

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED

10/18/2024 11:00 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Incorporates Federal Electoral Count Reform and Presidential Transition Improvement Act changes into statute and rule.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/13/2024 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/12/2024

TIME: 2:00 PM - 3:00 PM

OFFICER: Bob Roberts

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 494995791

NEED FOR THE RULE(S)

Federal law prescribes general processes that states must follow to designate members of the Electoral College, who select a president and vice president every four years. In 2022, the federal government passed the Electoral Count Reform and Presidential Transition Improvement Act, or ECRA, to clarify the processes for counting electoral votes and to strengthen security features. This bipartisan legislation updated the Electoral Count Act of 1887, which had not been substantially changed since its enactment. This rule implements legislative mandates found in HB 4019 (2024) to incorporate ECRA changes.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

HB 4019 (2024) available online at oregonlegislature.gov or from the Elections Division.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

This rule promotes racial equity. The terms of the rule promote racial equity by protecting against implicit bias and ensuring that the same guidelines and procedures apply consistently to all qualified Presidential Electors and all political

parties.

FISCAL AND ECONOMIC IMPACT:

Proposed rules may cause minimal fiscal or economic impact to the Secretary of State, Elections Division.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) There may be a minimal fiscal impact for the state Elections Division to implement and answer questions regarding compliance with these rules, or for other unanticipated reasons.

(2)(a) Because these rules regulate the activity of State, it is not expected to impact small businesses.

(2)(b), (c) The cost that any elections office required to comply with this rule may be responsible for is dependent upon specific circumstances and cannot readily be determined.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved as this rule does not directly affect small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The fiscal impact of proposed rules are expected to be minimal at most.

AMEND: 165-010-0005

RULE SUMMARY: The changes to this rule and the associated State Candidate's Manual implement House Bill 4019 (2024), it strengthens security measures and aligns Oregon with the Electoral Count Reform and Presidential Transition Improvement Act of 2022. House Bill 4019 (2024) changes the date of when Oregon Presidential Electors gather in Salem to cast their vote for President and Vice President to the first Tuesday after the second Wednesday in December.

CHANGES TO RULE:

165-010-0005

Designating the Candidate's Manual, Minor Political Party Manual and Forms ¶¶

(1) The Secretary of State designates the State Candidate's Manual revised 01/2024 and associated forms as the procedures and forms to be used by candidates filing and running for a federal or state office as that term is defined in ORS 249.002(10).¶¶

(2) The Secretary of State designates the County, City, and District Candidate's Manual revised 01/2024 and associated forms as the procedures and forms to be used by candidates filing and running for elected office in a county, city or district.¶¶

(3) The Secretary of State designates the Political Party Manual revised 01/2024 and associated forms as the procedures and forms to be used to form a minor political party and nominate candidates for elective office. This manual also includes information on qualifying as a major political party and a party's obligation to file organizational documents.

Statutory/Other Authority: ORS 248.008, ORS 249.031, ORS 249.190, ORS 249.200, ORS 249.009, ORS 249.205, ORS 249.215, ORS 249.720, ORS 249.722, ORS 249.842, ORS 251.012, ORS 251.014, ORS 260.345, ORS 246.150, ORS 249.037, ORS 249.046, ORS 249.170, ORS 249.180, ORS 251.065, ORS 251.255, Oregon Constitution, Article IV, Section 15, ORS 249.740, ORS 249.865, ORS 249.875, ORS 248.015, ORS 248.023, ORS 254.548, ORS 255.295, ORS 255.345, SB 166 (2023), HB 3073 (2023), SB 585 (2023), ORS 246.150, Electoral Count Reform and Presidential Transition Improvement Act, HB 4019 (2024), ORS 248.370

Statutes/Other Implemented: ORS 248.008, ORS 249.009, Oregon Constitution, Article IV, Section 15, ORS


249.740, ORS 249.865, ORS 249.875, ORS 248.015, ORS 248.023, ORS 254.548, ORS 255.295, ORS 255.345, SB 166 (2023), HB 3073 (2023), SB 585 (2023), HB 4019 (2024), ORS 248.370

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

State Candidate Manual

Published by

Elections Division
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Salem, OR 97310-0722

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Adopted by

Oregon Administrative Rule No. 165-010-0005



Secretary of State

Elections Division Rev. [0407](#)/2024

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Using This Manual

This manual explains the procedures and requirements for candidates for public office.

State offices. Elections Division of the Secretary of State's Office ("Elections Division") is the filing officer for state candidates.

Local offices. County clerks are the filing officers for county candidates. County clerks are also the filing officers for district candidates; the appropriate clerk is the clerk of the county where the district administrative office is located. City elections officials are the filing officers for city candidates. See the [County, City and District Candidates Manual](#) if filing for a local office.

Icons

The following icons used in this manual are to emphasize information:



alert icon

indicates alert; warning; attention needed



info icon

indicates additional information



deadline icon

indicates a deadline



petition sheet icon

indicates a reference to a signature sheet



form icon

indicates a reference to a form



search icon

indicates information located elsewhere



ORESTAR

secure web-based electronic reporting system


Help

For help, please contact:

Elections Division
255 Capitol St NE Suite 126
Salem OR 97310

 **503 986 1518**
 **503 373 7414**

 elections.sos@sos.oregon.gov
 www.oregonvotes.gov

 **1 866 673 8683**
se habla español

tty 1 800 735 2900
for the hearing impaired

Getting Started

ORESTAR

ORESTAR is the Secretary of State's secure web-based electronic reporting system for candidate filing, voters' pamphlet filing, and all campaign finance reporting.

Campaign Finance Reporting

Oregon campaign finance law may require candidates to establish a campaign account, file a Statement of Organization designating a candidate committee and file contribution and expenditure transactions with the Elections Division.

For further details on campaign finance reporting requirements, review:



The [Campaign Finance Manual](#), and the [ORESTAR User's Manuals](#) available at www.oregonvotes.gov.

Types of Public Office

There are two types of public offices in Oregon, partisan, and nonpartisan. Any person can run for a partisan or nonpartisan office if they meet the requirements of the office and are registered to vote.

Partisan Offices

Candidates for partisan office may run as the nominee of a major or minor political party or as nonaffiliated candidates. Major party candidates must win the primary election, in order to then run in the general election. Minor party and nonaffiliated candidates qualify for the ballot without running in the primary election; they first run for office at the general election.

Partisan offices include:

US President, US Senator, US Representative, Governor, Secretary of State, State Treasurer, Attorney General, State Senator, and State Representative.

Nonpartisan Offices

Candidates for nonpartisan office do not run as the nominee of a political party. All candidates for nonpartisan office must run in the primary election. This office can be won at the Primary Election, see [ORS 249.088](#) for further details.

Nonpartisan offices include:

Commissioner of the Bureau of Labor and Industries (Labor Commissioner), Judge (Supreme Court, Court of Appeals, Tax Court, Circuit Court, and District Attorney).

Qualifications for Public Office

The qualifications for public offices differ depending on the office. Before filing, the candidate should review the constitutional and statutory requirements for the office sought.



The qualifications for most state offices are provided on [page 8](#) and [page 18](#).



Forms are available online at www.oregonvotes.gov.

Filing Methods for Public Office

Primary Election

Major party candidates for partisan office, and candidates for all nonpartisan offices must file for the **primary election**.

To file for the **primary election**, candidates must complete and submit one of the following:

1 the candidate filing online through ORESTAR and pay the required filing fee, if any;

 See the [ORESTAR User's Manual: Candidacy Filing](#) for instructions on filing electronically.


2 Form [SEL 101 - Candidate Filing - Major Political Party or Nonpartisan](#) and pay the required filing fee, if any;


or

3 Form [SEL 101 - Candidate Filing - Major Political Party or Nonpartisan](#) and a nominating petition containing the required number of valid signatures.

or

4 Form [SEL 101 - Candidate Filing - Major Political Party or Nonpartisan](#) and paying the filing fee, while the candidate also attempts to gather the required number of valid signatures on a nominating petition. This is known as filing a “prospective” petition. If the candidate then submits already verified nominating petition containing the required number of valid signatures by 5 pm on the filing deadline, the filing fee will be refunded.

 A prospective petition may be filed at any time; however, signatures should be submitted in sufficient time to allow for signature verification process to be completed prior to the candidate filing deadline of March 12, 2024. See the [Filing Requirements](#) section for a list of filing fees and the deadline to submit completed forms.

 In most cases, candidates nominated at the primary election automatically move forward to the general election ballot. However, there are some offices that may be elected at the primary election, in which case the candidate would not be printed on the general election ballot. [ORS 249.088](#)

General Election

Candidates who are nominated by a Minor Party, and candidates who are not a member of any political party, must file for the **general election**.


Candidates are nominated by a Minor Party if the minor party submits a completed notarized Form [SEL 110 Candidate Filing - Minor Party](#).

Nonaffiliated candidates who are not a member of any political party can run for office by:


→ Completing and submitting Form [SEL 114 Candidate Filing - Individual Electors](#);

or

→ Holding an Assembly of Electors and submitting Form [SEL 115 Candidate Filing - Assembly of Electors](#).


 Both Individual Electors and the Assembly of Electors processes are outlined in this manual on [pages 11-14](#).

Submitting Forms and Documents

 Any required signature sheets must be personally delivered or mailed to the Elections Division.

With the exception of petition signature sheets, completed and signed forms or documents may be:

- scanned and emailed to Elections Division at elections.sos@sos.oregon.gov;
- faxed to 503 373 7414; or
- mailed or personally delivered to 255 Capitol St NE, Ste 126, Salem, OR 97310.

 The Elections Division will send most correspondence via email unless specifically required to be sent via the US Postal Service.

Multiple Nominations to Public Office

In Oregon, candidates can be nominated by multiple political parties. Candidates nominated by more than one party or by other nominating processes may select up to three parties or designations to be printed with their name on the general election ballot.

A candidate may designate the order in which the parties or designations will be listed, with two exceptions:

- If a political party nominates one of its members for a partisan office, that party will be listed first, followed by no more than two additional parties.
- If individual electors or an assembly of electors nominate a nonaffiliated candidate, “nonaffiliated” will be listed first, followed by no more than two additional parties. When selecting political parties or other designations the following rules apply:

	Candidate is nominated by	Information and default order listed on ballot
Member of political party	Party of which candidate is a member	The ballot lists this party first, followed by two or fewer additional parties in alphabetical order. The candidate may specify a different order for the additional parties.
	Party of which the candidate is not a member	The ballot lists three or fewer parties in alphabetical order. The candidate may specify a different order. If more than three parties nominate the candidate, the candidate may choose which appear.
Not affiliated with any political party	Individual Electors or Assembly of Electors	The ballot lists “nonaffiliated” first, followed by two or fewer parties in alphabetical order. The candidate may specify a different order for the parties. If more than two parties nominate the candidate, the candidate may choose which appear.
	Any political party	Three or fewer parties are listed in alphabetical order. If more than three parties nominate the candidate, the candidate may choose which appear.

Running for a Partisan Office



Failure to follow the instructions contained in this manual may invalidate the nomination.

Major party candidates in a primary election must complete their candidacy filing in ORESTAR or by submitting a paper form. They must also either pay the filing fee or submit signatures in lieu of paying the filing fee.

Minor party or nonaffiliated candidates in the general election must file paper forms.



See [Filing Requirements for Partisan Office on page 9](#) for a list of filing fees and the deadline to submit completed forms.



Candidates for US President have additional filing requirements. See [page 10 for filing instructions](#).



A person may only file for one lucrative office to be filled at the same election. All filings are invalid unless the person has withdrawn from any previous filing. [ORS 249.013](#)

An office is considered lucrative if a salary or other compensation beyond expenses is attached to it; it is created by statute or the constitution; its holder exercises part of the sovereign power of government; it is a matter of public concern; and the position is not temporary or intermittent.



A major political party candidate who failed to receive their party's nomination at the primary election may not be the candidate of any other political party or become a nonaffiliated candidate for the same office at the general election. [ORS 249.048](#)

A candidate must be nominated to appear on a general or special election ballot. There are four paths to nomination:

- A candidate receives the nomination of a major political party by winning its primary election;
- A recognized minor political party nominates the candidate at a nominating convention held in accordance with party bylaws and state law;
- Individual electors nominate the candidate by signing a petition containing the required number of valid signatures; **or**
- An “assembly of electors” holds a convention to nominate the candidate and files assembly minutes containing the required number of valid signatures.

This manual describes each of these paths in more detail below.





Forms are available online at www.oregonvotes.gov.

Qualifications for Partisan Office

All Candidates must be US citizens and registered voters


Office	Minimum Age	Residency and Citizenship Reqs.	Term of Office	Special Requirements	Filling Vacancies During the Term
President US Const, Art II, §1 US Const, Am. XXIII	35	Must be a natural born citizen residing in the US 14 years before the election	4 years	May serve two consecutive terms	Succession order: Vice President; Speaker of the House; others
US Senator US Const., Art. I, §3 US Const, Art II, §1 ORS 188.120	30	Must be a US citizen for 9 years before the election and an inhabitant of Oregon at election time	6 years		A special election is held to fill vacancies during the term.
US Representative US Const, Art. I, §2 US Const, Art II, §1 ORS 188.120	25	Must be a US citizen for 7 years before the election and an inhabitant of Oregon at election time	2 years		A special election is held to fill vacancies during the term.
Governor Or Const, Art V, §1 Or Const, Art V, §2 Or Const, Art V §7 Or Const, Art. V §8a	30	Must be a US citizen and a resident of Oregon for 3 years before the election	4 years	May serve up to 8 years in any 12-year period	Succession order: Secretary of State; State Treasurer; President of the Senate; Speaker of the House
Secretary of State Or Const, Art VI, §1 Or Const, Art. V §16	18	Must be a resident of Oregon	4 years	May serve up to 8 years in any 12-year period	Governor appoints a qualified placeholder until the next general election
State Treasurer Or Const, Art VI, §1 Or Const, Art. V §16	18	Must be a resident of Oregon	4 years	May serve up to 8 years in any 12-year period	Governor appoints a qualified placeholder until the next general election
Attorney General Or Const, Art. V §16 ORS 180.020 ORS 180.040	18	Must be a resident of Oregon	4 years		Governor appoints a qualified placeholder until the next general election
State Senator Or Const, Art IV, §4 Or Const, Art IV, §8 Or Const, Art IV, §15 ORS 171.051	21	Must be a US citizen and an inhabitant of the district 1 year prior to election	4 years	To be eligible for the term immediately following their current term, must not have 10 or more unexcused absences from legislative floor sessions during a regular or special legislative session.	County governing body appoints a qualified person from party nominees
State Representative Or Const, Art IV, §4 Or Const, Art IV, §8 Or Const, Art IV, §15 ORS 171.051	21	Must be a US citizen and an inhabitant of the district 1 year prior to election	2 years	To be eligible for the term immediately following their current term, must not have 10 or more unexcused absences from legislative floor sessions during a regular or special legislative session.	County governing body appoints a qualified person from party nominees

 Qualifications listed in the table are most frequently used, but the Secretary of State will follow all qualifications required by state and federal law.

 Forms are available online at www.oregonvotes.gov.

Filing Requirements for Partisan Office


All filings and an accompanying payment of fees required to be filed, must be delivered to, and actually received at the office of the designated officer not later than 5:00:00 pm of the day the document or fee is due.

Office	Major Party Fee or Required Signatures	Minor Party	Individual Electors	Assembly of Electors
🕒 First Day to File	September 14, 2023	June 5, 2024	June 5, 2024	June 5, 2024
🕒 Last Day to File	March 12, 2024	August 27, 2024	August 27, 2024	August 27, 2024
🕒 Last Day to Withdraw	March 15, 2024	August 30, 2024	August 30, 2024	August 30, 2024
🕒 Last Day to Submit Signatures for Guaranteed Verification	February 27, 2024	N/A	August 13, 2024	August 13, 2024
 If 100% of the required signatures are submitted by the Guaranteed Verification Deadline, the elections official will verify signatures so they can be used as payment. Signatures filed after this date may not be verified by the filing deadline and the candidate would be required to pay the fee instead.				
Fee or Signature Requirements:				
President ORS 249.078 (2)	<u>Fee:</u> None <u>Petition:</u> The candidate submits 6,000 signatures by members of the candidate’s party, including at least 1,000 signatures from each of Oregon’s congressional districts or The Secretary of State decides what candidates to place on the primary election ballot	Nominating convention held in accordance with party bylaws and state law	23,744 signatures ORS 249.740	1,000 signatures obtained at a nominating convention held in one place, at one time, during a 12-hour period
US Senator, Governor, Secretary of State, State Treasurer or Attorney General ORS 249.068 (1)	<u>Fee:</u> \$150 for US Senator; \$100 for all other offices or <u>Petition:</u> 1,000 signatures from members of the candidate’s same political party, including at least 100 signatures from each of Oregon’s congressional districts.	Nominating convention held in accordance with party bylaws and state law	23,744 signatures ORS 249.740	1,000 signatures obtained at a nominating convention held in one place, at one time, during a 12-hour period
US Representative ORS 249.068 (1)	<u>Fee:</u> \$100 or <u>Petition:</u> 1,000 signatures from members of the candidate’s same political party.	Nominating convention held in accordance with party bylaws and state law	4,749 signatures ORS 249.740	500 signatures obtained at a nominating convention held in one place, at one time, during a 12-hour period
State Senator ORS 249.068 (2)	<u>Fee:</u> \$25 or <u>Petition:</u> 500 signatures from members of the candidate’s same political party.	Nominating convention held in accordance with county bylaws and state law	791 signatures ORS 249.740	250 signatures obtained at a nominating convention held in one place, at one time, during a 12-hour period
State Representative ORS 249.068 (2)	<u>Fee:</u> \$25 or <u>Petition:</u> Signatures must be from members of the candidate’s same political party. 438 signatures for Democratic Party 317 signatures for Republican Party	Nominating convention held in accordance with party bylaws and state law	396 signatures ORS 249.740	250 signatures obtained at a nominating convention held in one place, at one time, during a 12-hour period

President

[ORS 248.355-380, OAR 165-025-0100, OAR 165-025-0110, OAR 165-025-0120, OAR 165-025-0130](#)

Under the US Constitution, voters do not vote directly for presidential candidates in the general election. Instead, they vote for the members of the *Electoral College*, a body of electors who meet to choose the next President and Vice President. Oregon voters who vote for President and Vice President in the general election are choosing Oregon's representatives in the Electoral College. Each political party that nominates candidates appoints electors who sign a pledge to vote for that party's candidates. [Names of the selected candidates for elector must be submitted to the Secretary of State no later than the 70th day before the election of electors, August 27, 2024. ORS 248.355 \(2\)](#)

 The Electoral College convenes [the Monday on the first Tuesday](#) after the second Wednesday in December after a presidential election, December ~~16~~[17](#), 2024.

Voters who vote for major party presidential candidates in a primary election are also not voting for the candidates directly. Instead, they are expressing their preference for candidates to be considered at the party's national nominating convention. Each major party selects convention delegates from Oregon in proportion to the preferences of the primary voters. State law binds the delegates to follow the preferences of the primary voters they represent unless and until certain conditions occur. See [ORS 248.355](#).

Ballot Access for Presidential Candidates

Candidates gain access to the ballot to run for President and Vice President in the following ways.

Major Political Party Candidates


[ORS 249.078](#)


Oregon voters who are registered as members of a major political party select their preferred candidates for President at Oregon's *primary election*. Thereafter, the major political parties select their presidential nominees, generally from the candidates nominated by state caucuses or state primary elections nationwide. The major political parties generally select candidates for Vice-President after selecting a presidential nominee.


Primary Election Ballot

Major party presidential candidates do not submit a declaration of candidacy or pay a filing fee in order to appear on the primary election ballot. These candidates have two paths to the primary election ballot:

- (1) the Secretary of State places candidates on the primary election ballot if the Secretary determines their candidacy is generally advocated or is recognized in national news media, or
- (2) candidates can file a nominating petition.

 To file by petition, each candidate must file a completed nominating petition containing the required number of valid signatures. The candidate must collect at least 6,000 signatures from active members of the relevant major political party; this must include 1,000 signatures from each of Oregon's congressional districts.

 A candidate can gather and submit signatures at any time before the March 12, 2024, filing deadline. However, to guarantee signature verification before the filing deadline, candidates should submit signatures on or before February 27, 2024.

 Forms are available online at www.oregonvotes.gov.

To file a nominating petition, candidates must complete and submit the [SEL 101 Candidate Filing – Major Political Party or Nonpartisan](#) form and select the “prospective petition” option on the form.

General Election Ballot

Major party candidates for President and Vice-President gain access to the ballot after receiving the nomination of their party.

Minor Political Party Candidates

ORS 249.705

Minor political parties nominate presidential candidates at nominating conventions that comply with party bylaws and state law. Those candidates then appear on the general election ballot.

Candidates that are nominated by a recognized minor political party must complete and file:



Form [SEL 110 Candidate Filing – Minor Political Party](#) with a notarized Candidate Nomination Certificate executed by a party officer.

Nonaffiliated Candidates

ORS 249.720, 249.35 and 249.740

Nonaffiliated candidates for the offices of President and Vice President may be nominated to appear on the general election ballot by either submitting signatures from Individual Electors or from an Assembly of Electors. Before obtaining any signatures, the chief sponsor of the Individual Electors nominating petition, or the presiding officer of the Assembly of Electors must receive written approval to circulate. Candidates can begin the signature sheet approval process before the first day to file as a candidate for the general election.

Individual Electors



The chief sponsor of a nominating petition by Individual Electors must file Form [SEL 114 Candidate Filing – Individual Electors](#).

The required number of signatures from Individual Electors is 1% of the number of votes cast in the state for all candidates for presidential electors at the most recent presidential election.

Form [SEL 114 Candidate Filing – Individual Electors](#) must be completed, signed and submitted for all candidates. Candidates include President, Vice President and 8 members of Electoral College.



See the [Individual Electors process on page 13](#) for the remaining steps in filing for office using this method.

or

Assembly of Electors



The presiding officer of an Assembly of Electors must file Form [SEL 115 Candidate Filing – Assembly of Electors](#).

The presiding officer must submit 1,000 signatures obtained at a nominating convention held on a single day during a single 12-hour period. The assembly can be held any time between June 5, 2024, and August 13, 2024.

Form [SEL 115 Candidate Filing – Assembly of Electors](#) must be completed, signed and submitted for all candidates. Candidates include President, Vice President and 8 members of Electoral College.



See the [Assembly of Electors process on page 13](#) for the remaining steps in filing for office using this method.



Forms are available online at www.oregonvotes.gov.

Partisan Offices

Major Political Party Candidates

Most major political party candidates may file for partisan office by submitting a declaration of candidacy and paying the filing fee or by submitting a completed nominating petition containing the required number of valid signatures.



Major political party candidates must have been registered to vote as a member of that political party by September 14, 2023. Exceptions are allowed if the candidate's registration is inactive or the candidate will turn 18 between September 14, 2023, and March 12, 2024. [ORS 249.046](#)

Filing by Fee

ORS 249.056

Only candidates who file in a primary or special election may file their candidacy by fee.

Candidates may file in two ways:



online through ORESTAR. See the [ORESTAR User's Manual: Candidate Filing](#).

or



by completing form [SEL 101 Candidate Filing – Major Political Party or Nonpartisan](#).

Filing by Nominating Petition

ORS 249.008, 249.020, 249.031, 249.035, and 249.061-249.076

A candidate may submit petition signatures instead of paying a filing fee.

Generally, all signatures must be of active registered voters within the district and from members of the same major political party as the candidate. There is an exception for an election after a change in boundaries due to reapportionment. In that case, signatures collected for the offices of US Representative, State Senator, and State Representative do not need to be collected from a particular district.



See the [Filing by Prospective Petitions Requirements and Guidelines](#) section on pages 26-31 for the remaining steps in filing for office using this method.

Minor Political Party Candidates

ORS 249.705

Minor political parties may nominate candidates for any partisan office in a general or special election, including federal and state offices, as long as the party has been established within the electoral district and maintains the necessary requirements to be a minor political party. A minor political party must qualify as a minor political party *statewide* to nominate candidates for statewide or national offices, including US President, US Senator, US Representative, Governor, Secretary of State, State Treasurer, or Attorney General.

Minor political party candidates do not appear on the primary election ballot.



Contact the Elections Division for a list of recognized minor political parties in Oregon and the districts in which they are established or visit www.oregonvotes.gov

A minor political party nominates candidates, including candidates for US President, by convening nominating conventions that comply with party bylaws and state law. Candidates that are nominated by a recognized minor political party complete and file the following form with the Elections Division:



SEL 110 Candidate Filing – Minor Political Party with a notarized Candidate Nomination Certificate executed by a party officer.

Nonaffiliated Candidates

Candidates who are not members of any political party may file for partisan office in a general or special election in two ways: (1) by submitting a completed Individual Electors nominating petition containing the required number of valid signatures, or (2) by holding an Assembly of Electors and filing the assembly minutes that contain the required number of valid signatures of active Oregon voters.

Nonaffiliated candidates for partisan office do not appear on the primary election ballot.

The name of a candidate nominated to the ballot through either the Individual Electors or Assembly of Electors process will appear on the general or special election ballot with the designation of nonaffiliated.



To qualify for nomination by Individual Electors, or to conduct an Assembly of Electors, the candidate must be registered to vote as a nonaffiliated voter as of February 29, 2024. ORS 249.720

Individual Electors

ORS 249.740

To be nominated by individual electors, a candidate must submit the required number of valid signatures from active Oregon registered voters in the district where the candidate is running for office. If the boundaries of a district changed due to reapportionment, candidates running in that district may collect signatures from any active registered voter in Oregon.



Candidates may begin collecting signatures before the first day to file candidacy for the general election.



Before obtaining signatures, candidates must file form SEL 114 Candidate Filing – Individual Electors, select the “prospective petition” option on the form, and designate the petition circulators’ pay status. See [Filing by Prospective Petition Requirements and Guidelines on pages 26-31](#).



The Elections Division will provide signature sheet templates for candidates filing by individual electors’ process. The templates will include the petition number, candidate name, name of office for which the candidate is running, the election for which the candidate is filing, and the district or position number.





Forms are available online at www.oregonvotes.gov.

Assembly of Electors


ORS 249.735-249.737

An Assembly of Electors is a nominating convention of active Oregon registered voters who gather in one place, on a single day during a single 12-hour period. A presiding officer conducts the assembly, and the assembly secretary records nominations in the minutes. The minutes also include the signatures of the assembly participants. Those signatures are submitted to the Elections Division.

-  The presiding officer must coordinate the date, time, and place of the assembly with the Elections Division, so elections staff can attend and supervise the nominating convention.
-  See the [Filing Requirements](#) section for a list of required signatures and the deadline to submit completed forms.

The assembly process can begin before the first day to file candidacy for the general election. However, candidates should hold an assembly by August 13, 2024. Holding an assembly on or between June 5, 2024, and August 13, 2024 allows enough time for the Elections Division to verify signatures before the August 27, 2024 candidate filing deadline. Candidates whose signatures are not verified by the filing deadline will not appear on the ballot.

1 File a Prospective Petition

-  The candidate or presiding officer must file Form [SEL 115 Candidate Filing – Assembly of Electors](#). Only the candidate should sign the form.

2 Receive Approval to Schedule the Assembly

If the form is complete, the Elections Division will give written approval to schedule the Assembly of Electors.

3 Determine the Logistics for the Assembly

The candidate or presiding officer must coordinate with the Elections Division to:


- Determine a mutually convenient time to conduct the assembly
- and**
- Review assembly requirements.

4 Publish a Notice of Assembly

Next, the candidate or presiding officer must publish a notice of Assembly of Electors at least once, in at least three newspapers of general circulation in the electoral district for which the assembly will nominate a candidate.


The notice must contain:


- The time and place of the assembly;
- The office or offices for which nominations will be made; **and**
- The names and addresses of at least 25 active registered voters who want to have the assembly and who are eligible to participate.

-  Before publishing the notice, the candidate or presiding officer must submit the 25 names to the Elections Division to confirm that they are active registered voters.

5 File the Notice of Assembly

To receive final approval to convene the assembly, the candidate or presiding officer must file a copy of the published notice with the Elections Division.


 The candidate or presiding officer must publish the notice and file it with the Elections Division no later than ten days before the nominating convention. *ORS 249.735(3)*.

 If the published notice is not filed on time or does not meet the requirements described above, the Assembly of Electors will be cancelled. The candidate or presiding officer may reschedule the assembly in coordination with the Elections Division and may hold the assembly once all the requirements are met.

6 Get Affidavits to Prove the Notice was Published

The candidate or presiding officer must get an affidavit from each of the newspapers where the notice is published, to prove that the notice was published as required. Each affidavit should attach a copy of the notice and be signed by one of the following:

- the newspaper's owner; **or**
- the newspaper's editor; **or**
- the newspaper's publisher; **or**
- the newspaper's manager; **or**
- the newspaper's advertising manager; **or**
- the principal clerk of the owner **or** editor **or** manager; **or**
- the newspaper's printer or the printer's foreperson.

 The candidate or presiding officer should *not* submit the affidavit with the filed notice. They should keep it and submit it to the Elections Division when they file the completed petition after the Assembly of Electors. *ORS 249.735 (4)*

7 Receive Approval to Hold the Assembly

Once the candidate or presiding officer files a copy of the published notice (see Step 5, above), the Elections Division will review it for completeness. If complete, the Elections Division will give approval, in writing, to hold the Assembly of Electors. The approval document will include:

- the petition number; **and**
- the number of required signatures; **and**
- the filing deadline; **and**
- a signature sheet template, to use for gathering signatures.

8 Hold the Assembly of Electors

The presiding officer is advised to invite more than the required number of participants, to ensure that the minutes include enough valid signatures from active voters. After starting the assembly, the presiding officer must explain that:

- the nominating convention is held in one day in one location and must be completed within twelve hours or the process must begin again;
 - the assembly participants must be active registered voters in the electoral district(s) for which the assembly is nominating a candidate(s);
 - the assembly may only nominate candidates for offices published in the notice;
 - the candidate who receives the highest number of votes for an office will be the assembly's nominee for that office;
 - only assembly participants who are active registered voters may sign the signature sheets;
- and**

- once the required number of active registered voters are present to participate, they must remain in the assembly until candidates have been nominated, signature sheets are signed, and the convention is adjourned.

9 Filling a Vacancy in Nomination(s)

If a vacancy in nomination occurs, it may be filled in either of the following ways:

- The presiding officer may reconvene the assembly following the same rules as the original assembly. **or**
- The original assembly must vote to appoint the committee to whom the assembly will delegate the authority to fill vacancies. A committee designated by the original assembly may select a nominee to fill the vacancy. The assembly is considered the same assembly if the presiding officer and secretary are the same as during the original assembly. The committee only has the authority to select a nominee to fill the vacancy if the petition has the required number of signatures.



The presiding officer, or the committee, must file with the Elections Division a certificate of nomination designating the nominee to fill the vacancy.

10 Adjourn the Assembly of Electors

After the assembly has completed the nomination process and selected the committee to fill vacancies, if any, the assembly is adjourned. The Elections Division collects all completed signature sheets and stamps each sheet under the last signature line signed to ensure no additional signatures are added. The signature sheets will be returned to the presiding officer.


11 Complete the Petition, Signature Verification

To complete the petition process the candidate or presiding officer must submit to the Elections Division:

-  Notarized form [SEL 115 Candidate Filing – Assembly of Electors](#) with the Certificate of Nomination executed by the presiding officer and secretary of the assembly;
-  The Certificate of Nomination may be executed and notarized on a copy of the [SEL 115](#) originally submitted. If executed and notarized on a new [SEL 115](#) all sections of the form must be completed in their entirety.
 - signature sheets that contain at least 100% of required number of signatures;
 - and**
 - proof of published notice affidavit(s).

The Elections Division must receive signature sheets for verification no later than **August 13, 2024**, to ensure sufficient time for the verification process to be completed prior to **5 pm** on the filing deadline of **August 27, 2024**. Candidates are advised that signature sheets received after August 13, 2024 might not be processed in time for the candidate to be printed on the ballot. ~~Before submitting the signature sheets for verification, the presiding officer must:~~

- ~~→ ensure each signature sheet certification is signed and dated by the circulator~~
- ~~**and**~~
- ~~→ sort the signature sheets by county, if required.~~

-  The Elections Division verifies the original signatures against the voters' registration record.

12 Signature Tally

The Elections Division tabulates the number of valid signatures contained on the accepted signature sheets and notifies the candidate and presiding officer of the final tally.

Nonpartisan Office

Candidates for Nonpartisan Office

The Elections Division is the filing officer for all statewide nonpartisan offices, as well as the offices of Judge of the Circuit Court, and District Attorneys. The procedures for filing for nonpartisan office are explained in the following sections. Please review the procedures thoroughly and follow the instructions completely.



Failure to follow the instructions contained in this manual may invalidate the nomination.

Candidates for nonpartisan office in the primary election must file their candidacy:



online through ORESTAR. See the [ORESTAR User's Manual: Candidate Filing](#).

or



by completing the Form SEL 101 Candidate Filing – Major Political Party or Nonpartisan.

See [Filing Requirements for Nonpartisan Offices](#) on page 19 for the filing fees and candidacy filing deadlines.



To ensure ballot access, a candidate may file a prospective petition and pay the filing fee. If the candidate submits the required number of valid signatures by 5 pm on the filing deadline, the filing fee will be refunded.



A prospective petition may be filed at any time; however, signatures should be submitted in sufficient time to allow for signature verification process to be completed prior to 5 pm on the candidate filing deadline of March 12, 2024. See the [Filing Requirements](#) section for filing fees and deadline to submit completed forms.

Nomination and Election

ORS 249.088 and 249.091

In some circumstances, nonpartisan candidates may be elected at the primary election, without running in the general election.

In general, nonpartisan candidates may be elected at the primary when they receive the majority of the votes cast. There are two exceptions:

- When an office is on the ballot to fill a vacancy, and the office would not have been on the ballot in that year except for the vacancy, **or**
- When the office, by law, must be elected at the general election.



Offices that must be elected at the general election only appear on the primary election ballot if three or more candidates file for the office. If one of the candidates receives a majority of the votes at the primary, that candidate will appear on the general election ballot. If none of the candidates receives a majority of the votes at the primary, the *two* candidates with the most votes will appear on the general election ballot. When only one or two candidates file for an office that must be elected at the general election, those candidate(s) will not appear on the primary ballot but will appear on the general election ballot for that office.



Candidates *must file no later than the filing deadline for the primary election*, even if the office will only appear on the general election ballot.




Forms are available online at www.oregonvotes.gov.

Qualifications for Nonpartisan Candidates

All Candidates must be US Citizens and Registered Voters

Office	Age	Residency	Term of Office	Special Requirements	Vacancies
Commissioner of the Bureau of Labor and Industries	18	Must be a citizen of Oregon and a resident of Oregon for 5 years before the election ORS 651.030	4 years ORS 651.030		Governor appoints a qualified placeholder until a successor is elected
Supreme Court Judge	No older than 75	Must be a resident of Oregon for 3 years before election or appointment ORS 2.020	6 years (must retire at end of calendar year in which the judge turns 75) Or Const., Art VII §1 and 1a	Must be admitted to practice law in the Oregon Supreme Court at time of election or appointment ORS 2.020	Governor appoints a qualified placeholder until a successor is elected
Appeals Court Judge	No older than 75	Must be an elector of county of residence ORS 2.540	6 years (must retire at end of calendar year in which the judge turns 75) Or Const., Art VII §1 and 1a	Must be admitted to practice law in Oregon ORS 2.540	Governor appoints a qualified placeholder until a successor is elected
Tax Court Judge	No older than 75	Must be a resident of Oregon ORS 305.455	6 years (must retire at end of calendar year in which the judge turns 75) Or Const., Art VII §1 and 1a ORS 305.452	Must be admitted to practice law in the Oregon Supreme Court and have been engaged in active practice for 3 years before election or appointment ORS 305.455	Governor appoints a qualified placeholder until a successor is elected
Circuit Court Judge	No older than 75	Must be a resident of Oregon for 3 years before filing for candidacy or appointment; must have a residence or principal office in the judicial district where the judge will serve, or an adjacent district, for at least one year before filing for candidacy or appointment ORS 3.041	6 years (must retire at end of the calendar year in which the judge turns 75) Or Const., Art VII §1 and 1a	Must be a member of the Oregon State Bar at time of election or appointment ORS 3.050	Governor appoints a qualified placeholder until a successor is elected
District Attorney	18	Resident of Oregon	4 years ORS 8.610	Must be admitted to practice law in the Oregon Supreme Court at time of election or appointment ORS 8.630	Governor appoints a qualified placeholder until a successor is elected

 An incumbent circuit court judge may use the location where they preside to satisfy the principal office requirement.

Filing Requirements for Nonpartisan Office

All filings and an accompanying payment of fees required to be filed, must be delivered to, and actually received at the office of the designated officer not later than 5:00:00 pm of the day the document or fee is due.

	Primary Election	General Election
First Day to File	September 14, 2023	June 5, 2024
Last Day to File	March 12, 2024	August 27, 2024
Last Day to Withdraw	March 15, 2024	August 30, 2024
Office	Fee	Required Signatures
Labor Commissioner Supreme Court Judge, Appeals Court Judge or Tax Court Judge	\$100 Or	The lesser of either (a) 1,000 signatures or (b) 1% of the number of votes cast for Governor in Oregon at the most recent election in which a candidate for Governor was elected to a full term. The signatures must include those of at least 100 electors registered in each of Oregon’s congressional districts.
Circuit Court Judge or District Attorney	\$50 Or	The lesser of either (a) 500 signatures or (b) 1% of the number of votes cast for Governor in the district at the most recent election at which a candidate for Governor was elected to a full term.

Nonpartisan Office Filing at the Primary Election

Filing by Fee

ORS 249.056

Candidates for nonpartisan office in the primary election must:



File their candidacy through ORESTAR



See the ORESTAR User’s Manual: Candidate Filing for instructions on filing electronically.

or



File form SEL 101 Candidate Filing – Major Political Party or Nonpartisan form and either pay the required filing fee or file a completed nominating petition containing the required number of valid signatures.



Filing by Nominating Petition

ORS 249.008, 249.020, 249.031, 249.035, and 249.061-249.076

All signatures must be of active registered voters within the district.


Prospective Petition

To begin the signature sheet approval process candidates must:

-  File form [SEL 101](#) indicating prospective petition on the form and designating circulator pay status.
-  See the [Filing by Prospective Petition Requirements and Guidelines](#) on pages 26-31 for instructions.



The Elections Division reviews each signature sheet to ensure that the circulator's certification is sufficient.

After reviewing the sheets, the Elections Division tabulates the number of valid signatures contained on the accepted signature sheets and notifies the candidate of the results.

-  If the Elections Division determines the petition does not contain the required number of valid signatures and the filing deadline has not passed, the candidate may submit additional signatures.

Nonpartisan Office Filing at the General Election

Generally, candidates for nonpartisan office must file by the deadline for the primary election. The only exception is if the office becomes vacant after the filing deadline for the primary election and before the filing deadline for the general election. If this happens, the candidate may file by fee or by petition before the filing deadline for the general election.

-  For information about filing by petition, review the instructions on [pages 26-31](#). Signature Sheets must be submitted with enough time for verification prior to 5 pm on the filing deadline day of August 27, 2024.
-  To ensure ballot access, a candidate may file a prospective petition and pay the filing fee. If the candidate submits already verified signatures by 5 pm on the filing deadline the filing fee will be refunded.

Candidate Withdrawal

ORS 249.170, 249.180, and 249.830


To withdraw from candidacy or nomination, candidates must provide and attest to the reason for withdrawal. The candidate must complete and file form [SEL 150](#) with the Elections Division.

Primary Election



If the candidate files for office electronically in the ORESTAR system, the candidate may log into ORESTAR and process their withdrawal.

-  See the [ORESTAR User's Manual: Candidacy Filing](#) for instructions on filing electronically **or**

-  File form [SEL 150 Candidate Filing - Withdrawal](#)
The candidate must provide and attest to the reason for withdrawal. Forms missing this information will not be accepted.

General Election



Form SEL 150 Candidate Filing - Withdrawal

The candidate must provide and attest to the reason for withdrawal. Forms missing this information will not be accepted.

The candidate's name will remain on the ballot unless they file a complete SEL 150 with the Elections Division by the deadline.



If the candidate filed by fee, the Elections Division will refund the fee after approving the withdrawal.



Deadline to Withdraw

Primary Election

General Election

March 12, 2024

August 30, 2024

Write-In Candidates

ORS 254.548

Oregon voters may write in the name of a person who does not appear on the ballot. Elections officials generally tally the number of total write-in votes for each elected office, but do not tally votes cast for each individual write-in candidate. Elections officials will tally votes for individual write-in candidates if there is no candidate on the ballot for the office, or if the total number of write-in votes is equal to or greater than the votes cast for the candidate printed on the ballot with the most votes.

Seeking nomination or election as a write-in candidate

A person who seeks nomination or election to office as a write-in candidate does not complete any candidate filing forms, but they may be required to establish a dedicated campaign bank account and file a Statement of Organization designating a candidate committee.



For more information about these requirements, see the [Campaign Finance Manual](#) and the [ORESTAR User's Manuals](#) available at www.oregonvotes.gov.

Winning nomination or office as a write-in candidate

If the voters nominate or elect a write-in candidate, the candidate must formally accept the nomination or office to become the nominee or elected officeholder.

Receiving Notice of Nomination or Election

The Elections Division notifies the candidate by sending:

- Form SEL 140 Candidate Filing – Write-In Acceptance – Primary filing
- or
- Form SEL 141 Candidate Filing – Write-In Acceptance – New Filing.

Formally Accepting Nomination or Office

To accept the nomination or office, the candidate must complete, sign, and return the write-in form to the Elections Division by the acceptance deadline date. Candidates must use:

- Form SEL 140, for nominees whose name appeared on the Primary ballot
- or
- Form SEL 141, for nominees whose name did not appear on the Primary or General Election ballot




Forms are available online at www.oregonvotes.gov.

Receiving the Certificate of Nomination or Election

When completed and signed SEL 140 or SEL 141 are received, the Elections Division prepares and delivers a certificate of nomination or election to the candidate.


If a write-in candidate who is nominated or elected does not qualify for the office or does not accept the office, the nomination or office will be declared vacant.

 Deadline to Complete Write-In Process	Primary Election	General Election
Notification:	June 28, 2024	December 13, 2024
Acceptance:	July 3, 2024	December 18, 2024
Certificate:	July 5, 2024	December 20, 2024

Vacancies

General Information

An office can become vacant before the successful candidate takes the oath of office, during the term of office, or shortly before the term ends. Reasons for vacancies vary by office, but they include the death of the public officer, resignation, expulsion, disqualification, or recall.

- In most cases, the Governor appoints a placeholder to fill vacant statewide offices (except for the office of Governor). *Or Constitution, Article V, §16*
- Resignations for public office (except Governor) shall be in writing and filed with the following filing officers *ORS 236.320*:
 - ✓ Secretary of State, State Treasurer, and all officers elected by the Legislative Assembly send resignations to the Governor.
 - ✓ Officials who hold their offices by election send resignations to the officer authorized by law to order a special election to fill the resulting vacancy.
 - ✓ A member of the Legislative Assembly who resigns must file their resignation with the Secretary of State. *ORS 171.023 and 236.320*
 - ✓ Officers who hold their offices by appointment send resignations to the body, board, or officer that appointed them.
-  See below for the appropriate office for additional information.
- A public office holder may make their resignation effective in the future, so long as the effective date is before the term of office expires.
- A resignation is binding unless the officeholder withdraws it in writing by the end of the third business day after the official makes it. *ORS 236.325*
- If a vacancy occurs in a partisan elective office after the 80th day and before the 70th day before the primary election, a candidate for the vacancy must file a nominating petition or declaration of candidacy no later than the 65th day before the primary election. *ORS 249.037(2)*

Partisan Offices

Vacancy in the office of US Senator or US Representative:

ORS 188.120

If a vacancy in election or office of US Senator or US Representative occurs **before** the 61st day before the general election, the Governor must call a special election to fill that vacancy.

If a vacancy in election or office of US Senator occurs **after** the 62nd day but on or before the general election, and if that office was not regularly scheduled to be printed on the ballot at that election, the Governor must call a special election to fill the vacancy as soon as possible after the general election.

If the Governor calls a special election to fill the vacancy **before** the 80th day after the vacancy occurs, each major political party shall select its nominee, if any, and certify the name of the nominee to the Secretary of State. The Secretary of State shall place the name of the nominee on the ballot.

If the Governor calls a special election **after** the 79th day after the vacancy occurs, the Secretary of State will conduct a special primary election to allow major political parties to nominate candidates. Major party candidates must file their declaration of candidacy no later than the 10th day after the writ of election is issued. Each minor party may select its nominee and certify the nominee's name to the Secretary of State.

Vacancy in the office of Governor

Or Constitution V § 8a

If the office of Governor becomes vacant **before** the 61st day before the first general election held in the term of office, the Secretary of State (or another official in the succession order, if necessary) will discharge the duties of the office as prescribed by law, and a new Governor will be elected for the remainder of the term at the general election. The Governor elected to fill the vacancy shall hold the office until the following general election.

If the office of Governor becomes vacant **after** the 61st day before the first general election held in the term of office, the Secretary of State (or another official in the succession order, if necessary) will discharge the duties of the office as prescribed by law, and a new Governor will be elected for a full term at the next general election.

Vacancy in the office of Secretary of State, State Treasurer, or Attorney General

Or Constitution V § 16

The Governor will fill vacancies in the office of Secretary of State, State Treasurer, and Attorney General.

Vacancies in those offices that occur before the 61st day before the first general election held in that term of office, are filled at that general election for the remainder of the term.

Vacancy in the office of State Senator or State Representative

ORS 171.051-171.068

When a vacancy occurs in a legislative office, the vacancy shall be filled by appointment if:

- The vacancy occurs during any legislative session, **or**
- The vacancy occurs in the office of State Representative before the 61st day before the general election, **or**
- The vacancy occurs in the office of State Senate before the 61st day before the first general election to be held during that term of office; **or**
- The vacancy occurs in the office of State Senate any time after the 62nd day before the first general election and before the 61st day before the second general election to be held during that term of office; **or**
- A special session of the legislature will convene before a successor can be elected and qualified.

For vacancies in the office of State Senate,

- If the vacancy occurs before the 61st day before the first general election to be held during that term of office, then the vacancy shall be filled by appointment, and at that first general election, the voters shall elect a new Senator to fill the last two years of the term; **and**
- If the vacancy occurs after the 62nd day before the first general election and before the 61st day before the second general election to be held during that term of office, then the vacancy *shall* be filled by appointment, and at that second general election, the voters shall elect a new Senator to a full term; **and**
- If the vacancy occurs after the 61st day before the second general election to be held during that term of office, then the vacancy *shall not* be filled by appointment, and at that second general election, the voters shall elect a new Senator to a full term.

The timeline for filling the vacancy begins on the effective date of the resignation or the date the vacancy occurs. If the effective date of the resignation is in the future, the public officer is allowed three business days after the resignation letter is received to withdraw the resignation; otherwise, the resignation becomes binding and is effective.

The vacancy will be filled pursuant to [ORS 171.051-171.068](#) and [ORS 236.100](#).

When filling a vacancy in office for a candidate elected as a member of a major political party, the party will nominate no fewer than three but no more than five people and the appointment will be filled by the county court or county commissioners of the vacated district. However, the appointing authority (county court or board of county commissioners within the legislative district) may choose to begin the process to fill the vacancy before the effective date of the resignation if it notifies the Secretary of State as required under [ORS 236.325\(3\)](#).

The vacancy must be filled by appointment within 30 days after its occurrence. If the appointing authority does not do so within the time allowed, the Governor shall fill the vacancy by appointment within 10 days.

Nonpartisan Offices

ORS 249.088 and 249.091

When an office is **not affiliated** with a major political party, the Governor shall fill the vacancy.

Vacancy in the office of Commissioner of the Bureau of Labor and Industries

The Governor will fill a vacancy in the office of Commissioner of the Bureau of Labor and Industries that occurs after the 61st day before the first general election held in that term of office. The appointee will complete the remainder of the term.

If the vacancy occurs on or before the 70th day before the primary election and on or before the 62nd day before the general election a candidate may file for the office by:

- An Assembly of Electors who may select a nominee and submit certificates of nomination;
- Individual Electors; or
- Declaration of Candidacy

Vacancy in Judicial Offices

Or Constitution V §16 and VII §1

When a vacancy occurs in the office of judge of any court, the Governor will fill the vacancy.

The appointee serves until a candidate is elected and takes the oath of office at the next general election. The term of the office is six years, beginning on the first Monday of January of the odd numbered year after the general election at which the candidate was elected.



If the office was vacated on or before the 70th day before the primary election, all candidates for that office must file by the primary election candidate filing deadline, regardless of which election the office is elected.

The following scenarios may apply:

If the office was regularly scheduled to be on the ballot at the next election, the office will appear on the primary election ballot.

If a candidate receives a majority of the votes cast (50%+ 1), that person will be elected at the primary election for a new, full term and the office will not appear on the general election ballot.

- If no candidate receives a majority of the votes cast, the two candidates who received the most votes will appear on the general election ballot.

If the office was not regularly scheduled to be on the ballot:

- The office will be placed on the primary election ballot if three or more candidates file for the position.
- If one candidate receives a majority of the votes cast at the primary election (50%+ 1), only that candidate's name will appear on the general election ballot.
- If no candidate receives a majority of the votes cast, the two candidates who received the most votes will appear on the general election ballot.
- If no more than two candidates file, the office will not be printed on the primary election ballot but will be placed directly on the general election ballot.

Vacancy in the office of District Attorney

ORS 8.640



When a vacancy occurs in the office of District Attorney, the Governor must appoint a person to fill the vacancy until the next election and qualification of a successor at the next general election. The term of office for the person elected will be four years beginning the first Monday of January of the odd numbered year following the general election at which the candidate was elected.

Filing by Prospective Petition Requirements and Guidelines

The requirements and guidelines for obtaining and circulating candidate nominating petition signature sheets are explained in the following sections.

Prospective Petition

To begin the signature sheet approval process candidates must file their candidacy by submitting the appropriate candidate filing form and marking the “prospective petition” checkbox, if applicable.


-  **For major party and nonpartisan candidates:** To ensure ballot access, a candidate may file a “prospective petition” and pay the filing fee. The fee must be paid prior to the filing deadline. If the candidate submits already verified signatures by 5 pm on the filing deadline, the filing fee will be refunded.
-  Once the candidacy filing is processed by the Elections Division, the candidate will be provided a signature sheet template to use when gathering signatures.

Official Signature Sheets

ORS 249.031, 249.061, and 249.064

The Elections Division will prepare official templates that state candidates must use to collect signatures.

Candidate nominating petitions cannot be circulated using an electronic signature sheet.

-  Any proposed variation to the approved signature sheet must be resubmitted and approved in writing by the elections official before circulating.

Signature Sheet Requirements


Each signature sheet must meet the following formatting requirements:

- standard 8½ x 11 size paper, or equivalent;
- at least 20 pound uncoated paper, or equivalent;
- and**
- printed on white or colored paper stock. Colored paper must be approved by the Elections Division before circulating.

1 Approval to Circulate

After receiving the filing, the Elections Division reviews the form for required information and if complete, will provide written approval to circulate the prospective nominating petition which includes:

- petition number;
- number of signatures required;
- filing deadline;
- and**
- signature sheet template.

-  Candidates will be provided a signature sheet template by the Elections Division to use when gathering signatures.

2 Gathering Petition Signatures

Once the petition has been approved to circulate, but before collecting any signatures, the candidate must review with circulators the legal requirements and guidelines for circulating a candidate-nominating petition.

After reviewing the legal requirements and guidelines, the candidate may begin gathering signatures.

A candidate is advised to obtain more than the required number of signatures to ensure the petition has a sufficient number of valid signatures.



Failure to comply with the legal requirements will result in rejection of those sheets.

3 Signature Verification and Completing the Petition

Filers submit signature sheets containing at least 100% of the required number of signatures to the appropriate elections official for verification against the voters' registration record, allowing sufficient time for the verification process to be completed prior to the filing deadline.



The Elections Division will not accept signatures for verification prior to the first day to file by fee or completed petition.

Before submitting the signature sheets for verification the candidate must:

- ensure each signature sheet certification is signed and dated by the circulator;
- provide the number of signatures submitted for verification by completing and filing:



Form SEL 338 Petition Submission



The Elections Division is not required to begin verification until the raw number of signatures submitted is equal to or exceeds the required number of signatures.

4 Signature Tally

The Elections Division reviews each signature sheet to ensure sheets are sorted by county if required, and that the circulator's certification is sufficient.



Unapproved petition sheets and those that do not comply with legal requirements and guidelines will be rejected.

After reviewing the sheets, the Elections Division tabulates the number of valid signatures contained on the accepted signature sheets and notifies the candidate of the tally.



If the Elections Division determines the petition does not contain the required number of valid signatures and the filing deadline has not passed, the candidate may submit additional signatures.

The process must be completed prior to the candidate filing deadline.



Forms are available online at www.oregonvotes.gov.

Guidelines for Circulation

ORS 249.061

To ensure compliance with circulating requirements, candidates must educate circulators on the guidelines for circulating and monitor their activities.

A circulator is an individual who asks voters to sign a petition and signs the petition as a circulator. Circulators are also known as petition circulators, signature gatherers, and signature collectors. While some are volunteers and others are paid professionals, every circulator must follow the requirements and guidelines for circulating petitions.

Circulator Requirements

Each circulator must:	What this means:
→ Personally witness each signature collected.	✓ Watch the person sign the petition. ⓘ It is not sufficient to merely be present in the same room or vicinity.
→ Complete the circulator certification after witnessing all signatures collected on a sheet.	→ Sign the certification using a legal signature. ⓘ A legal signature is defined as a signature possessing obvious and predominantly matching characteristics to signatures on file from a paid circulator’s registration, signatures in the Oregon voter registration file, or the signature on an official government document. ⓘ Initials, signature stamps, illegible or printed script are not sufficient unless verified by exemplar.
→ Provide the date when the certification was signed.	✓ The date must be provided in month, day, year order if written in all numbers.

! A circulator’s failure to comply with these requirements may result in the rejection of the petition signature sheets and a felony conviction for the circulator.



Circulator Prohibitions

It is against the law for circulators to knowingly:

→ circulate a petition containing a false signature;
→ attempt to obtain the signature of a person who is not qualified to sign the petition; ⓘ Only active Oregon registered voters may sign a petition.
→ make false statements to any person who signs the petition or requests information about it;
→ offer money or anything of value to another person to sign or not sign the petition;
→ sell or offer to sell signature sheets; or
→ write, alter, correct, clarify or obscure any information about the signers unless the signer initials after the changes are made ⓘ A circulator may assist a disabled signer who requests assistance in completing their printed name, address and date signed. In such a case, no initials are required.

! Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or imprisonment for up to 5 years. ORS 260.715, 260.993.

Signer Requirements

	Each petition signer must:	What this means:
All Petition Types	<ul style="list-style-type: none"> → Provide an original signature and should be encouraged to provide their printed name and date signed.  Printed name and date fields, while optional unless otherwise noted below, provide valuable assistance when verifying signatures.  Signers must include printed name for Nomination by Assembly of Electors and for Major Party Presidential Candidates. 	<ul style="list-style-type: none"> ✓ Signers must sign the petition using a signature contained in their voter registration record
	<ul style="list-style-type: none"> → Be an active registered voter at the time of signing the petition. 	<ul style="list-style-type: none"> ✓ Information in the voter's registration record is up to date.
	<ul style="list-style-type: none"> → Sign a petition sheet that is designated for their county of residence, if applicable. 	<ul style="list-style-type: none"> ✓ Signers should sign a petition sheet designated for the county in which they are registered to vote.
	<ul style="list-style-type: none"> → Provide a residence or mailing address. 	<ul style="list-style-type: none"> ✓ Signers should provide the address contained in their voter registration record.
Nominating Petition ONLY	<ul style="list-style-type: none"> → At the time of signing the petition, signers are encouraged to include the signer's precinct name or number. 	<ul style="list-style-type: none"> ✓ Signers are encouraged to provide precinct information.
Major Party Petition ONLY	<ul style="list-style-type: none"> → At the time of signing the petition, the signer should be a member of the same political party as the candidate. 	<ul style="list-style-type: none"> ✓ Information in the voter's registration record is up to date, and they would be able to vote for the candidate at a primary election.

Signature Date

If no date is provided by the signer, the signature is only considered valid if the signer:

- ✓ was an active Oregon registered voter between the date the petition was approved to circulate and the circulator's certification date; or
- ✓ was originally registered to vote on or after the date the petition was approved to circulate and was an active registered voter between their original registration date and the circulator's certification date.



This standard also applies to any signer that provides a date of birth or a date that at the time of verification has not yet occurred instead of the date they signed the petition.

Signer Prohibitions

It is against the law for signers to knowingly:

- sign another person’s name under any circumstances;
- sign a petition more than one time; or
- sign a petition when not qualified to sign it.

! Only active Oregon registered voters may sign a petition. If the signer is not registered to vote or an active voter the signature will be rejected unless a completed registration card is received by a designated voter registration agency or an elections filing officer before 5 pm the day the petition is signed or 11:59 pm if completed electronically online at www.oregonvotes.gov.

Certification of Signature Sheets

OAR 165-014-0270

After all signatures on a signature sheet have been collected, circulators complete the certification by signing their legal signature and providing the date when the certification was signed. A legal signature is defined as a signature possessing obvious and predominantly matching characteristics to signatures on file from a paid circulator’s registration, signatures in the Oregon voter registration file, or the signature on an official government document.

! If the circulator certification is not completed or determined to be insufficient the signature sheet will be rejected.

Prior to submission to elections officials the circulator may correct the following defects:

Circulator Signature Defects

If the circulator has:	Then the circulator should:
→ signed using only initials; i Unless verified by exemplar.	✓ sign and re-date certification with legal signature;
→ signed using a signature stamp; i Unless approved under ORS 246.025 .	✓ re-sign and re-date certification with legal signature;
→ signed using an illegible signature; i Unless verified by exemplar.	✓ re-sign and re-date certification with legal signature;
→ photocopied or carbon copied the certification; or	✓ sign and re-date certification with legal signature; or
→ signed in a manner that the signature, printed name, and address are all illegible;	✓ re-sign and re-date certification with legal signature.

Certification Date Defects

If the date is:	Then the circulator should:
→ missing;	✓ re-sign and date or date and initial correction;
→ crossed out;	✓ re-sign and re-date or re-date and initial correction;
→ overwritten with a different date;	✓ re-sign and re-date or re-date and initial correction;
→ earlier than all petition signers; <i>i</i> Unless the circulator and the only signer are the same person.	✓ re-sign and re-date or re-date and initial correction;
→ earlier than some, but not all petition signers; <i>i</i> Only those signatures dated on or before the date of the certification will be accepted.	✓ re-sign and re-date or re-date and initial correction;
→ partial or ambiguous; or	✓ re-sign and re-date or re-date and initial correction; or <i>i</i> Date must be provided in month, day, year order if written in all numeric characters.
→ obscured in any way by white out or other correction fluid or adhesive tape;	✓ re-sign and re-date or re-date and initial correction.

The following defects in the circulator certification cannot be corrected and any signature sheet submitted that contains one of these defects will be rejected:

Incurable Defects

→ the original signature of a circulator has been crossed out, and a different circulator’s signature is inserted; <i>i</i> Does not apply if the original signature is that of an individual whose signature appears on the same signature sheet as a signer.
→ two individuals sign and date as circulator; or <i>i</i> Does not apply if the only signers and the circulators are the same people.
→ white-out or other correction fluid or adhesive tape appears on the signature line.
ex Examples of circulator signature and date defects are available in the Circulator Training Manual located at www.oregonvotes.gov .

Guidelines for Completing Candidate Filing Forms

ORS 249.031

All forms must be complete before submitting them to the Elections Division.



Failure to provide information for each of the required fields may result in rejection of the candidate filing forms.



Providing false statements on filing forms is a violation of Oregon election law and the candidate may be convicted of a Class C Felony. ORS 260.715(1) and 260.993.

Residence Address Exemption Request

Candidates for public office are required to provide their residential address for elections officials to confirm that candidates and elected officials reside in the appropriate district and/or jurisdiction.

However, candidates may choose to limit the public accessibility of candidate's residence address from the filing form and a list of electors delivered under ORS 247.940 or 247.945. Candidates wanting to exempt their residence address from public disclosure must complete and file the following form:



SEL 180 – Residence Address Exemption Request

Candidates who choose to exempt their residence address from disclosure must provide a publicly disclosable mailing address.

The ballot for each election will be sent to the publicly disclosable mailing address provided by the candidate.

The Elections Official will make all efforts to review the request for exemption within five (5) business days.

If the exemption is granted, the exemption is effective until the:

- person is no longer a candidate;
- candidate was not elected to the public office;
- candidate ceases to hold public office.

To terminate the exemption early, submit a written request to the Elections Official.

A publicly disclosable mailing address listed on Residence Address Exemption Request will be used as the mailing address on the candidate filing if the exempt residence address is used as the mailing address on the filing.

The residence address of a candidate is still subject to inspection as a public record, under ORS 192.311 to 192.478, only to a person who has filed a written public records request.

Additional information may be required and is discussed further under the specific form's section.

Candidate Filing Form

Original or Amendment

Indicate if the filing is an Original filing or an Amendment that is changing information prior to the filing deadline.

Candidate Information

Complete the following information:

- **Name of Candidate:** This should be the candidate's full name (first, middle initial if applicable and last). If filing online through ORESTAR, this field is automatically populated from the user profile and cannot be modified.



Forms are available online at www.oregonvotes.gov.

- **How name should appear on ballot:** Include how the candidate wishes their name to appear on the ballot. If a nickname is used in connection with the candidate's full name, the nickname should be in parentheses. Titles and designations (e.g., Dr., CPA) **should not** be included as they cannot appear on the ballot.
- **Candidate Residence Address:** Residential address of the candidate, including the county must be used. This must be included even if the candidate has a non-disclosure order on file with the Elections Division.
- **Mailing Address for Candidate Correspondence:** Include the address where the candidate wishes to receive correspondence from the Elections Division.
- **Contact Information:** Enter a valid phone number (where the candidate can be reached during normal business hours), fax, email address, and website, if applicable. **At least one phone number and an email address are required.**

The following are guidelines to complete the required fields of occupation, occupational background, educational background, and prior governmental experience on the candidate filing forms. These fields are required, and information provided must be accurate. Not every occupational, educational, or prior governmental experience is required to be provided, but what is listed must be accurate. If the candidate has no relevant experience, "None" or other equivalent must be entered.

Occupation and Occupational Background

- **Occupation (present employment – paid or unpaid):** The current full- or part-time employment or other line of work, business, craft, or professional information (not required to indicate whether paid or not paid). If not employed, enter "Not Employed", or "None", or other equivalent.
- **Occupational Background (previous employment – paid or unpaid):** Previous full- or part-time employment or other line of work, business, craft or professional information (not required to indicate whether paid or not paid). Educational Background
- **Educational Background (schools attended):** This may include schools attended by the candidate, including the last grade level completed, whether a diploma, degree or certificate was received, and the course of study. It is not required that every educational experience be listed, but what is listed must be accurate.
- **Educational Background (other):** Other educational experiences of the candidate.



A degree indicates a college, university or professional school has awarded a title upon the person for completion of a program of study. For this purpose, honorary degrees or degrees from "degree mills" should not be included under this requirement.

Prior Governmental Experience

- **Prior Governmental Experience (elected or appointed):** The current or previous governmental experience, which refers to a person's involvement in governmental activities, such as appointed boards and commissions, elected boards, other elected or appointed public offices, or organizations that are recognized by a governmental body. Full- or part-time, paid or unpaid, or volunteer experience may be included (not required to indicate whether paid or not paid). If the candidate has no prior governmental experience, enter "None" or other equivalent.

Candidate Signature and Date Signed

Additional Information Required

The following instructions are for fields on specific forms that are unique to that form.

SEL 101 Candidate Filing – Major Political Party or Nonpartisan

Filing Method

Complete the following information.

- **Fee:** If paying a fee, check this box.
- **Prospective Petition:** If collecting signatures in lieu of paying the filing fee, check this box.
- **Some circulators may be paid:** When collecting signatures, if circulators may be paid to gather the sufficient number of signatures, mark “Yes.” If signatures are being gathered exclusively by volunteer circulators, mark “No.”

Office Information


Complete the following information.


- **Filing for Office of:** Indicate the office the candidate is filing for.
- **District, Position or County:** Indicate the district, position or county of the office the candidate is filing for.
- **Party Affiliation:** Select the candidate’s party affiliation. If entering your candidacy online, “Nonpartisan” will automatically populate if the office indicated is nonpartisan.
- **Incumbent Judge:** If filing for a state judge position, indicate whether the candidate is the incumbent judge by selecting “Yes” or “No.”

SEL 110 Candidate Filing – Minor Political Party

Nomination Information

- **Party nomination you are accepting with this filing:** Check the box for the party that is nominating you and whose nomination you are accepting.
- **Order of parties on ballot:** Indicate whether the order of the parties will be in default order or in a specified order. If marking Specified, specify the order in the space provided.

 If you have previously filed a candidacy filing with the filing officer for the current election cycle, skip to the Candidate Nomination Certificate and Candidate Attestation on the form.

 If you have **not** previously filed a candidacy filing with the filing officer for the current election cycle, fill out all remaining fields.

Candidate Nomination Certificate

Candidate filings by a minor party must be notarized prior to submission. The following fields must be completed.

- **Name of Minor Political Party:** Include the name of the Minor Party nominating the candidate.
- **Signature of the Officer of Minor Political Party:** Include the signature of one of the officers listed in the bylaws of the minor political party.

- **Date Signed:** Include the date the officer of the political party signed the candidate filing form.
- **Printed Name of the Officer of Minor Political Party:** Include the clearly printed name of the officer that signed the candidate filing form.

The following fields are completed by a Judge or Notary Public.

- **State of Oregon, County of:** Include the name of the county in which the Judge or Notary Public is signing the candidate filing form.
- **Signed before me on:** Include the date the Judge or Notary Public witnessed the Minor Political Party officer sign the candidate filing form.
- **By:** Include the name of the Judge or the Notary Public.
- **Judge or Notary Public-State of Oregon:** Include the signature of the Judge or Notary Public.

SEL 114 Candidate Filing – Individual Electors

Name of Chief Sponsor: Include the name of the candidate or other person interested in placing the candidate's name on the ballot. This may be the candidate.

SEL 115 Candidate Filing – Assembly of Electors

Assembly of Electors fields to complete.

- **Name of Person Submitting Certificate of Nomination:** Include the name of candidate or a person designated as the presiding officer.
- **Address of Person Submitting Certificate of Nomination:** Include the address of the candidate or the presiding officer named in the above field.
- **Printed Name of Presiding Officer:** Include clearly printed name of the presiding officer.
- **Signature of Presiding Officer:** Include the signature of the candidate or the signature of the presiding officer of the assembly.
- **Printed Name of the Secretary:** Include clearly printed name of the candidate or secretary of the assembly.
- **Signature of the Secretary:** Include the signature of the candidate or the secretary of the assembly.

The following fields are completed by a Judge or Notary Public.

- **State of Oregon, County of:** Include the name of the county in which the Judge or Notary Public is signing the candidate filing form.
- **Signed before me on:** Include the date the Judge or Notary Public witnessed the Minor Political Party officer sign the candidate filing form.
- **By:** Include the name of the Judge or the Notary Public.
- **Judge or Notary Public-State of Oregon:** Include the signature of the Judge or Notary Public.

SEL 141 Candidate Filing – Write-In Acceptance

Nomination or Election

Indicate whether you are accepting a nomination or if you have won the election for the office.

Office Information

Complete the following information.

- **Filing for Office of:** Indicate the office for which you are accepting the nomination.
- **District, Position or County:** If the office has a district number and/or a position number or the office covers an entire county, indicate that information in this field.

Nomination Information

- **Party nomination(s) you are accepting:** Check the box for the party or parties that nominated you by write-in at the Primary election and whose nomination you are accepting.
- **Order of parties on ballot:** Indicate whether the order of the parties will be in default order or in a specified order. If marking Specified, specify the order in the space provided.



If you have previously filed a candidacy filing with the filing officer for the current election cycle, skip to the signature line on the form.



If you have **not** previously filed a candidacy filing with the filing officer for the current election cycle, fill out all remaining fields.

SEL 150 Candidate Filing - Withdrawal

- **Office of:** Indicate the office for which you originally filed.
- **District, Position or County:** Indicate the applicable district, position number, or county of the office for which you filed.
- Check the box to indicate if you were a Candidate for Nomination or if you were running for office by political party.
- **Withdrawal Reason:** In the box, indicate why you are withdrawing your candidacy.

Other Forms

Additional forms that may be necessary to file.

SEL 220 Statement of Organization for a Candidate Committee

Please refer to the Campaign Finance Manual for further information about the SEL 220.

PC 7 Certificate of Limited contributions and Expenditures

Please refer to the Campaign Finance Manual for further information about the PC 7.

SEL 338 Petition Submission

Form submitted that provides the number of signatures submitted for verification by completing and filing candidacy by petition.



List of Forms

SEL 101

Candidate Filing – Major Political Party or Nonpartisan

SEL 110

Candidate Filing – Minor Political Party

SEL 114

Candidate Filing – Individual Electors

SEL 115

Candidate Filing – Assembly of Electors

SEL 140

Candidate Filing – Write-In Acceptance Form - Previously Nominated at the Primary Election

SEL 141

Candidate Filing – Write-In Acceptance Form - New Filing

SEL 150

Candidate Filing - Withdrawal

SEL 180

Residence Address Exemption Request

SEL 220

Statement of Organization for a Candidate Committee

SEL 338

Petition Submission

PC 7

Certificate of Limited Contributions and Expenditures