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LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

ELECT 12-2024

CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED

07/18/2024 3:29 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Defines terms and requirements for Presidential Elector.

EFFECTIVE DATE: 07/19/2024 THROUGH 01/13/2025

AGENCY APPROVED DATE: 07/18/2024

CONTACT: Bob Roberts
503-986-1518
elections.sos@sos.oregon.gov

Public Service Building
255 Capitol Street NE, Suite 126
Salem, OR 97310

Filed By:
Bob Roberts
Rules Coordinator

NEED FOR THE RULE(S):

This rule is needed to define the terminology and outline the requirements for Presidential Elector and adopt a pledge form in time for the 2024 General Election.

JUSTIFICATION OF TEMPORARY FILING:

The changes in HB 4019 (2024) are in effect for the general election, November 5, 2024. The Secretary of State finds that the failure to quickly implement clarifying rules will result in serious prejudice to the public interest because political parties and presidential candidates would not have the information and guidance needed to comply with the updated requirements.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 4019 (2024), Electoral Count Reform and Presidential Transition Improvement Act of 2022 available online at Congress.gov, oregonlegislature.gov or from the Elections Division.

ADOPT: 165-025-0100

RULE SUMMARY: Enacts HB 4019 (2024), defines terms and requirements for Presidential Elector. Aligns Oregon with the Electoral Count Reform and Presidential Transition Improvement Act of 2022. Adopts SEL 147 as Presidential Elector Candidate Pledge.

CHANGES TO RULE:

165-025-0100

Candidates for Presidential Elector

(1) For purposes of this rule, a "certifying party" is any major or minor party, assembly of electors, or chief sponsor of a certificate of nomination made by individual electors who may certify names of candidates for presidential elector under ORS 248.355(2) and this rule.

(a) Any major or minor party may certify names of candidates for presidential elector as described in this rule.

(b) Any assembly of electors under ORS 249.735 that nominates candidates for President and Vice President of

the United States may certify names of candidates for presidential elector as described in this rule. Before certifying names of candidates for presidential elector, an assembly of electors must specify the names of candidates for presidential elector during its nominating convention and vote on those candidates at the same time it nominates candidates for President and Vice President of the United States.¶

(c) Any chief sponsor of a certificate of nomination made by individual electors under ORS 249.740 that nominates candidates for President and Vice President of the United States may certify the names of candidates for presidential elector as described in this rule. A chief sponsor's authority to certify candidates is limited to certifying the names of candidates for presidential elector that are included in the prospective certificate and certificate of nomination for President and Vice President of the United States.¶

(2) The Elections Division adopts SEL 147 as the form of the pledge to be signed by candidates for presidential elector.¶

(3) To certify a candidate for presidential elector, a certifying party must provide the following to the Elections Division:¶

(a) A letter specifying the names of the candidates to be certified, signed by one or more authorized representatives of the certifying party; and¶

(b) A pledge in the form specified in section 2, signed by each candidate for presidential elector specified in the letter.¶

(4) The certifying party must deliver the documents specified in section 3 to the Elections Division no later than 5:00:00 p.m. on the 70th day before the election of presidential electors.¶

(5) A certifying party may fill a vacancy in its selections for presidential elector as follows:¶

(a) A major party may fill a vacancy in its selections in the manner described in ORS 249.190.¶

(b) A minor party may fill a vacancy in its selections in the manner described in ORS 249.842(1).¶

(c) An assembly of electors described in OAR 165-025-001(1)(b) may fill a vacancy in its selections in the manner described in ORS 249.842(2).¶

(d) A vacancy in selections certified by a chief sponsor under OAR 165-025-001(1)(c) may be filled in the manner described in ORS 249.842(4).¶

(6) The Secretary of State shall issue certificates of election to candidates for presidential elector as provided in ORS 254.555.

Statutory/Other Authority: ORS 246.150, Electoral Count Reform and Presidential Transition Improvement Act, HB 4019 (2024), ORS 248.370

Statutes/Other Implemented: HB 4019 (2024), ORS 248.370

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

**Electoral College
Presidential Elector Candidate Pledge**

For candidates who were nominated by a political party, assembly of electors or individual electors

SEL 147

rev 07/24
ORS 248.355
*OAR 165-025-0100

Candidate Pledge Deadline
General Election August 27, 2024

Candidate Information			
Name of Candidate			
First	MI	Last	
Candidate Residence Address			
Street Address	City	State	Zip
Candidate Mailing Address and Contact Information			
Street Address or PO Box	City	State	Zip
Work Phone	Home Phone	Cell Phone	
Email Address			

By signing this document, **I DO SOLEMNLY PLEDGE** that:

I understand that a certifying party* intends to certify me as a candidate for the office of presidential elector for the State of Oregon in 2024.

I accept the nomination for the office indicated above.

If elected, I will faithfully discharge, to the best of my ability, the duties of presidential elector as prescribed in the Constitution of the United States, the Constitution of the State or Oregon and the laws thereunder; and

I understand that those duties require me to be present at the State Capitol on December 17, 2024, to cast my vote; and

I will vote for the candidates for President and Vice President selected by the party that certified me as a candidate for presidential elector.

Signature of Presidential Elector Candidate

Date Signed