



TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

ELECT 16-2026

CHAPTER 165

**SECRETARY OF STATE
ELECTIONS DIVISION**

FILED: 08/18/2026 9:59 AM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Establishes local filing officer deadlines for certain nonpartisan vacancies before the 2026 General Election.

EFFECTIVE DATE: 08/18/2026 THROUGH 02/12/2027

AGENCY APPROVED DATE: 08/18/2026

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NEED FOR THE RULE(S):

ORS 249.205 authorizes the Secretary of State to establish filing deadlines for candidates seeking election to fill certain nonpartisan vacancies. OAR 165-010-0110 establishes filing schedules for several vacancy scenarios but does not establish a filing deadline when a vacancy occurs after the 80th day but on or before the 62nd day before the general election. This temporary rule establishes filing deadlines for vacancies occurring during that period to ensure candidates have a filing process, and a local filing officer has authority to accept declarations of candidacy.

JUSTIFICATION OF TEMPORARY FILING:

A nonpartisan vacancy may occur after the 80th day but on or before the 62nd day before the November 3, 2026, General Election. Because the permanent rule does not establish filing deadlines for vacancies occurring during this period, a temporary rule is necessary to provide timely filing deadlines and allow local filing officers to accept declarations of candidacy. Temporary rulemaking is required because waiting to complete the permanent rulemaking process would impair the orderly administration of the 2026 General Election.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

ORS 246.150, ORS 249.205, OAR 165-010-0110, 2026 County, City and District Candidate Manual, and 2026 election calendar. Elections Division administrative records relating to candidate filing deadlines for nonpartisan vacancies. Documents available online or from the Elections Division.

ADOPT: 165-010-9902

RULE TITLE: Filing Deadline for Certain Nonpartisan Vacancies Occurring Before the 2026 General Election - Local Filing Officer

RULE SUMMARY: ORS 249.205 authorizes the Secretary of State to establish filing deadlines for candidates seeking election to fill certain nonpartisan vacancies. This temporary rule establishes filing deadlines for vacancies that occur after the 80th day but on or before the 62nd day before the November 3, 2026, General Election and applies when the candidacy must be filed with a local filing officer.

RULE TEXT:

- (1) The purpose of this rule is to establish filing deadlines under ORS 249.205 for declarations of candidacy when a vacancy occurs in a nonpartisan office after the 80th day but on or before the 62nd day before the November 3, 2026, General Election.
- (2) A declaration of candidacy under this rule must be filed with the appropriate local filing officer according to the following schedule:
 - (a) For a vacancy occurring after August 15, 2026, but before August 25, 2026, no later than 5:00 p.m. on August 25, 2026.
 - (b) For a vacancy occurring on or after August 25, 2026, but before September 2, 2026, no later than 5:00 p.m. on September 2, 2026.
 - (c) For a vacancy occurring on September 2, 2026, no later than 12:00 p.m. on September 3, 2026.

STATUTORY/OTHER AUTHORITY: ORS 246.150, ORS 249.205

STATUTES/OTHER IMPLEMENTED: ORS 249.205