or administrative interest" means an economic interest, distinct from that of the general public, in one or more bills, resolutions, regulations, proposals or other matters subject to the action or vote of a person acting in the capacity of a public official.

(11) "Legislative official" means any member or member-elect of the Legislative Assembly, any member of an agency, board or committee that is part of the legislative branch and any staff person, assistant or employee thereof.

(12) "Member of household" means any relative who resides with the public official.

(13) "Planning commission" means a county planning commission created
under ORS chapter 215 or a city planning commission created under ORS chapter 227.

(14) "Potential conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of the following:

(a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.

(b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.

[The commission may by rule limit the minimum size of or otherwise establish criteria for or identify the smaller classes that qualify under this exception.]

(c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

(15) "Public official" means any person who, when an alleged violation of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other public body of the state as an officer, employee, agent or otherwise, and irrespective of whether the person is compensated for such services.

(16) "Relative" means the spouse of the public official, any children of the public official or of the public official's spouse, and brothers, sisters or parents of the public official or of the public official's spouse.

(17) "Statement of economic interest" means a statement as described by ORS 244.060 to 244.080.
(18) "Statewide official" means the Secretary of State or Secretary of State-elect, State Treasurer or State Treasurer-elect, Superintendent of Public Instruction or Superintendent-elect of Public Instruction, Attorney General or Attorney General-elect and the Commissioner of the Bureau of Labor and Industries or the Commissioner-elect of the Bureau of Labor and Industries.

(19) "Zoning commission" means an entity to which is delegated at least some of the discretionary authority of a planning commission or governing body relating to zoning and land use matters.

SECTION 9. ORS 244.130 is amended to read:

244.130. (1) When a public official gives notice of an actual or potential conflict of interest, the actual or potential conflict shall be recorded in the official records of the public body, and a notice of the actual or potential conflict and how it was disposed of may in the discretion of the public body be provided the Oregon Government Standards and Practices Commission within a reasonable period of time. [The commission may by rule establish criteria for cases in which such information shall, shall not, or may be provided to it.]

(2) [No] A decision or action of any public official or any board or commission on which the public official serves or agency by which the public official is employed [shall] may not be voided by any court solely by reason of the failure of the public official to disclose an actual or potential conflict of interest.

SECTION 10. ORS 244.195 is amended to read:

244.195. (1) The city recorder or county clerk, respectively, shall provide to every person newly elected or appointed to any city or county office for which statements of financial interest are required under ORS 244.050 information about the requirements of ORS 244.050, 244.060, 244.070[, 244.080] and 244.090 either at the first meeting attended by the new officer or before the officer takes the oath of office, whichever is first.

(2) At the time of fulfilling duties under subsection (1) of this section, the
city recorder or county clerk shall provide to each new officer a copy of the
statements and explanation provided to the city recorder or county clerk
under subsection (3) of this section.

(3) The Oregon Government Standards and Practices Commission shall
provide copies of the statements described in ORS 244.060, 244.070[, 244.080]
and 244.090 and an explanation of the requirements of the law relating to the
statements to each city recorder and county clerk.

(4) Any person described in subsection (1) of this section who is not in-
formed of the filing requirements under ORS 244.050, 244.060, 244.070[, 244.080] and 244.090 and provided with a copy of the statements and expla-
nation described in subsection (3) of this section before taking the oath of
office may resign that office within 90 days thereafter or before the next date
specified in ORS 244.050 for the filing of a statement, whichever is longer,
without filing any statement and without sanction or penalty that might
otherwise be imposed for not filing.

SECTION 11. ORS 244.270 is amended to read:

244.270. If the Oregon Government Standards and Practices Commission
finds that an appointed public official has violated any provision of this
chapter or any rule adopted [pursuant thereto] under ORS 244.290, the find-
ing [shall constitute] is prima facie evidence of unfitness where removal is
authorized for cause either by law or pursuant to section 6, Article VII
(Amended) of the Oregon Constitution.

SECTION 12. ORS 244.080 is repealed.

ADVISORY OPINIONS

SECTION 13. ORS 244.280 is amended to read:

244.280. (1) Upon the written request of any [public official, candidate for
public office or any] person, or upon its own motion, the Oregon Government
Standards and Practices Commission, under signature of the chairperson,
may issue and publish written commission advisory opinions on the [re-
requirements] application of any provision of this chapter, based on] to any proposed transaction or action or any actual or hypothetical circumstances. A commission advisory opinion, including a decision by the commission to issue an advisory opinion on its own motion, must be approved by a majority of the members of the commission at a meeting of the commission. Legal counsel to the commission shall review a proposed commission advisory opinion before the opinion is considered by the commission.

(2) Not later than 60 days after the date the commission receives the written request for a commission advisory opinion, the commission shall issue either the opinion or a written denial of the request. The written denial shall explain the reasons for the denial. The commission may ask the person requesting the advisory opinion to supply additional information the commission considers necessary to render the opinion. The commission, by vote of a majority of the members of the commission at a meeting of the commission, may extend the 60-day deadline by a period not to exceed 30 days. The commission may not issue more than two extensions.

(3) Except as provided in this subsection, unless the commission advisory opinion is revised or revoked, the commission or a court may not impose a penalty under ORS 244.350 or 244.360 against a person for any good faith action the person takes in reliance on a commission advisory opinion issued under this section. The commission or a court may impose a penalty under ORS 244.350 or 244.360 against the person who requested the advisory opinion if the commission or court determines that the person omitted or misstated material facts in making the request.

(2) If any public official or business with which the public official is associated is in doubt whether a proposed transaction or action constitutes a violation of this chapter, the public official or the business may request in writing a determination from the commission. If any public official is in doubt
whether receipt of an honoraria is in violation of this chapter because the
person paying the honoraria may be found to have a legislative or adminis-
trative interest, the public official shall request in writing a determination
from the commission. The requester shall supply such information as the
commission requests to enable it to issue the interpretation.]

[(3) A public official or business with which a public official is associated
shall not be liable under this chapter, for any action or transaction carried out
in accordance with an advisory interpretation issued under subsection (2) of
this section. Such an advisory interpretation shall be considered a formal
opinion having precedential effect and shall be subject to review by legal
counsel to the commission before the interpretation is sent to the requester.]

SECTION 14. Sections 15 and 16 of this 2007 Act are added to and
made a part of ORS chapter 244.

SECTION 15. (1) Upon the written request of any person, the exec-
utive director of the Oregon Government Standards and Practices
Commission may issue and publish written staff advisory opinions on
the application of any provision of this chapter to any proposed
transaction or action or any actual or hypothetical circumstances.

(2) Not later than 30 days after the date the executive director re-
ceives the written request for a staff advisory opinion, the executive
director shall issue either the opinion or a written denial of the re-
quest. The written denial shall explain the reasons for the denial. The
executive director may ask the person requesting the advisory opinion
to supply additional information the executive director considers nec-
essary to render the opinion. The executive director may extend the
30-day deadline by one period not to exceed 30 days. The executive di-
tector shall clearly designate an opinion issued under this section as
a staff advisory opinion.

(3) Except as provided in this subsection, unless the staff advisory
opinion is revised or revoked, before imposing any penalty under ORS
244.350 or 244.360, the commission or a court shall consider whether the
action that may be subject to penalty was taken in reliance on a staff
advisory opinion issued under this section. If the penalty may be im-
posed against the person who requested the opinion, the commission
or court is not required to consider reliance on the opinion if the
commission or court determines that the person omitted or misstated
material facts in making the request.

(4) At each regular meeting of the commission, the executive di-
rector shall report to the commission on all staff advisory opinions
issued since the last regular meeting of the commission. The com-
mission on its own motion may issue a commission advisory opinion
under ORS 244.280 on the same facts or circumstances.

SECTION 16. (1) Upon the written or oral request of any person, the
executive director or other staff of the Oregon Government Standards
and Practices Commission may issue written or oral staff advice re-
garding the application of any provision of this chapter to any pro-
posed transaction or action or any actual or hypothetical
circumstances. Any written advice not designated a staff advisory
opinion under section 15 of this 2007 Act is considered staff advice is-
sued under this section.

(2) Before imposing any penalty under ORS 244.350 or 244.360, the
commission or a court may consider whether the action that may be
subject to penalty was taken in reliance on staff advice issued under
this section.

SECTION 17. ORS 244.310 is amended to read:

244.310. (1) The Oregon Government Standards and Practices Commission
shall appoint an executive director to serve at the pleasure of the commis-

(2) The executive director [shall be] is responsible for the administrative
operations of the commission and shall perform such other duties as may be
designated or assigned to the executive director from time to time by the
commission. [However,]
(3) The commission [shall] may not delegate the power to [make regulations] adopt rules or issue commission advisory opinions to the executive director.

CONFORMING CHANGES

SECTION 18. ORS 171.745 is amended to read:
171.745. (1) A lobbyist registered with the Oregon Government Standards and Practices Commission or required to register with the commission shall, on January 31 and July 31, of each even-numbered year, and on January 31, April 30 and July 31 of each odd-numbered year, file with the commission a statement showing:
(a) The total amount of all moneys expended by the lobbyist for the purpose of lobbying in the preceding reporting period for:
(A) Food, refreshments and entertainment;
(B) Printing, postage and telephone;
(C) Advertising, public relations, education and research; and
(D) Miscellaneous; and
(b) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure in excess of $25 is made for the purposes of lobbying, and the date, name of payee, purpose and amount of that expenditure.
(2) Beginning on July 1, 1979, the dollar amount specified in subsection (1)(b) of this section shall be adjusted annually by the commission based upon the change in the Portland Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor or its successor during the preceding 12-month period. The amount determined under this subsection shall be rounded to the nearest dollar.
(3) Statements required by this section need not include amounts expended by the lobbyist for personal living and travel expenses and office
overhead, including salaries and wages paid for staff and secretarial assistance, and maintenance expenses. If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate of the expenditure shall be submitted in the statement and designated as an estimate. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.

(4) Notwithstanding ORS 171.735, 171.740 and subsections (1) to (3) of this section, a registered lobbyist, who engages in lobbying activities without compensation on behalf of an organization is not required to register as a lobbyist for the organization as long as the lobbying activity does not exceed the financial or time limits set in ORS 171.735 (4).

(5) A statement required by this section shall include a copy of any notice provided to a public official under ORS 244.100 [(3)].

(6) For each statement required by this section, an entity comprised of more than one lobbyist may file one statement that reports expenditures by the entity and not by individual lobbyists.

SECTION 19. ORS 171.750 is amended to read:

171.750. (1) Any person on whose behalf a lobbyist was registered, or was required to register with the Oregon Government Standards and Practices Commission at any time during the preceding calendar year, shall file with the commission, by January 31st of each year, a statement showing, for the preceding calendar year:

(a) The total amount of all moneys expended for lobbying activities on the person’s behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services.

(b) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure in excess of $25 for the purpose of lobbying is made by the person, but not including information previously reported in compliance with ORS 171.745, and the date, name of payee, purpose and amount of that expenditure.

[17]
(2) Using July 1, 1979, as the base, the dollar amount specified in subsection (1)(b) of this section shall be adjusted annually by the commission based upon the change in the Portland Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor, or its successor, during the preceding 12-month period. The amount determined under this subsection shall be rounded to the nearest dollar.

(3) A statement required under subsection (1) of this section shall include a copy of any notice provided to a public official under ORS 244.100 [(3)].

MISCELLANEOUS PROVISIONS

SECTION 20. (1) Section 5 of this 2007 Act and the amendments to ORS 244.390 by section 2 of this 2007 Act apply to alleged violations of any provision of ORS chapter 244 that occur on or after the effective date of this 2007 Act.

(2) The amendments to ORS 244.280 by section 13 of this 2007 Act apply to commission advisory opinions issued on or after the effective date of this 2007 Act.

(3) Section 15 of this 2007 Act applies to staff advisory opinions issued on or after the effective date of this 2007 Act.

(4) Section 16 of this 2007 Act applies to staff advice issued on or after the effective date of this 2007 Act.

SECTION 21. The unit captions used in this 2007 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2007 Act.