

LC 596
2019 Regular Session
16500-013
8/16/18 (DRG/ps)

D R A F T

SUMMARY

Removes requirement that county clerk move elector to inactive status if elector has neither voted nor updated registration for five or more years. Permits military and overseas voters to request ballot by using electronic mail or facsimile machine.

Includes within definition of “political committee” combination of two or more persons that received contribution or made expenditure for purpose of supporting or opposing initiative, referendum or recall petition.

Removes gender requirement for selecting precinct committeepersons.

Requires Secretary of State to reimburse county clerk for expenses to hold special election on date other than date of primary or general election. Includes community college districts and emergency communication districts under definition of “district” for purpose of special district elections. Removes prohibition on electioneering in or near elections office.

Amends information required in candidate statement of organization.

Clarifies date used to calculate proportionate votes of county commissioners in event of legislative vacancy.

Permits state officers to designate employee to represent state officer and vote in financial estimate committee. Requires financial estimate and explanatory statement committees to wait at least four days after draft statement is filed before holding hearing.

Amends geographic distribution requirements for signatures on nominating petitions.

Establishes parameters under which major and minor political parties are entitled to statewide list of electors. Amends requirements for status as major and minor political party. Permits major political party to adopt rule permitting nomination of candidate who has not been member of party for at least 180 days. Permits minor political party to nominate replacements for vacancy in certain offices. Repeals right of political party to have exclusive right to use whole party name or any part of it.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to elections; amending ORS 171.060, 171.062, 171.068, 188.120, 236.215,
3 236.217, 246.021, 246.179, 247.013, 247.940, 247.945, 247.965, 248.006, 248.008,
4 248.015, 249.046, 249.068, 249.072, 249.078, 249.865, 250.125, 250.127, 251.215,
5 253.540, 253.565, 254.155, 255.012, 260.005, 260.039, 260.049, 260.695 and
6 260.993; repealing ORS 248.010; and prescribing an effective date.

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

8 **SECTION 1.** ORS 247.013 is amended to read:

9 247.013. (1) A qualified person shall be considered registered to vote in a
10 county when the person's first registration in the county occurs as described
11 in ORS 247.012.

12 (2) An elector who changes residence address from the county in which
13 the elector is registered to a different county within the state, in order to
14 vote in an election, must be an elector registered in the county in which the
15 new residence address of the elector is located.

16 (3) If there is a change in any information required for registration under
17 this chapter, and the elector has not changed residence address to another
18 county, the registration of the elector may be updated as provided in this
19 chapter.

20 (4) Notwithstanding subsections (2) and (3) of this section, if an elector
21 changes residence address from the county in which the elector is registered
22 to a different county within the state, the elector need not register again if
23 the registration of the elector is updated.

24 (5) If the county clerk does not have evidence of a change in any infor-
25 mation required for registration under this chapter for an elector, the regis-
26 tration of the elector shall be considered active.

27 (6) The registration of an elector shall be considered inactive if:

28 (a) The county clerk has received evidence that there has been a change
29 in the information required for registration under this chapter [*or the elector*
30 *has neither voted nor updated the registration for a period of not less than five*
31 *years*];

1 (b) The county clerk has mailed the notice described in ORS 247.563.

2 [(7) *The registration of an elector shall not be moved to an inactive file*
3 *during the 60-day period prior to any election because the elector has neither*
4 *voted nor updated the registration for a period of not less than five years.*]

5 [(8)] (7) The inactive registration of an elector must be updated before the
6 elector may vote in an election.

7 **SECTION 2.** ORS 253.540 is amended to read:

8 253.540. (1) Any military or overseas elector may secure a ballot by sub-
9 mitting an application as specified in subsection (2) of this section to the
10 clerk of the county of the military or overseas elector's residence, or to the
11 Secretary of State. If the application is addressed to the Secretary of State,
12 the secretary shall forward it to the appropriate county clerk.

13 (2) An application for a ballot by a military or overseas elector shall be
14 made in the form of a written request **and may be submitted by mail,**
15 **electronic mail, a facsimile machine or other means identified by the**
16 **Secretary of State by rule.** The application shall be valid for every subse-
17 quent election until the elector otherwise notifies the clerk or is no longer
18 an elector of the county. The application shall be signed by the applicant
19 and contain.:

20 (a) The name and current mailing address of the applicant;

21 (b) A statement that the applicant is a citizen of the United States;

22 (c) A statement that the applicant will be 18 years of age or older on the
23 date of the election;

24 (d) A statement that for more than 20 days preceding the election the
25 applicant's home residence has been in this state, and giving the address of
26 the last home residence;

27 (e) A statement of the facts that qualify the applicant as a military or
28 overseas elector or as the spouse or a dependent of a military or overseas
29 elector;

30 (f) A statement that the applicant is not requesting a ballot from any
31 other state and is not voting in any other manner in the election except by

1 the requested ballot; and

2 (g) If the applicant desires to vote in a primary election, a designation
3 of the applicant's political party affiliation or a statement that the applicant
4 is not affiliated with any political party. An applicant not affiliated with any
5 political party may request a ballot for a major political party. The applicant
6 shall be sent the ballot for the political party that the applicant requested
7 if that political party has provided under ORS 254.365 for a primary election
8 that admits electors not affiliated with any political party.

9 **SECTION 3.** ORS 253.565 is amended to read:

10 253.565. (1) Any military or overseas elector may secure a special ballot
11 for a primary election or general election by making an application under
12 this section if the elector believes that:

13 (a) The elector will be residing, stationed or working outside the territo-
14 rial limits of the United States and the District of Columbia; and

15 (b) The elector will be unable to vote and return a regular ballot by
16 normal mail delivery within the period provided for regular absent electors.

17 (2) A military or overseas elector shall make the application for a special
18 ballot in the form of a written request, **which may be submitted by mail,**
19 **electronic mail, a facsimile machine or other means identified by the**
20 **Secretary of State by rule.** The elector shall submit the application before
21 the date of the applicable election to the clerk of the county of the military
22 or overseas elector's residence or to the Secretary of State. If the application
23 is addressed to the Secretary of State, the secretary shall forward it to the
24 appropriate county clerk. The application shall be signed by the applicant
25 and contain:

26 (a) The name and current mailing address of the applicant;

27 (b) A designation of the election for which the applicant requests a spe-
28 cial ballot;

29 (c) A statement that the applicant is a citizen of the United States;

30 (d) A statement that the applicant will be 18 years of age or older on the
31 date of the election;

1 (e) A statement that for more than 20 days preceding the election the
2 applicant's home residence has been in this state, and giving the address of
3 the last home residence;

4 (f) A statement of the facts that qualify the applicant as a military or
5 overseas elector or as the spouse or a dependent of a military or overseas
6 elector;

7 (g) A statement of the facts that qualify the applicant to vote by means
8 of a special ballot;

9 (h) A statement that the applicant is not requesting a ballot from any
10 other state and is not voting in any other manner in the election except by
11 the requested special ballot; and

12 (i) If the applicant requests a ballot for a primary election, a designation
13 of the applicant's political party affiliation or a statement that the applicant
14 is not affiliated with any political party. An applicant not affiliated with any
15 political party may request a ballot for a major political party. The appli-
16 cant shall be sent the ballot for the political party that the applicant re-
17 quested if that political party has provided under ORS 254.365 for a primary
18 election that admits electors not affiliated with any political party.

19 (3) An application for a special ballot shall be valid only for the election
20 specified in the application.

21 (4) The county clerk shall list on the special ballot the offices and meas-
22 ures scheduled to appear on the regular ballot, if known when the ballot is
23 prepared, and provide space in which the elector may write in the elector's
24 preference.

25 (5) The elector may write in the name of any eligible candidate for each
26 office to be filled or for which nominations will be made at the election, and
27 may vote on any measure submitted at the election.

28 **SECTION 4.** ORS 246.021 is amended to read:

29 246.021. (1) Except as provided in ORS 247.012 and subsection (2) of this
30 section, an election document and an accompanying payment of fees required
31 to be filed with the Secretary of State, county clerk or other filing officer

1 must be delivered to and actually received at the office of the designated
2 officer not later than 5 p.m. of the day the document or fee is due or, if the
3 day due is a Saturday, Sunday or holiday, on the next business day.

4 (2) If, at 5 p.m. of the day an election document is due, an individual is
5 physically present in the office of the secretary, county clerk or other filing
6 officer and in line waiting to deliver the document, the individual is con-
7 sidered to have begun the act of delivering the document and is permitted
8 to file it.

9 (3) Except as provided in ORS **253.540, 253.565 and** 253.690, any election
10 document required to be filed with the filing officer other than ballots, voter
11 registration cards or petitions requiring signatures of electors may also be
12 filed by means of an electronic facsimile transmission machine or electronic
13 mail. If an election document is required to be filed by a specified time, the
14 entire document must be received at the office of the filing officer not later
15 than 5 p.m. of the day the document is due or, if the day due is a Saturday,
16 Sunday or holiday, on the next business day.

17 (4) Notwithstanding any provision of subsections (1) to (3) of this section,
18 if a statement is required to be filed electronically under ORS 260.057:

19 (a) The statement must be received electronically at the office of the
20 Secretary of State not later than 11:59 p.m. of the day the statement is due
21 or, if the day due is a Saturday, Sunday or holiday, on the next business day;
22 and

23 (b) The Secretary of State may not accept the filing of the statement in
24 any form other than an electronic format.

25 (5) As used in this section, "election document" includes, but is not lim-
26 ited to, a declaration of candidacy for nomination for public or political
27 party office, completed nominating petitions, statements and portraits for
28 voters' pamphlets, statements of election campaign contributions and ex-
29 penditures, and initiative, referendum or recall petitions.

30 **SECTION 5.** ORS 260.005, as amended by section 14, chapter 70, Oregon
31 Laws 2018, is amended to read:

1 260.005. As used in this chapter:

2 (1)(a) “Candidate” means:

3 (A) An individual whose name is printed on a ballot, for whom a decla-
4 ration of candidacy, nominating petition or certificate of nomination to
5 public office has been filed or whose name is expected to be or has been
6 presented, with the individual’s consent, for nomination or election to public
7 office;

8 (B) An individual who has solicited or received and accepted a contribu-
9 tion, made an expenditure, or given consent to an individual, organization,
10 political party or political committee to solicit or receive and accept a con-
11 tribution or make an expenditure on the individual’s behalf to secure nomi-
12 nation or election to any public office at any time, whether or not the office
13 for which the individual will seek nomination or election is known when the
14 solicitation is made, the contribution is received and retained or the ex-
15 penditure is made, and whether or not the name of the individual is printed
16 on a ballot; or

17 (C) A public office holder against whom a recall petition has been com-
18 pleted and filed.

19 (b) For purposes of this section and ORS 260.035 to 260.156, “candidate”
20 does not include a candidate for the office of precinct committeeperson.

21 (2) “Committee director” means any person who directly and substantially
22 participates in decision-making on behalf of a political committee concerning
23 the solicitation or expenditure of funds and the support of or opposition to
24 candidates, [or] measures, **initiative petitions, referendum petitions or**
25 **recall petitions**. The officers of a political party shall be considered the di-
26 rectors of any political party committee of that party, unless otherwise pro-
27 vided in the party’s bylaws.

28 (3) Except as provided in ORS 260.007, “contribute” or “contribution” in-
29 cludes:

30 (a) The payment, loan, gift, forgiving of indebtedness, or furnishing
31 without equivalent compensation or consideration, of money, services other

1 than personal services for which no compensation is asked or given, supplies,
2 equipment or any other thing of value:

3 (A) For the purpose of influencing an election for public office or an
4 election on a measure, or of reducing the debt of a candidate for nomination
5 or election to public office or the debt of a political committee; or

6 (B) To or on behalf of a candidate, political committee or measure; and

7 (b) The excess value of a contribution made for compensation or consid-
8 eration of less than equivalent value.

9 (4) “Controlled committee” means a political committee that, in con-
10 nection with the making of contributions or expenditures:

11 (a) Is controlled directly or indirectly by a candidate or a controlled
12 committee; or

13 (b) Acts jointly with a candidate or controlled committee.

14 (5) “Controlled directly or indirectly by a candidate” means:

15 (a) The candidate, the candidate’s agent, a member of the candidate’s im-
16 mediate family or any other political committee that the candidate controls
17 has a significant influence on the actions or decisions of the political com-
18 mittee; or

19 (b) The candidate’s principal campaign committee and the political com-
20 mittee both have the candidate or a member of the candidate’s immediate
21 family as a treasurer or director.

22 (6) “County clerk” means the county clerk or the county official in charge
23 of elections.

24 (7) “Elector” means an individual qualified to vote under Article II, sec-
25 tion 2, of the Oregon Constitution.

26 (8) Except as provided in ORS 260.007, “expend” or “expenditure” includes
27 the payment or furnishing of money or anything of value or the incurring
28 or repayment of indebtedness or obligation by or on behalf of a candidate,
29 political committee or person in consideration for any services, supplies,
30 equipment or other thing of value performed or furnished for any reason,
31 including support of or opposition to a candidate, political committee or

1 measure, or for reducing the debt of a candidate for nomination or election
2 to public office. “Expenditure” also includes contributions made by a candi-
3 date or political committee to or on behalf of any other candidate or political
4 committee.

5 (9) “Filing officer” means:

6 (a) The Secretary of State:

7 (A) Regarding a candidate for public office;

8 (B) Regarding a statement required to be filed under ORS 260.118;

9 (C) Regarding any measure; or

10 (D) Regarding any political committee.

11 (b) In the case of an irrigation district formed under ORS chapter 545,
12 “filing officer” means:

13 (A) The county clerk, regarding any candidate for office or any measure
14 at an irrigation district formation election where the proposed district is
15 situated wholly in one county;

16 (B) The county clerk of the county in which the office of the secretary
17 of the proposed irrigation district will be located, regarding any candidate
18 for office or any measure at an irrigation district formation election where
19 the proposed district is situated in more than one county; or

20 (C) The secretary of the irrigation district for any election other than an
21 irrigation district formation election.

22 (10) “Independent expenditure” means an expenditure by a person for a
23 communication in support of or in opposition to a clearly identified candi-
24 date or measure that is not made with the cooperation or with the prior
25 consent of, or in consultation with, or at the request or suggestion of, a
26 candidate or any agent or authorized committee of the candidate, or any
27 political committee or agent of a political committee supporting or opposing
28 a measure. For purposes of this subsection:

29 (a) “Agent” means any person who has:

30 (A) Actual oral or written authority, either express or implied, to make
31 or to authorize the making of expenditures on behalf of a candidate or on

1 behalf of a political committee supporting or opposing a measure; or

2 (B) Been placed in a position within the campaign organization where it
3 would reasonably appear that in the ordinary course of campaign-related
4 activities the person may authorize expenditures.

5 (b)(A) “Clearly identified” means, with respect to candidates:

6 (i) The name of the candidate involved appears;

7 (ii) A photograph or drawing of the candidate appears; or

8 (iii) The identity of the candidate is apparent by unambiguous reference.

9 (B) “Clearly identified” means, with respect to measures:

10 (i) The ballot number of the measure appears;

11 (ii) A description of the measure’s subject or effect appears; or

12 (iii) The identity of the measure is apparent by unambiguous reference.

13 (c) “Communication in support of or in opposition to a clearly identified
14 candidate or measure” means:

15 (A)(i) The communication, taken in its context, clearly and unambig-
16 uously urges the election or defeat of a clearly identified candidate for
17 nomination or election to public office, or the passage or defeat of a clearly
18 identified measure;

19 (ii) The communication, as a whole, seeks action rather than simply con-
20 veying information; and

21 (iii) It is clear what action the communication advocates; or

22 (B)(i) The communication contains aggregate expenditures of more than
23 \$750 by a person;

24 (ii) The communication refers to a clearly identified candidate who will
25 appear on the ballot or to a political party; and

26 (iii) The communication is published and disseminated to the relevant
27 electorate within 30 calendar days before a primary election or 60 calendar
28 days before a general election.

29 (d) “Made with the cooperation or with the prior consent of, or in con-
30 sultation with, or at the request or suggestion of, a candidate or any agent
31 or authorized committee of the candidate, or any political committee or

1 agent of a political committee supporting or opposing a measure”:

2 (A) Means any arrangement, coordination or direction by the candidate
3 or the candidate’s agent, or by any political committee or agent of a political
4 committee supporting or opposing a measure, prior to the publication, dis-
5 tribution, display or broadcast of the communication. An expenditure shall
6 be presumed to be so made when it is:

7 (i) Based on information about the plans, projects or needs of the candi-
8 date, or of the political committee supporting or opposing a measure, and
9 provided to the expending person by the candidate or by the candidate’s
10 agent, or by any political committee or agent of a political committee sup-
11 porting or opposing a measure, with a view toward having an expenditure
12 made; or

13 (ii) Made by or through any person who is or has been authorized to raise
14 or expend funds, who is or has been an officer of a political committee au-
15 thorized by the candidate or by a political committee or agent of a political
16 committee supporting or opposing a measure, or who is or has been receiving
17 any form of compensation or reimbursement from the candidate, the
18 candidate’s principal campaign committee or agent or from any political
19 committee or agent of a political committee supporting or opposing a meas-
20 ure.

21 (B) Does not mean providing to the expending person upon request a copy
22 of this chapter or any rules adopted by the Secretary of State relating to
23 independent expenditures.

24 (11) “Initiative petition” means a petition to initiate a measure for which
25 a prospective petition has been filed but that is not yet a measure.

26 (12) “Judge” means judge of the Supreme Court, Court of Appeals, circuit
27 court or the Oregon Tax Court.

28 (13) “Mass mailing” means more than 200 substantially similar pieces of
29 mail, but does not include a form letter or other mail that is sent in response
30 to an unsolicited request, letter or other inquiry.

31 (14) “Measure” includes any of the following submitted to the people for

1 their approval or rejection at an election:

2 (a) A proposed law.

3 (b) An Act or part of an Act of the Legislative Assembly.

4 (c) A revision of or amendment to the Oregon Constitution.

5 (d) Local, special or municipal legislation.

6 (e) A proposition or question.

7 (15) "Occupation" means:

8 (a) The nature of an individual's principal business; and

9 (b) If the individual is employed by another person, the business name and
10 address, by city and state, of the employer.

11 (16) "Person" means an individual, corporation, limited liability company,
12 labor organization, association, firm, partnership, joint stock company, club,
13 organization or other combination of individuals having collective capacity.

14 (17) "Petition committee" means an initiative, referendum or recall peti-
15 tion committee organized under ORS 260.118.

16 (18) "Political committee" means a combination of two or more individ-
17 uals, or a person other than an individual, that has:

18 (a) Received a contribution for the purpose of supporting or opposing a
19 candidate, measure, **initiative petition, referendum petition, recall peti-**
20 **tion** or political party; or

21 (b) Made an expenditure for the purpose of supporting or opposing a
22 candidate, measure, **initiative petition, referendum petition, recall peti-**
23 **tion** or political party. For purposes of this paragraph, an expenditure does
24 not include:

25 (A) A contribution to a candidate or political committee that is required
26 to report the contribution on a statement filed under ORS 260.057 or 260.076
27 or a certificate filed under ORS 260.112; or

28 (B) An independent expenditure for which a statement is required to be
29 filed by a person under ORS 260.044.

30 (19) "Public office" means any national, state, county, district, city office
31 or position, except a political party office, that is filled by the electors.

1 (20) "Recall petition" means a petition to recall a public officer for which
2 a prospective petition has been filed but that is not yet a measure.

3 (21) "Referendum petition" means a petition to refer a measure for which
4 a prospective petition has been filed but that is not yet a measure.

5 (22) "Regular district election" means the regular district election de-
6 scribed in ORS 255.335.

7 (23) "State office" means the office of Governor, Secretary of State, State
8 Treasurer, Attorney General, Commissioner of the Bureau of Labor and In-
9 dustries, state Senator, state Representative, judge or district attorney.

10 **SECTION 6.** ORS 260.049 is amended to read:

11 260.049. (1) If the major source of revenue of a corporation is paid-in-
12 capital and the primary purpose of the corporation is to support or oppose
13 any candidate, measure, **initiative petition, referendum petition, recall**
14 **petition** or political party, and the corporation has made a contribution or
15 an expenditure for that purpose, the corporation shall report to the Secretary
16 of State the names, addresses and occupations of its shareholders and shall
17 report the amount of paid-in-capital attributable to each shareholder.

18 (2) The information required under subsection (1) of this section, includ-
19 ing information on the nature and amount of all expenditures of money and
20 in-kind contributions made by the corporation, shall be filed not later than
21 seven calendar days after the contribution or expenditure is made.

22 (3) The secretary shall adopt by rule a form for the filing of the infor-
23 mation required under this section.

24 **SECTION 7.** ORS 248.015 is amended to read:

25 248.015. (1) A precinct committeeperson shall be a representative of the
26 major political party in the precinct. At the primary election a major poli-
27 tical party shall elect from its members [*a committeeperson of each sex*] **two**
28 **committeepersons** for every 500 electors, or major fraction thereof, who are
29 registered in the precinct on January 31 of the year of the primary election.
30 In any event the political party members of a precinct shall be entitled to
31 elect not less than [*one committeeperson of each sex*] **two committeepersons**

1 in the precinct. No person shall hold office as committeeperson in more than
2 one precinct.

3 (2) A member of a major political party may become a candidate for pre-
4 cinct committeeperson of the precinct in which the person is registered, or
5 of a precinct within the same county adjoining that precinct, by filing a
6 declaration of candidacy described in ORS 249.031, except as provided in
7 subsection (3) of this section.

8 (3) ORS 249.031 (1)(i) shall not apply to declarations of candidacy for
9 candidates for precinct committeeperson.

10 (4) A member of the major political party who has been a member of that
11 party for 180 days before the primary election may be elected by write-in
12 votes as precinct committeeperson of the precinct in which the member is
13 registered, or of a precinct within the same county adjoining that precinct.

14 (5) Unless a qualified person receives at least three votes, no person shall
15 be deemed to have been elected as precinct committeeperson and the office
16 of committeeperson shall be vacant.

17 (6) The term of office of a precinct committeeperson is from the 24th day
18 after the date of the primary election until the 24th day after the date of the
19 next following primary election.

20 (7) A precinct committeeperson shall not be considered a public officer.

21 **SECTION 8.** ORS 247.940 is amended to read:

22 247.940. (1) *[Not later than the 21st day before any primary election, general*
23 *election or special congressional election,]* A major political party qualified
24 under ORS 248.006 *[or its affiliate within the county]* or a minor political
25 party qualified under ORS 248.008 may request from the *[county clerk]* **Sec-**
26 **retary of State** a **statewide** list of *[active]* electors, as described in ORS
27 **247.945 (4)** *[247.013, of the county. Except as provided in this section, the list*
28 *shall contain the name, party affiliation, residence or mailing address and*
29 *precinct name or number of each active elector and shall be arranged in groups*
30 *by election precinct].* The list may not contain any information about partic-
31 ipants in the Address Confidentiality Program established under ORS 192.820

1 to 192.868. A major political party [*or its affiliate within the county*] or a
2 minor political party may make no more than two separate requests under
3 this subsection **per primary election, general election or special**
4 **election.**

5 **(2) A request for a list under subsection (1) of this section must be**
6 **made:**

7 **(a) Not earlier than six months before the primary election, general**
8 **election or special election; and**

9 **(b) Not later than the 21st day before the primary election, general**
10 **election or special election.**

11 [(2)] **(3) If the [county clerk] Secretary of State** receives a request under
12 subsection (1) of this section, the [*clerk*] **secretary** shall deliver the list not
13 later than[:]

14 [(a) *Ten*] **10** days after receiving the request.[: *or*]

15 [(b) *The date requested, provided that the date requested is more than 10*
16 *days after the request was made and at least 10 days before the date of any*
17 *primary election, general election or special congressional election.*]

18 [(3)] **(4) The [county clerk] Secretary of State** may not charge for prep-
19 aration or delivery of the list supplied under this section.

20 **SECTION 9.** ORS 247.945 is amended to read:

21 247.945. (1) The county clerk, upon request before the 45th day before a
22 primary, general or special election, shall deliver to any person a list of
23 electors. The list may not contain any information about participants in the
24 Address Confidentiality Program established under ORS 192.820 to 192.868.
25 The lists shall be prepared in the manner requested, limited only to the ca-
26 pabilities of the Secretary of State or the county clerk.

27 (2) The county clerk shall collect and pay into the county treasury a
28 charge for the actual cost of supplying lists under subsection (1) of this
29 section.

30 (3) The county clerk shall keep a record of all persons to whom a list of
31 electors is delivered under this section.

1 (4) Upon request, the Secretary of State shall deliver to any person a
2 statewide list of electors. **Except as provided in ORS 247.940 (4)**, the sec-
3 retary shall charge a fee of \$500 for delivering a list under this subsection.
4 The list may not contain any information about participants in the Address
5 Confidentiality Program established under ORS 192.820 to 192.868.

6 **SECTION 10.** ORS 247.965 is amended to read:

7 247.965. (1) Any elector may request the county clerk to keep the resi-
8 dence address of the elector exempt from disclosure as a public record under
9 ORS 192.311 to 192.478.

10 (2) The county clerk shall keep the residence address of an elector exempt
11 from disclosure as a public record under ORS 192.311 to 192.478 if the elector
12 making the request demonstrates to the satisfaction of the county clerk that
13 the elector's personal safety or the safety of any family member residing with
14 the elector is in danger if the elector's address remains available for public
15 inspection.

16 (3) The county clerk shall automatically mail a ballot to an elector whose
17 residence address is exempt from disclosure under this section.

18 (4) An exemption from disclosure granted under this section shall remain
19 in effect until the elector requests termination of the exemption or the
20 elector is required to update the elector's registration. If the elector is re-
21 quired to update the elector's registration, the elector may apply for another
22 exemption from disclosure.

23 (5) An exemption from disclosure granted under this section includes an
24 exemption from disclosure of the residence address of an elector under ORS
25 247.940 or 247.945.

26 (6) A county clerk **or the Secretary of State** shall not be held liable for:

27 (a) Granting or denying an exemption from disclosure under this section;

28 or

29 (b) Any unauthorized release of a residence address granted an exemption
30 from disclosure under this section.

31 **SECTION 11.** ORS 246.179 is amended to read:

1 246.179. (1) Notwithstanding ORS 246.250, the Secretary of State shall re-
2 imburse each county clerk for necessary expenses of an election described in
3 subsection (2) of this section based on a claim filed by the county clerk and
4 approved by the Secretary of State. The claim shall be made on a form de-
5 signed by the Secretary of State. The Secretary of State shall make the re-
6 imbursement from funds made available to the Secretary of State by the
7 Emergency Board.

8 (2) The Secretary of State shall reimburse each county clerk for necessary
9 expenses of:

10 (a) A special primary election or a special election to fill a vacancy in
11 the election or office of United States Senator or Representative in Congress
12 held on a date other than the date of the primary election or the general
13 election; *[or]*

14 (b) A recall election involving the holder of a state office. As used in this
15 subsection, “state office” has the meaning given that term in ORS
16 249.002[.]; **or**

17 **(c) A special election that is required by law to be held on a date**
18 **other than the date of the primary election or the general election.**

19 **SECTION 12.** ORS 254.155, as amended by section 11, chapter 70, Oregon
20 Laws 2018, is amended to read:

21 254.155. (1) Not later than the 69th day before the date of any election the
22 Secretary of State shall complete a random ordering of the letters of the al-
23 phabet.

24 (2) Not later than the 68th day before the date of any election the Sec-
25 retary of State shall mail or deliver to each county clerk a copy of the ran-
26 dom ordering of the letters of the alphabet.

27 (3) The county clerk shall arrange by surname the names of the candi-
28 dates on the ballot in the random order of the letters of the alphabet com-
29 pleted by the Secretary of State under subsection (1) of this section.

30 (4) The requirements of this section **apply only if at least one contested**
31 **candidate race** *[do not apply to any election in which only one candidate]*

1 will be on the ballot.

2 **SECTION 13.** ORS 260.039, as amended by section 5, chapter 70, Oregon
3 Laws 2018, is amended to read:

4 260.039. (1) Except as provided in ORS 260.043, a candidate who serves as
5 the candidate's own treasurer, or the treasurer of the principal campaign
6 committee, shall file a statement of organization with the filing officer. The
7 statement shall include:

8 (a)(A) The name, address, occupation, office sought and:

9 (i) Party affiliation of the candidate, **if the candidate is seeking the**
10 **nomination of the party in which the candidate is affiliated; or**

11 (ii) **The name of the political party of which the candidate is seek-**
12 **ing the nomination, if the candidate is not affiliated with the political**
13 **party.**

14 (B) The address **included in the statement** shall be the address of a
15 residence, office, headquarters or similar location where the candidate may
16 be conveniently located.

17 (b) In the case of a principal campaign committee:

18 (A) The name and address of the committee. The address shall be the ad-
19 dress of a residence, office, headquarters or similar location where the poli-
20 tical committee or a responsible officer of the political committee may be
21 conveniently located.

22 (B) The name, address and occupation of the committee director or di-
23 rectors, if any.

24 (C) The name and address of the committee treasurer.

25 (D) The name and address of any other political committee of which two
26 or more committee directors are also directors of the committee filing the
27 statement.

28 (2) In addition to the information listed in subsection (1) of this section,
29 the statement of organization must include, or be amended within five busi-
30 ness days to include, the name of the financial institution in which the
31 campaign account required under ORS 260.054 is established, the name of the

1 account, the name of the account holder and the names of all individuals
2 who have signature authority for the account. The Secretary of State may
3 not disclose information received by the secretary under this subsection ex-
4 cept as necessary for purposes of enforcing the provisions of ORS chapters
5 246 to 260.

6 (3) A candidate or treasurer may designate an individual to receive any
7 notice provided by a filing officer under ORS chapters 246 to 260. The can-
8 didate or treasurer shall include the name and address of the individual in
9 the statement of organization filed under this section. A filing officer who
10 provides any notice under ORS chapters 246 to 260 to the candidate or
11 treasurer shall also provide the notice to the individual designated by the
12 candidate or treasurer under this subsection.

13 (4) Except as provided in ORS 260.043, a candidate who serves as the
14 candidate's own treasurer shall file the statement of organization not later
15 than the third business day after the candidate first receives a contribution
16 or makes an expenditure. The treasurer of a principal campaign committee
17 shall file the statement of organization not later than the date specified in
18 ORS 260.035.

19 (5) Except as provided in subsection (2) of this section, any change in
20 information submitted in a statement of organization under subsections (1)
21 and (2) of this section shall be indicated in an amended statement of organ-
22 ization filed not later than the 10th day after the change in information.

23 (6) Except as provided in ORS 260.043, a candidate who serves as the
24 candidate's own treasurer or the treasurer of the principal campaign com-
25 mittee of the candidate shall file a statement of organization under this
26 section not later than the deadline for the candidate to file a nominating
27 petition or declaration of candidacy under ORS 249.037 or a certificate of
28 nomination under ORS 249.722.

29 (7) Except as provided in ORS 260.043, a candidate who serves as the
30 candidate's own treasurer or the treasurer of the principal campaign com-
31 mittee of a candidate shall file a new or amended statement of organization

1 not later than the date that the candidate files a nominating petition, dec-
2 laration of candidacy or certificate of nomination.

3 **SECTION 14.** ORS 171.062 is amended to read:

4 171.062. (1) When a legislative district in which a vacancy occurs encom-
5 passes two or more counties, each county shall be entitled to one vote for
6 each 1,000 of its electors or major fraction thereof residing within the legis-
7 lative district at the time **when either the office becomes vacant, or a**
8 **resignation becomes binding under ORS 236.325, whichever occurs first**
9 [*vacancy occurs*]. However, any county having electors in the district shall
10 be entitled to at least one vote.

11 (2) A major fraction of electors shall be a number greater than 500 but
12 less than 1,000.

13 **SECTION 15.** ORS 250.125 is amended to read:

14 250.125. (1) When a state measure involves expenditure of public moneys
15 by the state, reduction of expenditure of public moneys by the state, re-
16 duction of state revenues or raising of funds by the state by imposing any
17 tax or incurring any indebtedness, the financial estimate committee created
18 under this section shall estimate:

19 (a) The amount of direct expenditure, direct reduction of expenditure, di-
20 rect reduction in state revenues, direct tax revenue or indebtedness and in-
21 terest that will be required to meet the provisions of the measure if it is
22 enacted; and

23 (b) The aggregate amount of direct expenditure, direct reduction of ex-
24 penditure, direct reduction in revenues, direct tax revenue or indebtedness
25 and interest that will be required by any city, county or district to meet the
26 provisions of the measure if it is enacted.

27 (2) For a state measure for which an estimate is required to be prepared
28 under subsection (1) of this section, the financial estimate committee may
29 estimate the aggregate amount of direct expenditure, direct reduction of ex-
30 penditure, direct reduction in revenues, direct tax revenue or indebtedness
31 and interest that will be required by any federally recognized Native Amer-

1 ican or American Indian tribal government to meet the provisions of the
2 measure if it is enacted.

3 (3) If the Legislative Assembly has enacted a law that will apply only if
4 the measure for which an estimate is required to be prepared under sub-
5 section (1) of this section is not enacted, the financial estimate committee
6 may also estimate the amount of direct expenditure, direct reduction of ex-
7 penditure, direct reduction in revenues, direct tax revenue or indebtedness
8 and interest that will result for the state, any city, county or district or any
9 federally recognized Native American or American Indian tribal government
10 if the measure is not enacted.

11 (4) For a state measure for which an estimate is required to be prepared
12 under subsection (1) of this section, the financial estimate committee shall
13 consult with the Legislative Revenue Officer to determine if the measure has
14 potentially significant indirect economic or fiscal effects. If the committee
15 determines that the indirect economic or fiscal effects of the measure are
16 significant and can be estimated, the Legislative Revenue Officer shall pre-
17 pare on behalf of the committee an impartial estimate of the indirect eco-
18 nomic or fiscal effects of the measure. The Legislative Revenue Officer shall
19 use the best available economic models and data to produce the estimate.
20 The financial estimate committee shall incorporate relevant parts of the es-
21 timate prepared by the Legislative Revenue Officer into the estimate pre-
22 pared by the committee under subsection (1) of this section.

23 (5) Except as provided in subsection (6) of this section, the estimates de-
24 scribed in subsections (1) to (3) of this section shall be printed in the voters'
25 pamphlet and on the ballot. The estimates shall be impartial, simple and
26 understandable and shall include the following information:

27 (a) A statement of the amount of financial effect on state, local or tribal
28 government expenditures, revenues or indebtedness, expressed as a specific
29 amount or as a range of amounts;

30 (b) A statement of any recurring annual amount of financial effect on
31 state, local or tribal government expenditures, revenues or indebtedness;

1 (c) A description of the most likely financial effect or effects of the
2 adoption of the measure; and

3 (d) If an estimate is made under subsection (3) of this section, a de-
4 scription of the most likely financial effect or effects if the measure is not
5 enacted.

6 (6) If the financial estimate committee determines that the measure will
7 have no financial effect on state, local or tribal government expenditures,
8 revenues or indebtedness or that the financial effect on state, local or tribal
9 government expenditures, revenues or indebtedness will not exceed \$100,000,
10 the committee shall prepare and file with the Secretary of State a statement
11 declaring that the measure will have no financial effect or that the financial
12 effect will not exceed \$100,000. The statement shall be printed in the voters'
13 pamphlet and on the ballot.

14 (7) In addition to the estimates described in subsections (1) to (3) of this
15 section, if the financial estimate committee considers it necessary, the com-
16 mittee may prepare and file with the Secretary of State an impartial, simple
17 and understandable statement explaining the financial effects of the measure.
18 The statement may not exceed 500 words. The statement shall be printed in
19 the voters' pamphlet with the measure to which it relates.

20 (8) The Legislative Policy and Research Committee shall provide any ad-
21 ministrative staff assistance required by the financial estimate committee to
22 facilitate the work of the financial estimate committee under this section or
23 ORS 250.127.

24 (9)(a) The financial estimate committee is created, consisting of the Sec-
25 retary of State, the State Treasurer, the Director of the Oregon Department
26 of Administrative Services, the Director of the Department of Revenue and
27 a representative of a city, county or district with expertise in local govern-
28 ment finance. The representative of a city, county or district shall be se-
29 lected by the four other members of the financial estimate committee and
30 shall serve for a term of two years that begins on March 1 of the odd-
31 numbered year.

1 **(b) The Secretary of State, the State Treasurer, the Director of the**
2 **Oregon Department of Administrative Services or the Director of the**
3 **Department of Revenue may each designate an employee to carry out**
4 **the duties of the respective secretary or director under this section.**

5 **SECTION 16.** ORS 251.215 is amended to read:

6 251.215. (1) Not later than the 99th day before a special election held on
7 the date of a primary election or any general election at which any state
8 measure is to be submitted to the people, the committee appointed under ORS
9 251.205 shall prepare and electronically file with the Secretary of State, an
10 impartial, simple and understandable statement explaining the measure. The
11 statement shall not exceed 500 words.

12 (2) Not later than the 95th day before the election **and not earlier than**
13 **four days after the draft statement is filed under subsection (1) of this**
14 **section**, the Secretary of State shall hold a hearing in Salem upon reason-
15 able statewide notice to receive suggested changes or other information re-
16 lating to any explanatory statement. At the hearing any person may submit
17 suggested changes or other information orally or in writing. Written sug-
18 gestions or other information also may be submitted at any time before the
19 hearing.

20 (3) The committee for each measure shall consider suggestions and any
21 other information submitted under subsection (2) of this section, and may file
22 a revised statement with the Secretary of State not later than the 90th day
23 before the election.

24 (4) The original statement and any revised statement must be approved
25 by at least three members of the committee. If a member does not concur,
26 the statement shall show only that the member dissents.

27 (5) For purposes of this section, “measure” includes an initiative petition
28 relating to a state measure that has been filed with the Secretary of State
29 for the purpose of verifying signatures under ORS 250.105. The requirements
30 of this section shall not apply to the petition if the secretary determines that
31 the petition contains less than the required number of signatures of electors.

1 **SECTION 17.** ORS 250.127 is amended to read:

2 250.127. (1) Not later than the 99th day before a special election held on
3 the date of a primary election or any general election at which any state
4 measure is to be submitted to the people, the financial estimate committee
5 created under ORS 250.125 shall prepare and electronically file with the
6 Secretary of State the estimates described in ORS 250.125 and, if the com-
7 mittee considers it necessary, a statement explaining the financial effects of
8 the measure as described in ORS 250.125 (7). The financial estimate commit-
9 tee may begin preparation of the estimates and statement on the date that
10 a petition is accepted for verification of signatures under ORS 250.105 or the
11 date that a measure referred by the Legislative Assembly is filed with the
12 Secretary of State, whichever is applicable.

13 (2) Not later than the 95th day before the election **and not earlier than**
14 **four days after the draft statement is filed under subsection (1) of this**
15 **section**, the Secretary of State shall hold a hearing in Salem upon reason-
16 able statewide notice to receive suggested changes to the estimates or
17 statement or to receive other information. At the hearing any person may
18 submit suggested changes or other information orally or in writing. Written
19 suggestions or other information also may be submitted at any time before
20 the hearing.

21 (3) The financial estimate committee shall consider suggestions and any
22 other information submitted under subsection (2) of this section, and may file
23 revised estimates or a revised statement with the Secretary of State not later
24 than the 90th day before the election.

25 (4) Except as provided in subsection (5) of this section, the original esti-
26 mates and statement and any revised estimates or statement shall be ap-
27 proved by a majority of the members of the financial estimate committee. If
28 a member does not concur, the estimates or statement shall show only that
29 the member dissents. The Secretary of State shall certify final estimates and
30 a final statement not later than the 90th day before the election at which
31 the measure is to be voted upon. All estimates and statements prepared under

1 ORS 250.125 and this section shall be made available to the public.

2 (5) If a majority of the members of the financial estimate committee do
3 not approve the estimates or statement, the Secretary of State alone shall
4 prepare, file and certify the estimates or statement not later than the 88th
5 day before the election at which the measure is to be voted upon with the
6 data upon which the estimates or statement is based.

7 (6) The support or opposition of any member of the financial estimate
8 committee to the original or revised estimates or statement shall be indicated
9 in the minutes of any meeting of the committee. Meetings of the financial
10 estimate committee shall be open to the public. [*Designees of the members*
11 *of the financial estimate committee may attend any meetings of the committee*
12 *in the place of the members, but the designees may not vote to approve or op-*
13 *pose any estimates or statement.*]

14 (7) A failure to prepare, file or certify estimates or a statement under ORS
15 250.125, this section or ORS 250.131 does not prevent the inclusion of the
16 measure in the voters' pamphlet or placement of the measure on the ballot.

17 (8) If the estimates are not delivered to the county clerk by the 61st day
18 before the election, the county clerk may proceed with the printing of bal-
19 lots. The county clerk is not required to reprint ballots to include the esti-
20 mates or to provide supplemental information that includes the estimates.

21 **SECTION 18.** ORS 255.012 is amended to read:

22 255.012. As used in this chapter, "district" means:

23 (1) A domestic water supply district organized under ORS chapter 264.

24 (2) A cemetery maintenance district organized under ORS chapter 265.

25 (3) A park and recreation district organized under ORS chapter 266.

26 (4) A mass transit district organized under ORS 267.010 to 267.390.

27 (5) A transportation district organized under ORS 267.510 to 267.650.

28 (6) A metropolitan service district organized under ORS chapter 268.

29 (7) A translator district organized under ORS 354.605 to 354.715.

30 (8) A library district organized under ORS 357.216 to 357.286.

31 (9) A county road district organized under ORS 371.055 to 371.110.

- 1 (10) A special road district organized under ORS 371.305 to 371.360.
- 2 (11) A road assessment district organized under ORS 371.405 to 371.535.
- 3 (12) A highway lighting district organized under ORS chapter 372.
- 4 (13) A health district organized under ORS 440.305 to 440.410.
- 5 (14) A sanitary district organized under ORS 450.005 to 450.245.
- 6 (15) A sanitary authority, water authority or joint water and sanitary
7 authority organized under ORS 450.600 to 450.989.
- 8 (16) A county service district organized under ORS chapter 451.
- 9 (17) A vector control district organized under ORS 452.020 to 452.170.
- 10 (18) A rural fire protection district organized under ORS chapter 478.
- 11 (19) An airport district organized under ORS chapter 838.
- 12 (20) A geothermal heating district organized under ORS chapter 523.
- 13 (21) A water improvement district organized under ORS chapter 552.
- 14 (22) A water control district organized under ORS chapter 553.
- 15 (23) A weather modification district organized under ORS 558.200 to
16 558.440.
- 17 (24) A livestock district organized under ORS 607.005 to 607.051.
- 18 (25) A port organized under ORS 777.005 to 777.725 and 777.915 to 777.953.
- 19 (26) The Port of Portland established by ORS 778.010.
- 20 (27) A school district.
- 21 (28) Territory, other than territory within a city, proposed to be created,
22 formed or incorporated into a district or to be annexed or otherwise added
23 to a district.
- 24 (29) A soil and water conservation district organized under ORS 568.210
25 to 568.810 and 568.900 to 568.933.
- 26 (30) A heritage district organized under ORS 358.442 to 358.474.
- 27 (31) A radio and data district organized under ORS 403.500 to 403.542.
- 28 (32) A sand control district organized under ORS 555.500 to 555.535.
- 29 **(33) A community college district formed under ORS chapter 341.**
- 30 **(34) An emergency communication district organized under ORS**
31 **403.300 to 403.380.**

1 **SECTION 19.** ORS 260.695 is amended to read:

2 260.695. (1)(a) If a person prints or circulates an imitation of the ballot
3 or sample ballot:

4 (A) The imitation ballot or sample ballot and the back of any return en-
5 velope enclosed with the ballot or sample ballot shall state the following:
6 “THIS IS NOT A REAL BALLOT. DO NOT USE TO VOTE.” The statement
7 on the imitation ballot or sample ballot shall be in bold print that is at least
8 two times as large as the majority of the text on the ballot or sample ballot
9 or 20-point type, whichever is larger. The statement on the back of a return
10 envelope shall be in bold print that is at least 36-point type.

11 (B) The word “UNOFFICIAL” must be superimposed on the imitation
12 ballot or sample ballot so that the word extends diagonally across the ballot
13 from one margin of the text to the other. The superimposed word may be
14 printed in lighter ink than other text on the ballot or sample ballot.

15 (b) For purposes of this subsection, an imitation of the ballot or sample
16 ballot includes an imitation of a portion of the ballot or sample ballot.

17 *[(2) A person may not do any electioneering, including circulating any*
18 *cards or handbills, or soliciting of signatures to any petition, within any*
19 *building in which any state or local government elections office designated for*
20 *the deposit of ballots under ORS 254.470 is located, or within 100 feet meas-*
21 *ured radially from any entrance to the building. A person may not do any*
22 *electioneering by public address system located more than 100 feet from an*
23 *entrance to the building if the person is capable of being understood within*
24 *100 feet of the building. The electioneering need not relate to the election being*
25 *conducted. This subsection applies during the business hours of the building*
26 *or, if the building is a county elections office, during the hours the office is*
27 *open to the public, during the period beginning on the date that ballots are*
28 *mailed to electors as provided in ORS 254.470 and ending on election day at*
29 *8 p.m. or when all persons waiting in line at the building who began the act*
30 *of voting as described in ORS 254.470 (10) by 8 p.m. have finished voting.]*

31 [(3)] (2) A person may not obstruct an entrance of a building in which

1 ballots are issued or a place designated for the deposit of ballots under ORS
2 254.470 or any voting booth maintained under ORS 254.474 is located. This
3 subsection applies during the period beginning on the date that ballots are
4 mailed to electors as provided in ORS 254.470 and ending on election day at
5 8 p.m. or when all persons waiting in line at the building or location who
6 began the act of voting as described in ORS 254.470 (10) by 8 p.m. have
7 finished voting.

8 [(4)] (3) A person may not vote or offer to vote in any election knowing
9 the person is not entitled to vote.

10 [(5)] (4) A person may not make a false statement about the person's in-
11 ability to mark a ballot.

12 [(6)] (5) A person, except an elections official in performance of duties or
13 another person providing assistance to an elector as described in ORS
14 254.445, may not ask a person at any place designated for the deposit of
15 ballots under ORS 254.470 or at any location described in ORS 254.472 or
16 254.474 for whom that person intends to vote, or examine or attempt to ex-
17 amine the person's ballot.

18 [(7)] (6) An elections official, other than in the performance of duties,
19 may not disclose to any person any information by which it can be ascer-
20 tained for whom any elector has voted.

21 [(8)] (7) A person, except an elections official in performance of duties,
22 may not do anything to a ballot to permit identification of the person who
23 voted.

24 [(9)] (8) An elector may not willfully leave at any place designated for the
25 deposit of ballots under ORS 254.470 or at any location described in ORS
26 254.472 or 254.474 anything that will show how the elector's ballot was
27 marked.

28 [(10)] (9) A person, except an elections official in performance of duties,
29 may not remove a ballot from any place designated for the deposit of ballots
30 under ORS 254.470 or any location described in ORS 254.472 or 254.474.

31 [(11)] (10) A person, except an elections official in performance of duties

1 or a person authorized by that official, may not willfully deface, remove, al-
2 ter or destroy a posted election notice.

3 [(12)] (11) A person, except an elections official in performance of duties,
4 may not willfully remove, alter or destroy election equipment or supplies,
5 or break the seal or open any sealed package containing election supplies.

6 [(13)] (12) A person, except an elections official in performance of duties,
7 may not provide elections advice or attempt to collect voted ballots within
8 any building in which any state or local government elections office desig-
9 nated for the deposit of ballots under ORS 254.470 is located, or within 100
10 feet measured radially from any entrance to the building.

11 [(14)] (13) A person, except an elections official in performance of duties,
12 may not establish a location to collect ballots voted by electors unless:

13 (a) The person prominently displays at the location a sign stating: "NOT
14 AN OFFICIAL BALLOT DROP SITE"; and

15 (b) The sign is printed in all capital letters in bold 50-point type.

16 **SECTION 20.** ORS 260.993 is amended to read:

17 260.993. (1) The penalty for violation of ORS 260.532 is limited to that
18 provided in ORS 260.532 (6) and (8).

19 (2) Violation of ORS 247.125 (1), 247.171 (5), 247.420 (2), 253.710, 260.402,
20 260.555, 260.558, 260.575, 260.645 or 260.665 (2) or (3) involving any action
21 described in ORS 260.665 (2)(d) to (f) or 260.715 is a Class C felony.

22 (3) Violation of ORS [260.695 (4)] **260.695 (3)** is a Class A misdemeanor.

23 (4) Violation of ORS 247.171 (6) is a Class C misdemeanor.

24 **SECTION 21.** ORS 249.068, as amended by section 13, chapter 70, Oregon
25 Laws 2018, is amended to read:

26 249.068. (1) Except as otherwise provided for a candidate for nonpartisan
27 office in ORS 249.072:

28 (a) A nominating petition for an office to be voted for in the state at large
29 or for a candidate for Representative in Congress shall contain signatures
30 of members of the same major political party as the candidate. Except as
31 provided in this subsection, there shall be at least 1,000 signatures or the

1 number of signatures at least equal to two percent of the vote cast in the
2 state or congressional district, as the case may be, for the candidates of that
3 major political party for presidential electors at the last presidential
4 election, whichever is less;

5 (b) For an election next following any change in the boundaries of a
6 congressional district, there shall be at least 1,000 signatures or the number
7 of signatures at least equal to two percent of the average number of votes
8 cast in all congressional districts in this state, as the case may be, for the
9 candidates of that major political party for presidential electors at the last
10 presidential election, whichever is less;

11 (c) In the case of a candidate nominated by a major political party that
12 did not nominate presidential electors at the last presidential election, there
13 shall be at least 1,000 signatures; and

14 (d) If the office is one to be voted for in the state at large, the signatures
15 shall include those of **at least 100** electors registered in **each congressional**
16 **district** [*at least five percent of the precincts in each of at least seven*
17 *counties*]. If the office is one to be voted for in a congressional district the
18 signatures shall include those of **at least 10** electors registered in **each of**
19 at least [*five percent of the precincts in each of at least*] one-fourth of the
20 [*counties*] **state House of Representative districts** in the congressional
21 district.

22 (2) Except as otherwise provided in this section or for a candidate for
23 nonpartisan office in ORS 249.072:

24 (a) A nominating petition for an office not provided for in subsection (1)
25 of this section shall contain the signatures of electors who are members of
26 the same major political party as the candidate. There shall be at least 500
27 signatures or the number of signatures at least equal to two percent of the
28 vote in the electoral district for the candidates of that major political party
29 for presidential electors at the last presidential election, whichever is less;

30 (b) In the case of major political party candidates for the office of state
31 Senator or state Representative, for an election next following any change

1 in the boundaries of the districts of state Senators or state Representatives
2 under Article IV, section 6, of the Oregon Constitution, there shall be at
3 least 500 signatures or the number of signatures at least equal to two percent
4 of the average number of votes cast in all state senatorial or state repre-
5 sentative districts in this state, as the case may be, for the candidates of that
6 major political party for presidential electors at the last presidential
7 election, whichever is less; **and**

8 (c) In the case of a candidate nominated by a major political party that
9 did not nominate presidential electors at the last presidential election, there
10 shall be at least 500 signatures[;].

11 *[(d) If the office under this subsection is to be voted for in more than one*
12 *county, the signatures shall include those of electors registered in at least two*
13 *counties encompassed by the electoral district, and the signatures from each*
14 *such county shall include those of electors registered in at least six percent of*
15 *the precincts of the electoral district that are located within that county. If six*
16 *percent of the precincts of the electoral district in one of the counties or portion*
17 *thereof does not constitute a whole precinct, the nominating petition shall*
18 *contain signatures from at least one precinct in that county; and]*

19 *[(e) If the office is to be voted for in only one county or in a city, the sig-*
20 *natures shall include those of electors registered in at least 10 percent of the*
21 *precincts in the electoral district.]*

22 **SECTION 22.** ORS 249.072, as amended by section 12, chapter 70, Oregon
23 Laws 2018, is amended to read:

24 249.072. (1) If the nonpartisan office is to be voted for in the state at
25 large, the nominating petition shall contain at least 1,000 signatures of
26 electors, or a number of signatures of electors equal to at least one percent
27 of the vote cast in the state for all candidates for Governor at the most re-
28 cent election at which a candidate for Governor was elected to a full term,
29 whichever is less. The signatures shall include those of electors registered
30 in each of at least five percent of the precincts in each of at least seven
31 counties.

1 (2) The nominating petition for a nonpartisan office not provided for in
2 subsection (1) of this section shall contain at least 500 signatures of electors
3 in the electoral district, or a number of signatures of electors equal to at
4 least one percent of the vote cast in the electoral district for all candidates
5 for Governor at the most recent election at which a candidate for Governor
6 was elected to a full term, whichever is less. *[In addition:]*

7 *[(a) If an office under this subsection is to be voted for in more than one*
8 *county, the signatures shall include those of electors registered in at least two*
9 *counties encompassed by the electoral district, and the signatures from each*
10 *such county shall include those of electors registered in at least six percent of*
11 *the precincts of the electoral district that are located within that county. If six*
12 *percent of the precincts of the electoral district in one of the counties or portion*
13 *thereof does not constitute a whole precinct, the nominating petition shall*
14 *contain signatures from at least one precinct in that county.]*

15 *[(b) If the office is to be voted for in only one county or in a city, the sig-*
16 *natures shall include those of electors registered in at least 10 percent of the*
17 *precincts in the electoral district.]*

18 **SECTION 23.** ORS 249.078 is amended to read:

19 249.078. (1) The name of a candidate for a major political party nomi-
20 nation for President of the United States shall be printed on the ballot only:

21 (a) By direction of the Secretary of State who in the secretary's sole dis-
22 cretion has determined that the candidate's candidacy is generally advocated
23 or is recognized in national news media; or

24 (b) By nominating petition described in this section and filed with the
25 Secretary of State.

26 (2) A petition nominating a candidate under this section shall contain
27 from each congressional district the signatures of at least 1,000 electors who
28 are registered in the district and who are members of the major political
29 party of the candidate. *[The electors in each congressional district shall in-*
30 *clude electors registered in at least five percent of the precincts in each of at*
31 *least one-fourth of the counties in the congressional district.]* The petition

1 shall contain the printed name, residence or mailing address and name or
2 number of the precinct, if known, of each elector whose signature appears
3 on the petition. The signatures shall be certified for genuineness by the
4 county clerks or the Secretary of State under ORS 249.008.

5 (3) Before circulating the nominating petition, the chief sponsor shall file
6 with the Secretary of State a signed copy of the prospective petition. The
7 chief sponsor shall include with the prospective petition a statement declar-
8 ing whether one or more persons will be paid money or other valuable con-
9 sideration for obtaining signatures of electors on the petition. After the
10 prospective petition is filed, the chief sponsor shall notify the Secretary of
11 State not later than the 10th day after the chief sponsor first has knowledge
12 or should have had knowledge that:

13 (a) Any person is being paid for obtaining signatures, when the statement
14 included with the prospective petition declared that no such person would
15 be paid.

16 (b) No person is being paid for obtaining signatures, when the statement
17 included with the prospective petition declared that one or more such per-
18 sons would be paid.

19 **SECTION 24.** ORS 249.865 is amended to read:

20 249.865. (1) Pursuant to [*section 18,*] Article II, **section 18**, of the Oregon
21 Constitution, an elector of the electoral district from which the public officer
22 is elected may file a petition demanding the recall of the public officer. **The**
23 **production and circulation of the petition must conform to the re-**
24 **quirements governing recall petitions set forth in ORS 250.048 and**
25 **250.052.** Before the petition is circulated for signatures, the chief petitioner
26 of the petition shall file with the officer authorized to order the recall
27 election a copy of the prospective petition signed by the chief petitioner.

28 (2) The chief petitioner shall include with the prospective petition a
29 statement declaring whether one or more persons will be paid money or other
30 valuable consideration for obtaining signatures of electors on the recall pe-
31 tition. After the prospective petition is filed, the chief petitioner shall notify

1 the filing officer not later than the 10th day after the chief petitioner first
2 has knowledge or should have had knowledge that:

3 (a) Any person is being paid for obtaining signatures, when the statement
4 included with the prospective petition declared that no such person would
5 be paid.

6 (b) No person is being paid for obtaining signatures, when the statement
7 included with the prospective petition declared that one or more such per-
8 sons would be paid.

9 (3) Each sheet of the recall petition must contain:

10 (a) The words "Petition for recall of," (name and title of officer) and the
11 date of the filing under subsection (1) of this section; and

12 (b) The name and address of [*the treasurer or*] the chief petitioner listed
13 on the statement of organization filed under ORS 260.118.

14 (4) Not more than 20 signatures on each sheet of the recall petition shall
15 be counted. The circulator shall certify on each signature sheet that the
16 circulator:

17 (a) Witnessed the signing of the signature sheet by each individual whose
18 signature appears on the signature sheet; and

19 (b) Believes each individual is an elector.

20 (5) Any intentional or willful violation of subsection (1) or (2) of this
21 section by a chief petitioner of the recall petition or by the treasurer listed
22 on the statement of organization filed under ORS 260.118 invalidates the
23 prospective petition before it is circulated for signatures.

24 **SECTION 25.** ORS 248.006 is amended to read:

25 248.006. (1) An affiliation of electors becomes a major political party in
26 this state and is qualified to make nominations at a primary election when
27 a number of electors equal to at least five percent of the number of electors
28 registered in this state **who are affiliated with a major political party**
29 **or a minor political party** are registered as members of the party not later
30 than the 275th day before the date of a primary election. An affiliation of
31 electors satisfying the requirements of this subsection shall be subject to the

1 provisions of ORS 248.007 on the date the Secretary of State determines the
 2 registration requirements are satisfied.

3 (2) The number of electors described in subsection (1) of this section shall
 4 be calculated based on the number of electors registered in this state, **affil-**
 5 **iated with a major political party or a minor political party** and eligible
 6 to vote, as reported on the official abstracts of the election, at the general
 7 election immediately preceding the deadline specified in subsection (1) of this
 8 section.

9 (3) After an affiliation of electors becomes a major political party under
 10 subsection (1) of this section, in order to maintain status as a major political
 11 party subject to ORS 248.007, the party must satisfy the registration re-
 12 quirement of subsection (1) of this section not later than the 275th day before
 13 each primary election.

14 (4) An affiliation of electors ceases to be a major political party if the
 15 registration requirements of subsection (1) of this section are not satisfied
 16 by the 275th day before each primary election. The affiliation of electors
 17 ceases to be a major political party on the date the Secretary of State de-
 18 termines that the registration requirement is not satisfied.

19 (5) When an affiliation of electors has not satisfied the registration re-
 20 quirement of subsection (1) of this section for the first time, at the request
 21 of a representative of the affiliation of electors, the Secretary of State shall
 22 determine not less than once each month whether at least five percent of the
 23 number of eligible electors registered in this state **who are affiliated with**
 24 **a major political party or a minor political party** are registered as
 25 members of the party. After an affiliation of electors has qualified as a major
 26 political party, the Secretary of State shall determine on the 271st day before
 27 each primary election whether the major political party has satisfied the
 28 registration requirements described in subsection (3) of this section.

29 **SECTION 26.** ORS 248.008 is amended to read:

30 248.008. (1) An affiliation of electors becomes a minor political party in
 31 the state, a county or other electoral district, qualified to make nominations

1 for public office in that electoral district and in any other electoral district
2 wholly contained within the electoral district, when the affiliation of elec-
3 tors has acted as described in either paragraph (a) or (b) of this subsection:

4 (a)(A) When the affiliation of electors has filed with the Secretary of
5 State a petition with the signatures of at least a number of electors equal
6 to one and one-half percent of the total votes cast in the electoral district
7 for all candidates for Governor at the most recent election at which a can-
8 didate for Governor was elected to a full term.

9 (B) The petition must contain only original signatures and must be filed
10 not later than two years following the date the prospective petition is filed.
11 The petition must state the intention to form a new political party and des-
12 ignate a name for the political party.

13 (C) Before circulating the petition, the chief sponsor of the petition must
14 file with the Secretary of State a signed copy of the prospective petition. The
15 chief sponsor must include with the prospective petition a statement declar-
16 ing whether one or more persons will be paid money or other valuable con-
17 sideration for obtaining signatures of electors on the petition. After the
18 prospective petition is filed, the chief sponsor must notify the filing officer
19 not later than the 10th day after the chief sponsor first has knowledge or
20 should have had knowledge that:

21 (i) Any person is being paid for obtaining signatures, when the statement
22 included with the prospective petition declared that no person would be paid
23 for obtaining signatures of electors.

24 (ii) No person is being paid for obtaining signatures, when the statement
25 included with the prospective petition declared that one or more persons
26 would be paid for obtaining signatures of electors.

27 (D) The circulator shall certify on each signature sheet that the
28 circulator witnessed the signing of the signature sheet by each individual
29 whose signature appears on the signature sheet and that the circulator be-
30 lieves each individual is an elector registered in the electoral district.

31 (E) The Secretary of State shall verify whether the petition contains the

1 required number of signatures of electors. The Secretary of State may not
2 accept a petition for filing if it contains less than 100 percent of the required
3 number of signatures. The Secretary of State by rule shall designate a sta-
4 tistical sampling technique to verify whether a petition contains the required
5 number of signatures of electors. A petition may not be rejected for the
6 reason that it contains less than the required number of signatures unless
7 two separate sampling processes both establish that the petition lacks the
8 required number of signatures. The second sampling must contain a larger
9 number of signatures than the first sampling. The Secretary of State may
10 employ professional assistance to determine the sampling technique. The
11 statistical sampling technique may be the same as that adopted under ORS
12 250.105.

13 (b) When the affiliation of electors has polled for any one of its candi-
14 dates for any public office in the electoral district at least one percent of the
15 total votes cast in the electoral district for all candidates for:

16 (A) Presidential elector at the last general election at which candidates
17 for President and Vice President of the United States were listed on the
18 ballot; or

19 (B) Any single state office to be voted upon in the state at large for which
20 nominations by political parties are permitted by law at the most recent
21 election at which a candidate for the office was elected to a full term.

22 (2) After satisfying either subsection (1)(a) or (b) of this section, the mi-
23 nor political party may nominate candidates for election at the next general
24 election.

25 (3) A filing officer may not accept a certificate of nomination of a can-
26 didate nominated by a minor political party for a subsequent general election
27 unless the minor political party has maintained status as a minor political
28 party as described in subsection (4) of this section.

29 (4) In order to maintain status as a minor political party for a subsequent
30 general election:

31 (a) Following each general election, at any time during the period begin-

1 ning on the date of the next primary election and ending on the 90th day
2 before the next general election, a number of electors equal to at least one-
3 half of one percent of the total number of registered electors in this state
4 **who are affiliated with a major political party or a minor political**
5 **party** must be registered as members of the party; or

6 (b)(A) Following each general election, at any time during the period be-
7 ginning on the date of the next primary election and ending on the 90th day
8 before the next general election, a number of electors equal to at least one-
9 tenth of one percent of the total votes cast in the state or electoral district
10 for all candidates for Governor at the most recent election at which a can-
11 didate for Governor was elected to a full term must be registered as members
12 of the party; and

13 (B) At least once in a four-year period, a candidate or candidates of the
14 party must poll at least one percent of the total votes cast in the electoral
15 district for all candidates for:

16 (i) Presidential elector at the last general election at which candidates
17 for President and Vice President of the United States were listed on the
18 ballot; or

19 (ii) Any single state office to be voted upon in the state at large for which
20 nominations by political parties are permitted by law at the most recent
21 election at which a candidate for the office was elected to a full term.

22 (5) An affiliation of electors that fails to maintain status as a minor
23 political party ceases to be a minor political party on the 90th day before the
24 date of the next general election.

25 (6) During the period beginning on the date of the primary election and
26 ending on the 90th day before the date of the general election, the Secretary
27 of State shall determine at least once each month whether registration re-
28 quirements to maintain status as a minor political party have been satisfied.

29 (7) If a minor political party changes its name, only those electors who
30 register on or after the effective date of the name change as members of the
31 party under the new party name shall be counted as members of the party.

1 (8) An affiliation of electors or a minor political party may not nominate
 2 a candidate who is the nominee of another political party at the same
 3 election in order to satisfy the one percent requirement referred to in sub-
 4 section (1)(b) or (4)(b)(B) of this section.

5 (9) For purposes of this section, “subsequent general election” means any
 6 general election that is held after the first general election following quali-
 7 fication as a minor political party under subsection (1) of this section.

8 **SECTION 27.** ORS 249.046 is amended to read:

9 249.046. **(1)(a) Except as provided in subsection (2) of this section,** if
 10 a candidate has not been a member of the major political party for at least
 11 180 days before the deadline for filing a nominating petition or declaration
 12 of candidacy, the candidate shall not be entitled to receive the nomination
 13 of that major political party.

14 **(b)** If a candidate’s registration becomes inactive, the inactive status shall
 15 not constitute a lapse of membership in the party if, immediately before the
 16 registration became inactive, the candidate was a member of the party and
 17 was not a member of any other political party within the 180 days preceding
 18 the deadline for filing a nominating petition or declaration of candidacy.

19 **(c)** The requirement that the candidate be qualified by length of mem-
 20 bership does not apply to any candidate whose 18th birthday falls within the
 21 period of 180 days or to a write-in candidate.

22 **(2) A major political party may adopt a rule allowing for the nomi-**
 23 **nation of candidates who are not members of the major political party**
 24 **or who have been members of the major political party for less than**
 25 **180 days before the deadline for filing a nominating petition or decla-**
 26 **ration of candidacy. A copy of a party rule adopted under this sub-**
 27 **section must be filed with the Secretary of State prior to the 180th day**
 28 **before the date of the primary election set forth in ORS 254.056. Any**
 29 **party rule adopted under this subsection shall remain in effect for fu-**
 30 **ture primary elections unless the major political party withdraws the**
 31 **rule prior to the 180th day before the date of the primary election.**

1 **SECTION 28.** ORS 171.060 is amended to read:

2 171.060. (1) When any vacancy as is mentioned in ORS 171.051 exists in
3 the office of Senator or Representative affiliated with a major political party
4 **or a minor political party** and that vacancy is to be filled by an appointing
5 authority as provided in ORS 171.051, the Secretary of State forthwith shall
6 notify the person designated by the party to receive such notice. The party
7 shall pursuant to party rule nominate not fewer than three nor more than
8 five qualified persons to fill the vacancy. The nominating procedure shall
9 reflect the principle of one-person, one-vote to accord voting weight in pro-
10 portion to the number of party members represented. At the request of a
11 party making a nomination, the county clerks of each county constituting
12 the district in which the vacancy exists shall assist the party in determining
13 the number of electors registered as members of the party in the district. A
14 person shall not be nominated to fill the vacancy unless the person signs a
15 written statement indicating that the person is willing to serve in the office
16 of Senator or Representative. As soon as the nominees have been appointed,
17 but no later than 20 days after the vacancy occurs, the party shall notify the
18 Secretary of State of the persons nominated. The notification shall be ac-
19 companied by the signed written statement of each nominee indicating that
20 the nominee is willing to serve in the office of Senator or Representative.
21 The Secretary of State shall notify the county courts or boards of county
22 commissioners of the counties constituting the district in which the vacancy
23 exists of the nominees and of the number of votes apportioned to each
24 member of the county courts or boards of county commissioners under ORS
25 171.062 and 171.064. The Secretary of State shall set a time for the meeting
26 of the county courts or boards of county commissioners in order to fill the
27 vacancy and by rule shall establish procedures for the conduct of the meet-
28 ing. If the district is composed of more than one county, the Secretary of
29 State shall name a temporary chairperson and designate a meeting place
30 within the district where the county courts or boards of county commis-
31 sioners shall convene for the purpose of filling the vacancy, pursuant to ORS

1 171.051 (2).

2 (2) When any vacancy as is mentioned in ORS 171.051 exists in the office
3 of Senator or Representative not affiliated with a major political party **or**
4 **a minor political party** and that vacancy is to be filled by an appointing
5 authority as provided in ORS 171.051, the Secretary of State forthwith shall
6 notify the county courts or boards of county commissioners of the counties
7 constituting the district in which the vacancy occurs of the vacancy and of
8 the number of votes apportioned to each member of the county courts or
9 boards of county commissioners under ORS 171.062 and 171.064. The Secre-
10 tary of State shall set a time for a meeting of the county courts or boards
11 of county commissioners and by rule shall establish procedures for the con-
12 duct of the meeting. If the district is composed of more than one county, the
13 Secretary of State shall name a temporary chairperson and designate a
14 meeting place within the district where the county courts or boards of
15 county commissioners shall convene for the purpose of appointing a person
16 to fill the vacancy.

17 (3) A written statement signed by a majority of those qualified to vote
18 upon the filling of any vacancy naming the person selected to fill the va-
19 cancy and directed to the Secretary of State is conclusive evidence of the
20 filling of the vacancy by the appointing authority named therein.

21 **SECTION 29.** ORS 171.068 is amended to read:

22 171.068. (1) For purposes of ORS 171.060, 171.062 and 171.064, the county
23 court or the board of county commissioners which shall fill the vacancy in
24 the Legislative Assembly in a district created by reapportionment shall be
25 the county court or board of county commissioners of each county any part
26 of which is in the district that is created by the reapportionment and in-
27 cludes the residence from which the former Senator or Representative was
28 elected.

29 (2) Each person nominated by a major political party **or a minor poli-**
30 **tical party** to fill a vacancy in the Legislative Assembly occurring as de-
31 scribed by ORS 171.051 in a district created by reapportionment must be

1 registered to vote in the district from which the former Senator or Repre-
2 sentative was elected and must have been a member of the same major poli-
3 tical party **or minor political party** at least 180 days before the date the
4 vacancy to be filled occurred.

5 (3) This section shall apply only to a vacancy in the Legislative Assembly
6 occurring after the primary election next following reapportionment and be-
7 fore a person has been elected and qualified to fill the vacancy.

8 **SECTION 30.** ORS 236.215 is amended to read:

9 236.215. (1) When a vacancy occurs in the partisan elective office of
10 county judge who does not exercise judicial functions or county commis-
11 sioner, the remaining members of the county court or board of county com-
12 missioners of the county, pursuant to ORS 236.217, shall appoint a person
13 qualified to hold office who is an elector of the county to perform the duties
14 of the office until the term of office expires or the vacancy is filled by
15 election.

16 (2) When the provisions of ORS 236.217 apply, the appointment shall be
17 made from a list of not fewer than three nor more than five nominees fur-
18 nished by the county clerks. If fewer than three names of nominees are fur-
19 nished or if no list is received by the appointing authority, the county court
20 or board of county commissioners may consider additional qualified persons.
21 The person so appointed must have been a member of the same major poli-
22 tical party **or minor political party as the person vacating the office** at
23 least 180 days before the date the vacancy to be filled occurred.

24 (3) The vacancy must be filled by appointment within 30 days after its
25 occurrence.

26 **SECTION 31.** ORS 236.217 is amended to read:

27 236.217. When any vacancy under ORS 236.215 exists in any partisan
28 elective office of county judge who does not exercise judicial functions or
29 county commissioner occupied by a member of a major political party **or a**
30 **minor political party** and that vacancy is to be filled by an appointing
31 authority as provided in ORS 236.215, the major political party **or minor**

1 **political party** pursuant to party rule shall nominate not fewer than three
2 nor more than five qualified persons to fill the vacancy. The nominating
3 procedure shall reflect the principle of one-person, one-vote to accord voting
4 weight in proportion to the number of party members represented. At the
5 request of a party making a nomination, the county clerk or chief elections
6 officer of the county in which the vacancy exists shall assist the party in
7 determining the number of electors registered as members of the party in the
8 electoral district. As soon as the nominees have been appointed, but no later
9 than 20 days after the vacancy occurs, the party shall notify the county clerk
10 of the persons nominated. The county clerk shall notify the remaining mem-
11 bers of the county court or board of county commissioners of the county in
12 which the vacancy exists of the nominees.

13 **SECTION 32.** ORS 188.120 is amended to read:

14 188.120. (1) If a vacancy in election or office of Representative in Congress
15 or United States Senator occurs before the 61st day before the general
16 election, the Governor shall call a special election to fill that vacancy. If a
17 vacancy in election or office of United States Senator occurs after the 62nd
18 day before the general election but on or before the general election, and if
19 the term of that office is not regularly filled at that election, the Governor
20 shall call a special election to fill the vacancy as soon as practicable after
21 the general election.

22 (2) If a special election to fill the vacancy in election or office of Repre-
23 sentative in Congress or United States Senator is called before the 80th day
24 after the vacancy occurs, each major political party shall select its nominee
25 for the office and certify the name of the nominee to the Secretary of State.
26 The Secretary of State shall place the name of the nominee on the ballot.

27 (3) If a special election to fill the vacancy in election or office of Repre-
28 sentative in Congress or United States Senator is called after the 79th day
29 after the vacancy occurs, a special primary election shall be conducted by
30 the Secretary of State for the purpose of nominating a candidate of each
31 major political party. **A minor political party may nominate a candidate**

1 **in accordance with the rules of the minor political party.** A declaration
2 of candidacy or nominating petition may be filed not later than the 10th day
3 following the issuance of the writ of election.

4 **SECTION 33. ORS 248.010 is repealed.**

5 **SECTION 34. This 2019 Act takes effect on the 91st day after the**
6 **date on which the 2019 regular session of the Eightieth Legislative**
7 **Assembly adjourns sine die.**

8
