



## Initiative Process

An initiative petition is an individual's, or group of individual's, bright idea they want to make into a law by placing it before the people to vote on.

**Process Step**  
 ✓ Requirement  
 → Good to Know

### Filing a Prospective Petition

- ❗ ORS 475B.461 governs certain marijuana petitions and tasks local elections officials with administering these statutes. The Secretary of State's role is limited. We recommend you contact your legal counsel with questions.
- ✓ Date and time stamp all documents you receive.
  - Prospective petition may be scanned and emailed, faxed, mailed or personally delivered.
- ✓ Review documents for required prospective petition requirements.
  - Only text and a completed SEL 370 are required.
  - The Text can be anything chief petitioners draft. Many chief petitioners draft text that looks like a ballot title.
  - A petition may have no more than 3 chief petitioners at a time.
  - All chief petitioners must sign the same SEL 370, Prospective Petition form indicating circulator pay status and provide their residence address.
  - Chief petitioners are not required to be residents to file an initiative or referendum petition.
  - Chief petitioners must file an amended SEL 370 form within 10 days of a residence address or circulator pay status change. This may require them to submit new cover and signature sheets for approval.
  - Form SEL 307, Agent Authorization may be filed with the prospective petition or at any time thereafter.
- ✓ Assign a petition identification number and provide it to chief petitioners.
- ✓ Scan and email a date stamped copy of the SEL 370 that includes the petition ID number to [orestar-support.sos@oregon.gov](mailto:orestar-support.sos@oregon.gov).

### Procedural Constitutional Review

- ✓ Review text for compliance with the constitutional requirements to be an initiative petition.
  - Text must address a single subject or closely related subjects, must include the full text and must be legislative in nature not administrative.
  - The Attorney General's office has provided legal guidance on reviewing initiative petitions for compliance with constitutional requirements.
- ✓ Notify chief petitioners of your determination. All rejections should be made in writing.

### Ballot Title

- ✓ Send text of initiative to the attorney responsible for drafting ballot title.
- ✓ Ballot title includes a caption of 10 words or less, question of 20 words or less and a summary of 175 words or less.
  - What constitutes a word is not defined in statute and the Supreme Court has not provided any guidance beyond specific ballot title challenges.
  - Both the Appellate Division of the Attorney General's office and the tax analysts with the Property Tax Division of the Department of Revenue are willing to provide guidance on drafting ballot titles.
- ✓ Publish notice that a ballot title was received in the next available addition of newspaper.
  - Newspaper must be of general circulation for the area.
  - If notice will not be published until the deadline to appeal, it is advisable to publish the ballot title on your website.
- ✓ Notice should include statement that petition meets procedural constitutional requirements, that any voter may petition the circuit court to review of ballot title, a copy of ballot title or information on how to receive a copy and the deadline for filing the petition to review the ballot title.

- ✓ Provide a copy of the ballot title to chief petitioners.
  - If available, provide in an electronic format which allows for will help minimize errors when chief petitioners create cover and signature sheets.

## Approval to Circulate

- ✓ Review cover and signature sheets for required information and review any text to ensure it reads the same and is formatted in a substantially similar manner as the text originally filed.
  - Chief petitioners must use the forms we adopt by rule to create cover and signature sheets.
  - If chief petitioners need help with their cover and signature sheets, feel free to send them our way by having them email [lrrlistnotifier.sos@oregon.gov](mailto:lrrlistnotifier.sos@oregon.gov).
  - Only chief petitioners or an authorized agent can submit cover and signature sheets for approval to circulate.
  - There is no provision which allows chief petitioners to make corrections to text. If chief petitioners want to make changes or even minor corrections, they would need to refile the initiative.
- ✓ Verify chief petitioners have established a petition committee.
  - Find this information by searching in [ORESTAR](#) at [www.oregonvotes.gov](http://www.oregonvotes.gov).
- ✓ Provide written approval to circulate the petition that includes the number of required signatures and the last day to submit signatures for verification.

## Submitting Signatures


- ✓ Confirm at least one of the individuals submitting signatures for verification is a chief petitioner or authorized agent.
- ✓ Verify chief petitioners or authorized agents have marked “Completed Petition Submission” on form SEL 339, Petition Submission and that the number of signatures they say they are submitting is at least 100% of the required number of signatures.
  - As long as the deadline to submit signatures has not passed, chief petitioners or authorized agents are able to submit additional signatures as long as the deadline to submit signatures has not passed.
  - Any additional submittal must contain a number of unverified signatures equal to or greater than the required number of signatures necessary to accept the petition

## Verifying Signatures

- ✓ Determine which petition sheets meet statutory and administrative rule requirements.
  - Signature verification is conducted in accordance with OAR 165-014-0110.
  - If more than 4,500 signatures are required, the statistical sampling formula contained in Appendix 4 of OAR 165-014-0110 would be applied. If you need the formula worksheet please contact us.
  - Contact us if you would like a copy of our signature verification procedures to use as a reference.
- ✓ Enter each line that meets statutory and administrative rule requirements in OCVR.
- ✓ Compare petition signers signatures to signatures in voter registration records.
- ✓ Provide results in writing to chief petitioners and if petition did not qualify and the signature submittal deadline has not passed, instructions on how to submit more signatures.

## Withdrawing an Initiative

- ✓ Verify that all current chief petitioners have signed form SEL 375, Withdrawal – Petition.
  - Chief petitioners can only withdraw the petition if they have not completed the petition by submitting the required number of signatures.
  - Chief petitioners are not required to withdraw a petition.
  - A petition that has been withdrawn cannot be reactivated, but chief petitioners may file a new petition and begin the process again.

 Remember, with the exception of the requirements in ORS 250.005 to 250.038, the provisions in your charter or ordinances may supersede some of the information provided on these pages.