

Disclosing Conflicts of Interest

When met with a conflict of interest, there are different disclosure requirements depending on the nature of the public official's position.



**Members of the
Legislative Assembly**

Must announce publicly, pursuant to the rules of the house of which they are a member, the nature of the conflict before taking any action on the matter. [ORS 244.120(1)(a)]



Judges

Must be removed from the case giving rise to the conflict or must advise the parties of the nature of the conflict. [ORS 244.120(1)(b)]



**Any other appointed
official (including
public employees)**

Must notify their appointing authority, in writing, of the nature of the conflict and request that authority dispose of the matter giving rise to the conflict. The appointing authority shall designate an alternate to dispose of the matter or direct the official to dispose of it in a manner specified by the appointing authority. [ORS 244.120(1)(c)]



**Elected public officials
(other than legislators)
or appointed public
officials serving on a
board or commission**

Announce publicly the nature of the conflict of interest. Then:

- If it is a potential conflict of interest, they may continue to participate in the discussion, debate or vote on the matter.
- If it is an actual conflict of interest, they must refrain from participating in any discussion, debate or vote on the matter. [ORS 244.120(2)].

Minimum Votes Exception: If a public official's vote is necessary to meet a requirement of a minimum number of votes to take official action, an elected public official (or one serving on a board or commission) with an actual conflict of interest may be eligible to vote on the issue giving rise to their conflict of interest, but may not participate in any discussion or debate on the issue. [ORS 244.120(2)(b)(B)].

OGEC staff are available by phone or email to discuss how the minimum votes exception works. You can reach us at mail@ogec.oregon.gov or 503-378-5105.