

OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

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

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
ELECT 9-2025
CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED
09/11/2025 3:42 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Establishes filing posting requirements and eligibility verification for candidate filings.

EFFECTIVE DATE: 09/11/2025 THROUGH 03/09/2026

AGENCY APPROVED DATE: 09/11/2025

CONTACT: Coline Benson
503-986-1518
elections.sos@sos.oregon.gov

255 Capitol St NE
Ste 126
Salem, OR 97310

Filed By:
Coline Benson
Rules Coordinator

NEED FOR THE RULE(S):

Senate Bill 580 (2025) amended ORS 249.006 to require timely public access to candidate filings and related election documents. A rule is necessary to establish uniform procedures for county and city elections officials to receive, verify, and post candidate filings in compliance with the new statutory requirements. The rule also implements safeguards for exempt candidate residence address information consistent with ORS 249.021.

JUSTIFICATION OF TEMPORARY FILING:

Senate Bill 580 (2025) becomes effective on September 26, 2025, and requires timely public access to candidate filings and related election documents under ORS 249.006. However, the candidate filing period for the 2026 Primary Election begins on September 11, 2025. Local elections officials must have clear, uniform rules in place prior to that date to ensure compliance with statutory requirements for receiving, posting, and disclosing candidate filings. Failure to adopt this rule on an emergency basis would result in confusion and inconsistent practices among county and city filing officers, potentially undermining transparency, candidate rights, and public confidence in the election process. Immediate adoption of this rule is therefore necessary to provide local filing officers with the required procedures before the start of the candidacy filing period.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Senate Bill 580 (2025) available online from the Oregon State legislature at <https://olis.oregonlegislature.gov>

ADOPT: 165-010-0011

RULE TITLE: Candidate Filing Eligibility Verification and Posting Requirements

RULE SUMMARY: This rule implements Senate Bill 580 (2025) by requiring elections officials to verify and post candidate filings promptly, ensuring public access while redacting exempt residence address information.

RULE TEXT:

(1) The purpose of this rule is to implement Senate Bill 580 (2025), which amended ORS 249.006 to require timely public access to candidate filings and related election documents. The rule establishes uniform procedures for filing,

posting, and disclosure by county and city elections officials, and provides safeguards for candidate residence information consistent with law.

(2) Definitions. For the purposes of this rule:

(a) "Election document" means a nominating petition, declaration of candidacy, certificate of nomination, withdrawal, or any other election related document required to be filed under ORS Chapter 249.

(b) "Elections official" means a county elections official as defined in ORS 246.012 or a city elections officer responsible for administering candidate filings.

(c) "Residence Address Exemption" means the exemption indicated on a declaration of candidacy and completed by filing Form SEL 180 Residence Address Exemption Request, as provided in ORS 249.021.

(d) "Public posting" means making information required under this rule available on a county or city elections website or, if no such website exists, on another publicly accessible government webpage.

(e) "Business day" means a day other than Saturday, Sunday, or a legal holiday.

(3) Date and Time Stamping: Upon receipt of a nominating petition, declaration of candidacy, certificate of nomination, withdrawal, or any other document required under ORS Chapter 249, the elections official must immediately apply a date and time stamp to the document.

(4) Posting of Candidate Name and Office

(a) Not later than five (5) business days after an election document is filed, the elections official must post the candidate's name and the office sought.

(b) If the county or city does not maintain an elections website, the posting must occur on another publicly accessible government webpage.

(c) If the deadline falls on a weekend or legal holiday, posting must occur on the next business day.

(d) If the candidate is later determined not to meet the eligibility requirements for the office filed, the phrase "Not Qualified" must be displayed next to the candidate's name and office, or the candidate's name and office may be removed from the website.

(5) Candidate Eligibility Determination

(a) The elections official must verify that each candidate meets qualifications for the office sought, including residency, voter registration status, and any other applicable statutory, charter, or ordinance requirements.

(b) Verification must occur promptly upon receipt of the filing and prior to public posting of the nominating petition, declaration of candidacy or certificate of nomination.

(c) If the candidate is determined ineligible, the elections official must notify the candidate in writing of deficiencies and applicable deadlines to cure them.

(d) Documentation of the verification process must be retained for audit and legal purposes consistent with the filing officer's retention schedule.

(6) Residence Address Exemption

(a) If a nominating petition, declaration of candidacy or certificate of nomination indicates a Residence Address Exemption, the elections official must verify that a completed Form SEL 180 has been filed.

(b) If the SEL 180 form has not been filed, the elections official must contact the candidate to request submission.

(c) If a submitted SEL 180 form is incomplete, the elections official must notify the candidate and request the additional information needed to process the exemption.

(d) If a valid Residence Address Exemption has been filed, the public posting must substitute the residence address with the alternative mailing address provided, or the mailing address listed on the candidate filing if different from the exempt residence address.

(e) The original filing containing the residence address must be retained in a secure file.

(f) The elections official must track conditions under which the residence address restriction may be lifted.

(g) A candidate must submit the completed SEL 180 form within five business days of filing for office. If the form is not received within that time, the filing will be posted unredacted until complete information is provided.

(7) Posting of nominating petition, declaration of candidacy or certificate of nomination

- (a) Not later than two (2) business days after determining that a candidate is eligible, the elections official must post the candidate's nominating petition, declaration of candidacy or certificate of nomination.
- (b) If the county or city does not maintain an elections website, the posting must occur on another publicly accessible government webpage.
- (c) If the deadline falls on a weekend or legal holiday, posting must occur on the next business day.
- (d) This section does not apply to candidates for precinct committee person.
- (8) Posting of Withdrawals
 - (a) Not later than two (2) business days after a withdrawal is filed, the elections official must post the withdrawal.
 - (b) If the county or city does not maintain an elections website, the posting must occur on another publicly accessible government webpage.
- (9) Public Records Request
 - (a) Any person may submit a public records request to obtain a copy of an election document.
 - (b) The elections official must provide the requested document not later than five business days after receipt of the request.
 - (c) If the candidate has filed a Residence Address Exemption, the unredacted version of the filing must be released.
 - (d) A reasonable fee may be charged for physical copies consistent with office policy.
 - (e) No fee may be charged for digital copies or for inspection of records for the current election made available at the elections office.

STATUTORY/OTHER AUTHORITY: ORS 246.150

STATUTES/OTHER IMPLEMENTED: 249.006, 249.021, SB 580 (2025)