



OFFICE OF THE SECRETARY OF STATE

ELECTIONS DIVISION

Directive of the Secretary of State	Subject: Election to fill Sunshine Acres Road District Vacancy	Directive Issued at the Request of: Secretary of State	Date: April 11, 2023	Number: 2023-01
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The Secretary of State in carrying out the duties of the office shall issue detailed directives necessary to maintain uniformity in the application, operation, and interpretation of Oregon election laws. (ORS 246.110-120) The information provided here is an official directive of the Secretary of State.

Background

On March 27, 2023, the Elections Division became aware of an error in Douglas County's May 2023 ballots prepared for residents of the Sunshine Acres Road District (the "District"). A member of the District board submitted their resignation on March 15, 2023; the Douglas County Clerk received it the same day.

ORS 255.245 requires that special district board vacancies that occur after the notice deadline in ORS 255.069(2) and on or before the 62nd day before the regular district election must be filled via the next regularly scheduled election. OAR 255.245 also requires the Secretary of State to publish rules requiring notice to the district electors of the vacancy and nominating procedures "by the most reasonable and expeditious means practicable under the circumstances." OAR 165-020-0035 directs elections officials who receive notice of such a vacancy to publish the vacancy and "accept candidate filings for not fewer than seven calendar days after receipt of written confirmation of vacancy."

This rule is necessary to provide adequate time for the public to learn about, and for prospective candidates to file for the vacancy. March 15 was the 62nd day before the regular district election scheduled for May 16, 2023. But due to a processing error, the Douglas County Clerk did not publish the vacancy, receive candidate filings, or include the vacancy on the May 2023 ballot.

Purpose

This directive directs the Douglas County Clerk to place the Sunshine Acres Road District vacancy on the ballot for the August 22, 2023 election.

Action

As of the date of this directive, there is insufficient time for the Douglas County Clerk to publish the Sunshine Acres Road District vacancy and accept candidate filings as OAR 165-020-0035 requires or to include the vacancy on the ballot for the May 16, 2023 election. Therefore, to ensure that that district electors have sufficient time to learn about and file for the vacancy, the Douglas County Clerk shall place the Sunshine Acres Road District on the ballot for the August 22, 2023 election, which is the next regularly scheduled election. The nominating schedule for the Sunshine Acres Road District seat shall be identical to the nominating schedule for the August 22, 2023 election.



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The Clerk is encouraged to contact the Elections Division for assistance or advice that he deems helpful in responding to this directive.

Shemia Fagan
Secretary of State

By: Molly Woon, Director

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