



## NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165  
**SECRETARY OF STATE**  
**ELECTIONS DIVISION**

**FILED**

09/26/2025 10:27 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

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

**LAST DAY AND TIME TO OFFER COMMENT TO AGENCY:** 10/31/2025 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.*

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**Filed By:**  
Coline Benson  
Rules Coordinator

### HEARING(S)

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

**DATE:** 10/23/2025

**TIME:** 10:00 AM - 10:30 AM

**OFFICER:** Coline Benson

### REMOTE HEARING DETAILS

**MEETING URL:** Click here to join the meeting

**PHONE NUMBER:** 503-446-4951

**CONFERENCE ID:** 2177089542331

**SPECIAL INSTRUCTIONS:**

Passcode: Uu9AL2LT

### 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 permanent 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.

### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Senate Bill 580 (2025) available online from the Oregon State legislature at <https://olis.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 and manuals promote racial equity by protecting against implicit bias and ensuring that the same guidelines and procedures apply consistently to all candidates.

## FISCAL AND ECONOMIC IMPACT:

This rule implements new requirements created by SB 580 (2025). The fiscal and economic impact of this rule to affected parties is expected to be minimal.

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## 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).*

The proposed rule may create an economic impact on the state Elections Division and on county and city elections officials. The Elections Division anticipates needing to answer questions and assist local elections officials with understanding and complying with the requirements of the rule. County and city elections officials may also experience an economic impact in complying with the law and rule, particularly if they do not already have a mechanism or process to post candidate filings to their website or manage address exemptions.

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

This rule does not regulate the activities of small businesses.

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

A Rules Advisory Committee was not required to be convened.

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ADOPT: 165-010-0011

**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.

## CHANGES TO RULE:

### 165-010-0011

#### Candidate Filing Eligibility Verification and Posting Requirements

(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, SB 580 (2025)

Statutes/Other Implemented: 249.006, 249.021, SB 580 (2025)