

**A-Engrossed**  
**Senate Bill 1510**

Ordered by the Senate February 23  
Including Senate Amendments dated February 23

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Rules and Executive Appointments)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

- Clarifies timing for filing statement of contribution or expenditure.
- Permits nonaffiliated elector to make request for major party primary ballot electronically, in person or by mail.
- Permits candidate who acts as own treasurer, or treasurer of principal campaign committee, **political committee or petition committee**, to provide initial information regarding bank account up to *[one business day]* **five business days** after filing statement of organization.  
*[Prohibits candidate who cannot take office from appearing on ballot in district elections.]*
- Extends time frames for filing officer duties regarding write-in candidates.
- Ends requirement that Secretary of State conduct random ordering of letters of alphabet for ballots with only one candidate.
- Resolves conflict in definition of "independent expenditure."
- Limits at 2,000 number of signatures that may be included on prospective petition to initiate state measure.**
- Clarifies obligation of Secretary of State to include final certified ballot title on official template cover and signature sheets of initiative petition.**
- Exempts filing officer from obligation to reprint ballots if filing officer determines that candidate has died, withdrawn or is not qualified to hold office less than 61 days before election.**
- Protects enumerated information in elector's registration file from public disclosure, while requiring other enumerated information in file to be provided in publicly available lists maintained by Secretary of State and county clerks.**
- Directs Secretary of State to maintain and update list that identifies electors who have and have not cast ballot during election period and make list available each business day during election period.**
- Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to elections; creating new provisions; amending ORS 247.973, 249.037, 249.068, 249.072,  
3 249.200, 250.045, 250.052, 254.155, 254.165, 254.470, 254.548, 255.295, 260.005, 260.039, 260.042,  
4 260.044, 260.057, 260.118 and 260.215; and declaring an emergency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1.** ORS 260.057 is amended to read:

7 260.057. (1) The Secretary of State by rule shall adopt an electronic filing system to be used by:

8 (a) All candidates and political committees to file with the secretary statements of contributions  
9 received and expenditures made by the candidates and political committees, as described in ORS  
10 260.083.

11 (b) Treasurers of petition committees organized under ORS 260.118 to file with the secretary  
12 statements of contributions received and expenditures made by the treasurers or chief petitioners  
13 as described in ORS 260.083.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) Persons who make independent expenditures as provided in ORS 260.044 to file with the  
2 secretary statements of independent expenditures made by the persons as described in ORS 260.083.

3 (2) Except as otherwise provided in this section, a candidate or political committee shall file a  
4 statement of contributions received and expenditures made described in subsection (1)(a) of this  
5 section not later than 30 calendar days after a contribution is received or an expenditure is made.

6 (3)(a) A candidate for nomination or election at any primary or general election or a political  
7 committee supporting or opposing a candidate or measure at any primary or general election shall  
8 file a statement described in subsection (1)(a) of this section not later than seven calendar days after  
9 a contribution is received or an expenditure is made. This paragraph applies to contributions re-  
10 ceived and expenditures made:

11 (A) During the period beginning on the 42nd calendar day before the date of any primary  
12 election and ending on the date of the primary election; and

13 (B) During the period beginning on the 42nd calendar day before the date of any general  
14 election and ending on the date of the general election.

15 (b) For any special election, the secretary by rule may establish a period during which a can-  
16 didate for nomination or election at the special election or a political committee supporting or op-  
17 posing a candidate or measure at the special election must file a statement described in subsection  
18 (1) of this section not later than seven calendar days after a contribution is received or an expend-  
19 iture is made.

20 (c) If the candidate or political committee receives a contribution or makes an expenditure prior  
21 to the 42nd calendar day before the date of the primary or general election and the candidate or  
22 political committee has not filed a statement of the contribution or expenditure under subsection (2)  
23 of this section by the 43rd calendar day before the date of the primary or general election, the  
24 candidate or political committee shall file a statement described in subsection (1)(a) of this section  
25 not later than **whichever of the following dates occurs first:**

26 (A) **The date required under subsection (2) of this section; or**

27 (B) The 35th calendar day before the date of the primary or general election.

28 (4) The electronic filing system shall be provided free of charge by the secretary and shall:

29 (a) Accept electronic files that conform to the format prescribed by the secretary by rule; or

30 (b) Be compatible with any other electronic filing application provided or approved by the sec-  
31 retary.

32 (5)(a) Except as provided in paragraph (b) of this subsection, the secretary shall make all data  
33 filed electronically under subsection (1)(a) of this section and all information filed with the secretary  
34 under ORS 260.049 or 260.085 available on the Internet to the public free of charge according to a  
35 schedule adopted by the secretary by rule. The secretary shall make the data available in a  
36 searchable database that is easily accessible by the public. When the secretary makes data or in-  
37 formation available on the Internet under this subsection, the secretary shall display any contribu-  
38 tion received from a person or political committee with an out-of-state address in a different colored  
39 font than a contribution received from a person or political committee with an in-state address.

40 (b) The secretary may not make data that are filed electronically under subsection (1)(a) of this  
41 section available to the public under this section, unless the data are required to be listed under  
42 ORS 260.083. The secretary may not disclose under ORS 192.311 to 192.478 any data that are filed  
43 electronically under subsection (1)(a) of this section, unless the data are required to be listed under  
44 ORS 260.083.

45 (6) Each statement required by this section shall be signed and certified as true by the candi-

1 date, treasurer, designee of the candidate or treasurer or person who files a statement of independ-  
2 ent expenditures under ORS 260.044, as appropriate. Signatures shall be supplied in the manner  
3 specified by the secretary by rule.

4 (7) This section does not apply to:

5 (a) Candidates for federal office;

6 (b) Candidates who are not required to file a statement of organization under ORS 260.043; or

7 (c) Candidates, political committees or petition committees that file certificates under ORS  
8 260.112.

9 **SECTION 2.** ORS 260.044 is amended to read:

10 260.044. (1) If a person makes independent expenditures in a total amount of more than \$750 in  
11 a calendar year, the person shall use the electronic filing system adopted under ORS 260.057 to file  
12 with the Secretary of State a statement of independent expenditures not later than seven calendar  
13 days after the total amount of independent expenditures exceeds \$750 in a calendar year.

14 (2) A person who files a statement of independent expenditures under subsection (1) of this  
15 section shall use the electronic filing system adopted under ORS 260.057 to file with the secretary  
16 additional statements of independent expenditures made by the person, as described in ORS 260.083.

17 (3) Except as provided in subsections (4) and (5) of this section, a person shall file a statement  
18 described in subsection (2) of this section not later than 30 calendar days after an independent ex-  
19 penditure is made.

20 (4)(a) A person shall file a statement described in subsection (2) of this section not later than  
21 seven calendar days after an independent expenditure is made. This paragraph applies to independ-  
22 ent expenditures made:

23 (A) During the period beginning on the 42nd calendar day before the date of any primary  
24 election and ending on the date of the primary election; and

25 (B) During the period beginning on the 42nd calendar day before the date of any general  
26 election and ending on the date of the general election.

27 (b) If the person makes an independent expenditure prior to the 42nd calendar day before the  
28 date of the primary or general election and the person has not filed a statement under subsection  
29 (3) of this section by the 43rd calendar day before the date of the primary or general election, the  
30 person shall file a statement described in subsection (2) of this section not later than **whichever**  
31 **of the following dates occurs first:**

32 **(A) The date required under subsection (3) of this section; or**

33 **(B) The 35th calendar day before the date of the primary or general election.**

34 (5) For any special election, the secretary by rule may establish a period during which a person  
35 must file a statement described in subsection (2) of this section. The period may not extend beyond  
36 seven calendar days after an independent expenditure is made.

37 (6) Notwithstanding ORS 260.005 (18), a person who solicits and receives a contribution or con-  
38 tributions is a political committee and shall file a statement of organization under ORS 260.042 and  
39 the statements required by ORS 260.057, 260.076 or 260.078.

40 (7) For purposes of this section:

41 (a) An independent expenditure does not include a contribution to a candidate or political  
42 committee that is required to report the contribution on a statement filed under ORS 260.057,  
43 260.076 or 260.078 or a certificate filed under ORS 260.112;

44 (b) An independent expenditure does not include a contribution to a candidate who is not re-  
45 quired to file a statement of organization under ORS 260.043; and

1 (c) A person is not a political committee under subsection (6) of this section if all contributions  
2 received by the person are:

3 (A) Designated to an identified candidate or political committee;

4 (B) Delivered by the person to the designated candidate or political committee not later than  
5 seven business days after the contribution is received; and

6 (C) Required to be reported as contributions by a candidate or political committee on a state-  
7 ment filed under ORS 260.057, 260.076 or 260.078 or a certificate filed under ORS 260.112.

8 **SECTION 3.** ORS 260.118 is amended to read:

9 260.118. (1) The chief petitioners of an initiative, referendum or recall petition shall appoint a  
10 treasurer. The treasurer shall be an elector of this state. Contributions [*shall*] **must** be received and  
11 expenditures made by or through the treasurer.

12 (2) The treasurer shall file a statement of organization of a petition committee with the appro-  
13 priate filing officer. The treasurer shall file the statement not later than the third business day after  
14 a chief petitioner or the treasurer receives a contribution or makes an expenditure relating to the  
15 initiative, referendum or recall petition. The statement [*shall*] **must** include:

16 (a) The name and address of the chief petitioners.

17 (b) The name and address of the treasurer appointed under subsection (1) of this section.

18 (c) A designation of the initiative, referendum or recall petition. The designation of the recall  
19 petition [*shall*] **must** include the name of the officer whose recall is demanded.

20 [(*d*)] **(3) In addition to the information listed in subsection (2) of this section, the state-**  
21 **ment of organization must include, or be amended within five business days to include,** the  
22 name of the financial institution in which the petition account required under ORS 260.054 is es-  
23 tablished, the name of the account, the name of the account holder and the names of all individuals  
24 who have signature authority for the account. The Secretary of State may not disclose information  
25 received by the secretary under this [*paragraph*] **subsection** except as necessary for purposes of  
26 enforcing the provisions of ORS chapters 246 to 260.

27 [(3)] **(4)** A treasurer may designate an elector of this state to be liable for any civil penalty  
28 imposed under ORS 260.232. The treasurer shall include the name and address of any elector desig-  
29 nated under this subsection in a statement of organization filed under this section.

30 [(4)] **(5) Except as provided in subsection (3) of this section,** if there is a change in the in-  
31 formation submitted in a statement of organization under [*subsection (2)*] **subsections (2) and (3)**  
32 of this section, the treasurer shall file an amended statement of organization not later than the 10th  
33 day after the change in information.

34 [(5)] **(6)** The treasurer of an initiative, referendum or recall petition committee shall use the  
35 electronic filing system adopted under ORS 260.057 to file with the Secretary of State statements  
36 of contributions received and expenditures made by the petition committee, as described in ORS  
37 260.083.

38 [(6)] **(7)** The treasurer of an initiative petition committee shall file a statement described in  
39 subsection [(5)] **(6)** of this section not later than seven calendar days after a contribution is received  
40 or an expenditure is made. This subsection applies to contributions received and expenditures made:

41 (a) During the period beginning on the 42nd calendar day before the date that is four months  
42 before a general election and ending on the date that is four months before a general election; and

43 (b) During the period beginning on the 42nd calendar day before the date of any primary  
44 election and ending on the date of the primary election and the period beginning on the 42nd cal-  
45 endar day before the date of any general election and ending on the date of the general election.

1        [(7)] **(8)** The treasurer of a referendum petition committee or a recall petition committee shall  
 2 file a statement described in subsection [(5)] **(6)** of this section not later than seven calendar days  
 3 after a contribution is received or an expenditure is made. This subsection applies:

4        (a) For a referendum petition committee, to contributions received and expenditures made during  
 5 the period beginning on the date the treasurer is appointed under subsection (1) of this section and  
 6 ending on the deadline for submitting signatures for verification; and

7        (b) For a recall petition committee, to contributions received and expenditures made during the  
 8 period beginning on the day on which the recall petition is filed under ORS 249.865 and ending on  
 9 the deadline for submitting signatures for verification.

10       [(8)] **(9)** Except as provided in subsection [(9)] **(10)** of this section, during a period not described  
 11 in subsection [(6) or] (7) **or (8)** of this section, a treasurer of an initiative, referendum or recall pe-  
 12 tition committee shall file a statement described in subsection [(5)] **(6)** of this section not later than  
 13 30 calendar days after a contribution is received or an expenditure is made.

14       [(9)] **(10)** If a treasurer of an initiative petition committee receives a contribution or makes an  
 15 expenditure prior to the 42nd calendar day before the date that is four months before a general  
 16 election, or the 42nd day before the date of the primary election or general election, and the treas-  
 17 urer has not filed a statement of the contribution or expenditure under subsection [(5)] **(6)** of this  
 18 section by the 43rd calendar day before the date that is four months before a general election, or  
 19 the 43rd day before the date of the primary election or general election, the treasurer shall file a  
 20 statement described in subsection [(5)] **(6)** of this section not later than the 35th calendar day before  
 21 the date that is four months before a general election, or **not later than whichever of the fol-**  
 22 **lowing dates occurs first:**

23        **(a) The date required under subsection (9) of this section; or**

24        **(b) The 35th day before the date of the primary election or general election.**

25       [(10)] **(11)** For an initiative petition committee, the accounting period for the first statement filed  
 26 under this section begins on the date the treasurer is appointed under subsection (1) of this section.

27       [(11)] **(12)** Each statement required under this section [*shall*] **must** be signed and certified as  
 28 true by the treasurer. Signatures [*shall*] **must** be supplied in the manner specified by the secretary  
 29 by rule.

30       [(12)] **(13)** Subsections [(5) to (11)] **(6) to (12)** of this section do not apply to petition committees  
 31 that file certificates under ORS 260.112.

32       [(13)] **(14)** As used in this section, “contribution” and “expenditure” include a contribution or  
 33 expenditure to or on behalf of an initiative, referendum or recall petition.

34       **SECTION 4.** ORS 254.470 is amended to read:

35       254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the  
 36 designation of places of deposit for the ballots cast in an election. The rules shall also specify the  
 37 dates and times the places of deposit must be open and the security requirements for the places of  
 38 deposit. At a minimum, the places designated under this section shall be open on the date of the  
 39 election for a period of eight or more hours, but must be open until at least 8 p.m. At each place  
 40 of deposit designated under this section, the county clerk shall prominently display a sign stating  
 41 that the location is an official ballot drop site.

42       (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, the county clerk shall mail  
 43 by nonforwardable mail an official ballot with a return identification envelope and a secrecy envel-  
 44 ope not sooner than the 20th day before the date of an election and not later than the 14th day  
 45 before the date of the election, to each active elector of the electoral district as of the 21st day

1 before the date of the election.

2 (b) If the county clerk determines that an active elector of the electoral district as of the 21st  
3 day before the date of the election does not receive daily mail service from the United States Postal  
4 Service, the county clerk shall mail by nonforwardable mail an official ballot with a return iden-  
5 tification envelope and a secrecy envelope to the elector not sooner than the 20th day before the  
6 date of an election and not later than the 18th day before the date of the election.

7 (c) In the case of ballots to be mailed to addresses outside this state to electors who are not  
8 military or overseas electors, the county clerk may mail the ballots not sooner than the 29th day  
9 before the date of the election.

10 (3) For an election held on the date of a primary election:

11 (a) The county clerk shall mail the official ballot of a major political party to each elector who  
12 is registered as being affiliated with the major political party as of the 21st day before the date of  
13 the election.

14 (b) The county clerk shall mail the official ballot of a major political party to an elector not  
15 affiliated with any political party if the elector has applied for the ballot as provided in this sub-  
16 section and that party has provided under ORS 254.365 for a primary election that admits electors  
17 not affiliated with any political party.

18 (c) An elector not affiliated with any political party who wishes to vote in the primary election  
19 of a major political party shall apply to the county clerk in writing. The application [*shall*] **must**  
20 **be completed, signed and submitted by the elector electronically, in person or by mail, in a**  
21 **manner determined by the secretary by rule and must** indicate which major political party  
22 ballot the elector wishes to receive. Except for electors described in subsection (4) of this section,  
23 and subject to ORS 247.203, the application must be received by the county clerk not later than 5  
24 p.m. of the 21st day before the date of the election.

25 (d) If the primary election ballot includes city, county or nonpartisan offices or measures, the  
26 county clerk shall mail to each elector who is not eligible to vote for party candidates a ballot  
27 limited to those offices and measures for which the elector is eligible to vote.

28 (4) For each elector who updates a voter registration after the deadline in ORS 247.025, the  
29 county clerk shall make the official ballot, the return identification envelope and the secrecy en-  
30 velope available either by mail or at the county clerk's office or at another place designated by the  
31 county clerk. An elector to whom this subsection applies must request a ballot from the county  
32 clerk.

33 (5) The ballot shall contain the following warning:  
34

35  
36 Any person who, by use of force or other means, unduly influences an elector to vote in any  
37 particular manner or to refrain from voting is subject to a fine.  
38

39  
40 (6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign  
41 the return identification envelope supplied with the ballot and comply with the instructions provided  
42 with the ballot.

43 (b) The elector may return the marked ballot to the county clerk by United States mail or by  
44 depositing the ballot at the office of the county clerk, at any place of deposit designated by the  
45 county clerk or at any location described in ORS 254.472 or 254.474.

1 (c) The ballot must be returned in the return identification envelope. If the elector returns the  
2 ballot by mail, the elector must provide the postage.

3 (d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the  
4 person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later  
5 than two days after receiving the ballot.

6 (e) A ballot must be received at the office of the county clerk, at the designated place of deposit  
7 or at any location described in ORS 254.472 or 254.474 not later than the end of the period deter-  
8 mined under subsection (1) of this section on the date of the election.

9 (7) An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or not  
10 received by the elector. Replacement ballots shall be issued and processed as described in this  
11 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided  
12 under this subsection. Notwithstanding any deadline for mailing ballots in subsection (2) of this  
13 section, a replacement ballot may be mailed, made available in the office of the county clerk or made  
14 available at one central location in the electoral district in which the election is conducted. The  
15 county clerk shall designate the central location. A replacement ballot need not be mailed after the  
16 fifth day before the date of the election.

17 (8) A ballot shall be counted only if:

18 (a) It is returned in the return identification envelope;

19 (b) The envelope is signed by the elector to whom the ballot is issued, unless a certified state-  
20 ment is submitted under ORS 254.431; and

21 (c) The signature is verified as provided in subsection (9) of this section.

22 (9) The county clerk shall verify the signature of each elector on the return identification en-  
23 velope with the signature on the elector's registration record, according to the procedure provided  
24 by rules adopted by the Secretary of State. If the county clerk determines that an elector to whom  
25 a replacement ballot has been issued has voted more than once, the county clerk shall count only  
26 one ballot cast by that elector.

27 (10) At 8 p.m. on election day, electors who are at the county clerk's office, a place of deposit  
28 designated under subsection (1) of this section or any location described in ORS 254.472 or 254.474  
29 and who are in line waiting to vote or deposit a voted ballot shall be considered to have begun the  
30 act of voting.

31 **SECTION 5.** ORS 260.039 is amended to read:

32 260.039. (1) Except as provided in ORS 260.043, a candidate who serves as the candidate's own  
33 treasurer, or the treasurer of the principal campaign committee, shall file a statement of organiza-  
34 tion with the filing officer. The statement shall include:

35 (a) The name, address, occupation, office sought and party affiliation of the candidate. The ad-  
36 dress shall be the address of a residence, office, headquarters or similar location where the candi-  
37 date may be conveniently located.

38 (b) In the case of a principal campaign committee:

39 (A) The name and address of the committee. The address shall be the address of a residence,  
40 office, headquarters or similar location where the political committee or a responsible officer of the  
41 political committee may be conveniently located.

42 (B) The name, address and occupation of the committee director or directors, if any.

43 (C) The name and address of the committee treasurer.

44 (D) The name and address of any other political committee of which two or more committee  
45 directors are also directors of the committee filing the statement.

1        [(c)] (2) **In addition to the information listed in subsection (1) of this section, the state-**  
 2 **ment of organization must include, or be amended within five business days to include,** the  
 3 name of the financial institution in which the campaign account required under ORS 260.054 is es-  
 4 tablished, the name of the account, the name of the account holder and the names of all individuals  
 5 who have signature authority for the account. The Secretary of State may not disclose information  
 6 received by the secretary under this [paragraph] **subsection** except as necessary for purposes of  
 7 enforcing the provisions of ORS chapters 246 to 260.

8        [(2)] (3) A candidate or treasurer may designate an individual to receive any notice provided  
 9 by a filing officer under ORS chapters 246 to 260. The candidate or treasurer shall include the name  
 10 and address of the individual in the statement of organization filed under this section. A filing offi-  
 11 cer who provides any notice under ORS chapters 246 to 260 to the candidate or treasurer shall also  
 12 provide the notice to the individual designated by the candidate or treasurer under this subsection.

13        [(3)] (4) Except as provided in ORS 260.043, a candidate who serves as the candidate's own  
 14 treasurer shall file the statement of organization not later than the third business day after the  
 15 candidate first receives a contribution or makes an expenditure. The treasurer of a principal cam-  
 16 paign committee shall file the statement of organization not later than the date specified in ORS  
 17 260.035.

18        [(4)] (5) **Except as provided in subsection (2) of this section,** any change in information  
 19 submitted in a statement of organization under [subsection] **subsections (1) and (2)** of this section  
 20 shall be indicated in an amended statement of organization filed not later than the 10th day after  
 21 the change in information.

22        [(5)] (6) Except as provided in ORS 260.043, a candidate who serves as the candidate's own  
 23 treasurer or the treasurer of the principal campaign committee of the candidate shall file a state-  
 24 ment of organization under this section not later than the deadline for the candidate to file a nom-  
 25 inating petition or declaration of candidacy under ORS 249.037 or a certificate of nomination under  
 26 ORS 249.722.

27        [(6)] (7) Except as provided in ORS 260.043, a candidate who serves as the candidate's own  
 28 treasurer or the treasurer of the principal campaign committee of a candidate shall file a new or  
 29 amended statement of organization not later than the date that the candidate files a nominating  
 30 petition, declaration of candidacy or certificate of nomination.

31        **SECTION 6.** ORS 254.165 is amended to read:

32        254.165. (1) If the filing officer determines that a candidate has died, withdrawn or become dis-  
 33 qualified, or that the candidate will not qualify in time for the office if elected, the name of the  
 34 candidate may not be printed on the ballots or, if [they] **ballots** have already been printed, [shall  
 35 *be erased or canceled*] **the ballots must be reprinted without the name of the candidate** before  
 36 the ballots are delivered to the electors. The name of a candidate nominated to fill a vacancy in  
 37 nomination or office [shall] **must** be printed on the ballots or, if [they] **the ballots** have already been  
 38 printed, the county clerk shall cause the name to appear on the ballots before the ballots are de-  
 39 livered to the electors. A filing officer, other than the Secretary of State, shall notify the Secretary  
 40 of State of any action taken under this section.

41        (2) Subsection (1) of this section does not apply if the filing officer makes the determination  
 42 under subsection (1) of this section on or after the [47th] **61st** day before the date of the election.

43        (3) As used in this section:

44        (a) "District" means a district defined in ORS 255.012.

45        (b) "Filing officer" means the:



1 (A) Secretary of State, regarding a candidate for a state office or an office to be voted on in the  
2 state at large or in a congressional district.

3 (B) County clerk, regarding a candidate for a county office.

4 (C) County clerk of the county in which the administrative office of the district is located, re-  
5 garding a candidate for a district office to be voted on in a district located in more than one county.

6 (D) County clerk, regarding a candidate for a district office to be voted on in a district situated  
7 wholly within the county.

8 (E) City clerk, auditor or recorder, regarding a candidate for a city office.

9 **SECTION 7.** ORS 249.200 is amended to read:

10 249.200. (1) A major political party may nominate a candidate to fill a vacancy in a partisan  
11 elective office in the following manner:

12 (a) If the vacancy occurs on or before the 70th day before a [*primary*] **nominating** election, by  
13 selecting a nominee at the next [*primary*] **nominating** election; or

14 (b) If the vacancy occurs after the 70th day before the [*primary*] **nominating** election [*but before*  
15 *the 61st*] **and on or before the 62nd** day before the general election, by selecting a nominee as  
16 provided by party rule.

17 (2) The procedure under subsection (1) of this section shall not apply in any case in which one  
18 of the following specific procedures for filling a vacancy applies:

19 (a) The procedure specified in ORS 188.120 for the offices of Representative in Congress and  
20 United States Senator.

21 (b) The appointment procedure specified in ORS 171.051 to 171.064 for state legislative office.

22 (c) The procedure specified in ORS chapter 236 for county office.

23 (d) The procedure specified in ORS chapter 221 for city office.

24 (3) A party that selects a nominee under subsection (1)(b) of this section, immediately after the  
25 nomination, shall notify the filing officer with whom a declaration of candidacy for the office is filed  
26 of the name of the nominee by the most expeditious means practicable.

27 (4) The Secretary of State by rule may adopt a schedule specifying the period following a va-  
28 cancy within which a major political party that selects a nominee under subsection (1)(b) of this  
29 section must notify the filing officer of the name of the nominee under subsection (3) of this section.

30 **SECTION 8.** ORS 249.037 is amended to read:

31 249.037. (1) Except as otherwise provided in this section, a nominating petition or declaration  
32 of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the  
33 date of the [*primary*] **nominating** election.

34 (2) If a vacancy occurs in a partisan elective office after the 80th day and before the 70th day  
35 before the [*primary*] **nominating** election, a nominating petition or declaration of candidacy for that  
36 office may be filed not later than the 65th day before the [*primary*] **nominating** election.

37 (3) A declaration of candidacy for the office of precinct committeeperson may not be filed before  
38 February 1 immediately preceding the primary election.

39 **SECTION 9.** ORS 254.548 is amended to read:

40 254.548. (1) An individual nominated or elected to a public office by write-in votes shall sign and  
41 file a form indicating that the individual accepts the nomination or office before the filing officer  
42 may issue a certificate of nomination or election. The Secretary of State by rule shall prescribe the  
43 form to be used under this section.

44 (2) In the case of an individual nominated or elected by write-in votes to a public office:

45 (a) Not later than the [*27th*] **31st** day after the election, the filing officer shall:

1 (A) Prepare and deliver by regular mail the form described in subsection (1) of this section to  
2 the individual; and

3 (B) If the filing officer has the electronic mail address of the individual, prepare and deliver by  
4 electronic mail the form described in subsection (1) of this section to the individual;

5 (b) Not later than the [35th] **41st** day after the election, if the individual accepts the nomination  
6 or office, the individual shall sign and file the form with the filing officer; and

7 (c) Not later than the [40th] **45th** day after the election, if the individual files the form by the  
8 deadline specified in paragraph (b) of this subsection, the filing officer shall prepare and deliver a  
9 certificate of nomination or election to the individual and, if applicable, issue a proclamation de-  
10 claring the election of the candidate to the office.

11 **SECTION 10.** ORS 255.295 is amended to read:

12 255.295. (1) Not later than the 20th day after the date of an election, the elections officer shall  
13 prepare an abstract of the votes and deliver it to the district elections authority. Not later than the  
14 [40th] **45th** day after the date of an election, the district elections authority shall determine from it  
15 the result of the election.

16 (2) Subject to ORS 254.548, the elections officer may issue a certificate of election only after the  
17 district elections authority has notified the elections officer in writing of the result of the election.  
18 [*The notification to the elections officer shall contain a statement indicating whether any candidate*  
19 *elected to district office is qualified to hold the office.*]

20 **SECTION 11.** ORS 254.155 is amended to read:

21 254.155. (1) Not later than the 69th day before the date of any election the Secretary of State  
22 shall complete a random ordering of the letters of the alphabet.

23 (2) Not later than the 68th day before the date of any election the Secretary of State shall mail  
24 or deliver to each county clerk a copy of the random ordering of the letters of the alphabet.

25 (3) The county clerk shall arrange by surname the names of the candidates on the ballot in the  
26 random order of the letters of the alphabet completed by the Secretary of State under subsection (1)  
27 of this section.

28 **(4) The requirements of this section do not apply to any election in which only one can-**  
29 **didate will be on the ballot.**

30 **SECTION 12.** ORS 249.072 is amended to read:

31 249.072. (1) If the nonpartisan office is to be voted for in the state at large, the nominating pe-  
32 tition shall contain at least 1,000 signatures of electors, or a number of signatures of electors equal  
33 to at least one percent of the vote cast in the state for all candidates for Governor at the most re-  
34 cent election at which a candidate for Governor was elected to a full term, whichever is less. The  
35 signatures shall include those of electors registered in each of at least five percent of the precincts  
36 in each of at least seven counties.

37 (2) The nominating petition for a nonpartisan office not provided for in subsection (1) of this  
38 section shall contain at least 500 signatures of electors in the electoral district, or a number of  
39 signatures of electors equal to at least one percent of the vote cast in the electoral district for all  
40 candidates for Governor at the most recent election at which a candidate for Governor was elected  
41 to a full term, whichever is less. In addition:

42 (a) If an office under this subsection is to be voted for in more than one county, the signatures  
43 shall include those of electors registered in **at least two counties encompassed by the electoral**  
44 **district, and the signatures from each such county shall include those of electors registered**  
45 **in at least six percent of the precincts of the electoral district that are located within that**

1 **county** *[each of at least six percent of the precincts in the electoral district that are located in each*  
 2 *of two or more of the counties, or portions of the counties, within which the electoral district is*  
 3 *located]*. If six percent of the precincts of the electoral district in one of the counties or portion  
 4 thereof does not constitute a whole precinct, the nominating petition shall contain signatures from  
 5 at least one precinct in that county.

6 (b) If the office is to be voted for in only one county or in a city, the signatures shall include  
 7 those of electors registered in *[each of]* at least 10 percent of the precincts in the electoral district.

8 **SECTION 13.** ORS 249.068 is amended to read:

9 249.068. (1) Except as otherwise provided for a candidate for nonpartisan office in ORS 249.072:

10 (a) A nominating petition for an office to be voted for in the state at large or for a candidate  
 11 for Representative in Congress shall contain signatures of members of the same major political party  
 12 as the candidate. Except as provided in this subsection, there shall be at least 1,000 signatures or  
 13 the number of signatures at least equal to two percent of the vote cast in the state or congressional  
 14 district, as the case may be, for the candidates of that major political party for presidential electors  
 15 at the last presidential election, whichever is less;

16 (b) For an election next following any change in the boundaries of a congressional district, there  
 17 shall be at least 1,000 signatures or the number of signatures at least equal to two percent of the  
 18 average number of votes cast in all congressional districts in this state, as the case may be, for the  
 19 candidates of that major political party for presidential electors at the last presidential election,  
 20 whichever is less;

21 (c) In the case of a candidate nominated by a major political party that did not nominate pres-  
 22 idential electors at the last presidential election, there shall be at least 1,000 signatures; and

23 (d) If the office is one to be voted for in the state at large, the signatures shall include those  
 24 of electors registered in at least five percent of the precincts in each of at least seven counties. If  
 25 the office is one to be voted for in a congressional district the signatures shall include those of  
 26 electors registered in at least five percent of the precincts in each of at least one-fourth of the  
 27 counties in the congressional district.

28 (2) Except as otherwise provided in this section or for a candidate for nonpartisan office in ORS  
 29 249.072:

30 (a) A nominating petition for an office not provided for in subsection (1) of this section shall  
 31 contain the signatures of electors who are members of the same major political party as the candi-  
 32 date. There shall be at least 500 signatures or the number of signatures at least equal to two percent  
 33 of the vote in the electoral district for the candidates of that major political party for presidential  
 34 electors at the last presidential election, whichever is less;

35 (b) In the case of major political party candidates for the office of state Senator or state Rep-  
 36 resentative, for an election next following any change in the boundaries of the districts of state  
 37 Senators or state Representatives under *[section 6,]* Article IV, **section 6**, of the Oregon Constitu-  
 38 tion, there shall be at least 500 signatures or the number of signatures at least equal to two percent  
 39 of the average number of votes cast in all state senatorial or state representative districts in this  
 40 state, as the case may be, for the candidates of that major political party for presidential electors  
 41 at the last presidential election, whichever is less;

42 (c) In the case of a candidate nominated by a major political party that did not nominate pres-  
 43 idential electors at the last presidential election, there shall be at least 500 signatures;

44 (d) If the office under this subsection is to be voted for in more than one county, the signatures  
 45 shall include those of electors registered in **at least two counties encompassed by the electoral**

1 **district, and the signatures from each such county shall include those of electors registered**  
2 **in at least six percent of the precincts of the electoral district that are located within that**  
3 **county** *[at least six percent of the precincts in the electoral district that are located in each of two or*  
4 *more of the counties, or portions of the counties, within which the electoral district is located]*. If six  
5 percent of the precincts of the electoral district in one of the counties or portion thereof does not  
6 constitute a whole precinct, the nominating petition shall contain signatures from at least one pre-  
7 cinct in that county; and

8 (e) If the office is to be voted for in only one county or in a city, the signatures shall include  
9 those of electors registered in at least 10 percent of the precincts in the electoral district.

10 **SECTION 14.** ORS 260.005 is amended to read:

11 260.005. As used in this chapter:

12 (1)(a) "Candidate" means:

13 (A) An individual whose name is printed on a ballot, for whom a declaration of candidacy,  
14 nominating petition or certificate of nomination to public office has been filed or whose name is  
15 expected to be or has been presented, with the individual's consent, for nomination or election to  
16 public office;

17 (B) An individual who has solicited or received and accepted a contribution, made an expendi-  
18 ture, or given consent to an individual, organization, political party or political committee to solicit  
19 or receive and accept a contribution or make an expenditure on the individual's behalf to secure  
20 nomination or election to any public office at any time, whether or not the office for which the in-  
21 dividual will seek nomination or election is known when the solicitation is made, the contribution  
22 is received and retained or the expenditure is made, and whether or not the name of the individual  
23 is printed on a ballot; or

24 (C) A public office holder against whom a recall petition has been completed and filed.

25 (b) For purposes of this section and ORS 260.035 to 260.156, "candidate" does not include a  
26 candidate for the office of precinct committeeperson.

27 (2) "Committee director" means any person who directly and substantially participates in  
28 decision-making on behalf of a political committee concerning the solicitation or expenditure of  
29 funds and the support of or opposition to candidates or measures. The officers of a political party  
30 shall be considered the directors of any political party committee of that party, unless otherwise  
31 provided in the party's bylaws.

32 (3) Except as provided in ORS 260.007, "contribute" or "contribution" includes:

33 (a) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compen-  
34 sation or consideration, of money, services other than personal services for which no compensation  
35 is asked or given, supplies, equipment or any other thing of value:

36 (A) For the purpose of influencing an election for public office or an election on a measure, or  
37 of reducing the debt of a candidate for nomination or election to public office or the debt of a pol-  
38 itical committee; or

39 (B) To or on behalf of a candidate, political committee or measure; and

40 (b) The excess value of a contribution made for compensation or consideration of less than  
41 equivalent value.

42 (4) "Controlled committee" means a political committee that, in connection with the making of  
43 contributions or expenditures:

44 (a) Is controlled directly or indirectly by a candidate or a controlled committee; or

45 (b) Acts jointly with a candidate or controlled committee.

1 (5) “Controlled directly or indirectly by a candidate” means:

2 (a) The candidate, the candidate’s agent, a member of the candidate’s immediate family or any  
3 other political committee that the candidate controls has a significant influence on the actions or  
4 decisions of the political committee; or

5 (b) The candidate’s principal campaign committee and the political committee both have the  
6 candidate or a member of the candidate’s immediate family as a treasurer or director.

7 (6) “County clerk” means the county clerk or the county official in charge of elections.

8 (7) “Elector” means an individual qualified to vote under Article II, section 2, of the Oregon  
9 Constitution.

10 (8) Except as provided in ORS 260.007, “expend” or “expenditure” includes the payment or fur-  
11 nishing of money or anything of value or the incurring or repayment of indebtedness or obligation  
12 by or on behalf of a candidate, political committee or person in consideration for any services,  
13 supplies, equipment or other thing of value performed or furnished for any reason, including support  
14 of or opposition to a candidate, political committee or measure, or for reducing the debt of a candi-  
15 dicate for nomination or election to public office. “Expenditure” also includes contributions made  
16 by a candidate or political committee to or on behalf of any other candidate or political committee.

17 (9) “Filing officer” means:

18 (a) The Secretary of State:

19 (A) Regarding a candidate for public office;

20 (B) Regarding a statement required to be filed under ORS 260.118;

21 (C) Regarding any measure; or

22 (D) Regarding any political committee.

23 (b) In the case of an irrigation district formed under ORS chapter 545, “filing officer” means:

24 (A) The county clerk, regarding any candidate for office or any measure at an irrigation district  
25 formation election where the proposed district is situated wholly in one county;

26 (B) The county clerk of the county in which the office of the secretary of the proposed irrigation  
27 district will be located, regarding any candidate for office or any measure at an irrigation district  
28 formation election where the proposed district is situated in more than one county; or

29 (C) The secretary of the irrigation district for any election other than an irrigation district  
30 formation election.

31 (10) “Independent expenditure” means an expenditure by a person for a communication in sup-  
32 port of or in opposition to a clearly identified candidate or measure that is not made with the co-  
33 operation or with the prior consent of, or in consultation with, or at the request or suggestion of,  
34 a candidate or any agent or authorized committee of the candidate, or any political committee or  
35 agent of a political committee supporting or opposing a measure. For purposes of this subsection:

36 (a) “Agent” means any person who has:

37 (A) Actual oral or written authority, either express or implied, to make or to authorize the  
38 making of expenditures on behalf of a candidate or on behalf of a political committee supporting or  
39 opposing a measure; or

40 (B) Been placed in a position within the campaign organization where it would reasonably ap-  
41 pear that in the ordinary course of campaign-related activities the person may authorize expen-  
42 ditures.

43 (b)(A) “Clearly identified” means, with respect to candidates:

44 (i) The name of the candidate involved appears;

45 (ii) A photograph or drawing of the candidate appears; or

- 1 (iii) The identity of the candidate is apparent by unambiguous reference.
- 2 (B) “Clearly identified” means, with respect to measures:
- 3 (i) The ballot number of the measure appears;
- 4 (ii) A description of the measure’s subject or effect appears; or
- 5 (iii) The identity of the measure is apparent by unambiguous reference.
- 6 (c) “Communication in support of or in opposition to a clearly identified candidate or measure”
- 7 means:
- 8 (A)(i) The communication, taken in its context, clearly and unambiguously urges the election or
- 9 defeat of a clearly identified candidate for nomination or election to public office, or the passage
- 10 or defeat of a clearly identified measure;
- 11 (ii) The communication, as a whole, seeks action rather than simply conveying information; and
- 12 (iii) It is clear what action the communication advocates; or
- 13 (B)(i) The communication contains aggregate expenditures of **more than** \$750 [*or more*] by a
- 14 person;
- 15 (ii) The communication refers to a clearly identified candidate who will appear on the ballot or
- 16 to a political party; and
- 17 (iii) The communication is published and disseminated to the relevant electorate within 30 cal-
- 18 endar days before a primary election or 60 calendar days before a general election.
- 19 (d) “Made with the cooperation or with the prior consent of, or in consultation with, or at the
- 20 request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any
- 21 political committee or agent of a political committee supporting or opposing a measure”:
- 22 (A) Means any arrangement, coordination or direction by the candidate or the candidate’s agent,
- 23 or by any political committee or agent of a political committee supporting or opposing a measure,
- 24 prior to the publication, distribution, display or broadcast of the communication. An expenditure
- 25 shall be presumed to be so made when it is:
- 26 (i) Based on information about the plans, projects or needs of the candidate, or of the political
- 27 committee supporting or opposing a measure, and provided to the expending person by the candidate
- 28 or by the candidate’s agent, or by any political committee or agent of a political committee sup-
- 29 porting or opposing a measure, with a view toward having an expenditure made; or
- 30 (ii) Made by or through any person who is or has been authorized to raise or expend funds, who
- 31 is or has been an officer of a political committee authorized by the candidate or by a political
- 32 committee or agent of a political committee supporting or opposing a measure, or who is or has been
- 33 receiving any form of compensation or reimbursement from the candidate, the candidate’s principal
- 34 campaign committee or agent or from any political committee or agent of a political committee
- 35 supporting or opposing a measure.
- 36 (B) Does not mean providing to the expending person upon request a copy of this chapter or any
- 37 rules adopted by the Secretary of State relating to independent expenditures.
- 38 (11) “Initiative petition” means a petition to initiate a measure for which a prospective petition
- 39 has been filed but that is not yet a measure.
- 40 (12) “Judge” means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon
- 41 Tax Court.
- 42 (13) “Mass mailing” means more than 200 substantially similar pieces of mail, but does not in-
- 43 clude a form letter or other mail that is sent in response to an unsolicited request, letter or other
- 44 inquiry.
- 45 (14) “Measure” includes any of the following submitted to the people for their approval or re-

1 jection at an election:

2 (a) A proposed law.

3 (b) An Act or part of an Act of the Legislative Assembly.

4 (c) A revision of or amendment to the Oregon Constitution.

5 (d) Local, special or municipal legislation.

6 (e) A proposition or question.

7 (15) "Occupation" means:

8 (a) The nature of an individual's principal business; and

9 (b) If the individual is employed by another person, the business name and address, by city and  
10 state, of the employer.

11 (16) "Person" means an individual, corporation, limited liability company, labor organization,  
12 association, firm, partnership, joint stock company, club, organization or other combination of indi-  
13 viduals having collective capacity.

14 (17) "Petition committee" means an initiative, referendum or recall petition committee organized  
15 under ORS 260.118.

16 (18) "Political committee" means a combination of two or more individuals, or a person other  
17 than an individual, that has:

18 (a) Received a contribution for the purpose of supporting or opposing a candidate, measure or  
19 political party; or

20 (b) Made an expenditure for the purpose of supporting or opposing a candidate, measure or  
21 political party. For purposes of this paragraph, an expenditure does not include:

22 (A) A contribution to a candidate or political committee that is required to report the contri-  
23 bution on a statement filed under ORS 260.057 or 260.076 or a certificate filed under ORS 260.112;  
24 or

25 (B) An independent expenditure for which a statement is required to be filed by a person under  
26 ORS 260.044.

27 (19) "Public office" means any national, state, county, district, city office or position, except a  
28 political party office, that is filled by the electors.

29 (20) "Recall petition" means a petition to recall a public officer for which a prospective petition  
30 has been filed but that is not yet a measure.

31 (21) "Referendum petition" means a petition to refer a measure for which a prospective petition  
32 has been filed but that is not yet a measure.

33 (22) "Regular district election" means the regular district election described in ORS 255.335.

34 (23) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney  
35 General, Commissioner of the Bureau of Labor and Industries, state Senator, state Representative,  
36 judge or district attorney.

37 **SECTION 15.** ORS 260.042 is amended to read:

38 260.042. (1) The treasurer of a political committee shall file a statement of organization with the  
39 filing officer. The statement [shall] **must** include:

40 (a) The name, address and nature of the committee. The address [shall] **must** be the address of  
41 a residence, office, headquarters or similar location where the political committee or a responsible  
42 officer of the political committee may be conveniently located.

43 (b) The name, address and occupation of the committee director or directors.

44 (c) The name and address of the committee treasurer.

45 (d) The name and address of any other political committee of which two or more committee di-

1 rectors are also directors of the committee filing the statement.

2 (e) The name, office sought, and party affiliation of each candidate whom the committee is sup-  
3 porting or specifically opposing or intends to support or specifically oppose, when known, or, if the  
4 committee is supporting or specifically opposing all the candidates of a given party, the name of that  
5 party.

6 (f) A designation of any measure that the committee is opposing or supporting, or intends to  
7 support or oppose.

8 **(g) A statement of whether the committee is a controlled committee.**

9 [(g)] **(2) In addition to the information listed in subsection (1) of this section, the state-**  
10 **ment of organization must include, or be amended within five business days to include,** the  
11 name of the financial institution in which the campaign account required under ORS 260.054 is es-  
12 tablished, the name of the account, the name of the account holder and the names of all individuals  
13 who have signature authority for the account. The Secretary of State may not disclose information  
14 received by the secretary under this [paragraph] **subsection** except as necessary for purposes of  
15 enforcing the provisions of ORS chapters 246 to 260.

16 [(h) A statement of whether the committee is a controlled committee.]

17 [(2)] **(3)** A treasurer may designate an individual to receive any notice provided by a filing offi-  
18 cer under ORS chapters 246 to 260. The treasurer shall include the name and address of the indi-  
19 vidual in a statement of organization filed under this section. A filing officer who provides any  
20 notice under ORS chapters 246 to 260 to the treasurer of the political committee shall also provide  
21 the notice to the individual designated by the treasurer under this subsection.

22 [(3)] **(4)** A treasurer may designate an elector of this state to be liable for any civil penalty  
23 imposed under ORS 260.232. The treasurer shall include the name and address of any elector desig-  
24 nated under this subsection in a statement of organization filed under this section.

25 [(4)] **(5)** The statement of organization [shall] **must** be filed not later than the date specified in  
26 ORS 260.035.

27 [(5)] **(6) Except as provided in subsection (2) of this section,** any change in information  
28 submitted in a statement of organization under [subsection (1)] **subsections (1) and (2)** of this sec-  
29 tion [shall] **must** be indicated in an amended statement of organization filed not later than the 10th  
30 day after the change in information.

31 [(6)] **(7)** This section does not apply to a political committee that is a principal campaign com-  
32 mittee or to a political committee exclusively supporting or opposing one or more candidates for  
33 federal or political party office.

34 **SECTION 16.** ORS 260.215 is amended to read:

35 260.215. (1) For statements filed during each calendar year, each filing officer shall examine each  
36 statement filed with the filing officer under ORS 260.044, 260.057, 260.083, 260.112 or 260.118 [(5)] **(6)**  
37 to determine whether the statement is sufficient. The filing officer shall examine statements under  
38 this section not later than 90 days after the end of each calendar quarter for statements filed during  
39 the previous calendar quarter.

40 (2) The filing officer may require any person to answer in writing and upon oath or affirmation  
41 before a judge, justice of the peace, county clerk or notary public any question within the knowledge  
42 of that person concerning the source of any contribution. The filing officer shall advise the person  
43 of the penalty for failure to answer.

44 **SECTION 17.** ORS 250.045 is amended to read:

45 250.045. (1)**(a)** Before circulating a petition to initiate or refer a state measure under [section



1 1,] Article IV, **section 1, of the** Oregon Constitution, the petitioner shall file with the Secretary of  
2 State a prospective petition.

3 **(b)** The prospective petition for a state measure to be initiated:

4 **(A)** Shall contain the signatures of at least 1,000 electors[.]; **and**

5 **(B) May not contain the signatures of more than 2,000 electors.**

6 **(c)** The signature sheets **for a state measure to be initiated** must be attached to a full and  
7 correct copy of the measure to be initiated.

8 (2) Before obtaining signatures on a prospective petition for a state measure to be initiated, the  
9 chief petitioners shall file with the secretary a statement declaring whether one or more persons  
10 will be paid money or other valuable consideration for obtaining signatures of electors on the pro-  
11 spective petition. After a statement has been filed under this subsection, the chief petitioners shall  
12 notify the secretary not later than the 10th day after any of the chief petitioners first has knowledge  
13 or should have had knowledge that:

14 (a) Any person is being paid for obtaining signatures, when the statement filed under this sub-  
15 section declared that no such person would be paid.

16 (b) No person is being paid for obtaining signatures, when the statement filed under this sub-  
17 section declared that one or more such persons would be paid.

18 (3) The secretary by rule shall establish procedures for verifying whether a prospective petition  
19 for a state measure to be initiated contains the required number of signatures of electors.

20 (4) The secretary shall date and time stamp the prospective petition and specify the form on  
21 which the initiative or referendum petition shall be printed for circulation as provided in ORS  
22 250.052. The secretary shall retain the prospective petition.

23 (5) The chief petitioner may amend the state measure to be initiated that has been filed with the  
24 secretary without filing another prospective petition, if:

25 (a) The Attorney General certifies to the secretary that the proposed amendment will not sub-  
26 stantially change the substance of the measure; and

27 (b) The deadline for submitting written comments on the draft title has not passed.

28 (6)(a) The cover of an initiative or referendum petition shall designate the name and residence  
29 address of not more than three persons as chief petitioners and shall contain instructions for per-  
30 sons obtaining signatures of electors on the petition. The instructions shall be adopted by the sec-  
31 retary by rule.

32 **(b)** The cover of a referendum petition shall contain the final measure summary described in  
33 ORS 250.065 (1).

34 **(c)(A)** If a petition seeking a different ballot title is not filed with the Supreme Court by the  
35 deadline for filing a petition under ORS 250.085, the cover of an initiative petition shall contain the  
36 latest ballot title certified by the Attorney General under ORS 250.067 (2).

37 **(B) If a petition seeking a different ballot title is filed with the Supreme Court by the**  
38 **deadline for filing a petition under ORS 250.085:**

39 **(i) The secretary may not issue an official template of the cover and signature sheets of**  
40 **the initiative petition until the Supreme Court has certified a final ballot title; and**

41 **(ii)** *[However, if the Supreme Court has reviewed the ballot title,]* The cover of the initiative pe-  
42 tition shall contain the **final ballot** title certified by the court.

43 (7) The chief petitioners shall include with the prospective petition a statement declaring  
44 whether one or more persons will be paid money or other valuable consideration for obtaining sig-  
45 natures of electors on the initiative or referendum petition. After the prospective petition is filed,

1 the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief  
2 petitioners first has knowledge or should have had knowledge that:

3 (a) Any person is being paid for obtaining signatures, when the statement included with the  
4 prospective petition declared that no such person would be paid.

5 (b) No person is being paid for obtaining signatures, when the statement included with the pro-  
6 spective petition declared that one or more such persons would be paid.

7 (8)(a) Each sheet of signatures on an initiative petition shall contain the caption of the **final**  
8 **certified** ballot title. Each sheet of signatures on a referendum petition shall contain the subject  
9 expressed in the title of the Act to be referred.

10 (b) Each sheet of signatures on an initiative or referendum petition shall:

11 (A) Contain a notice describing the meaning of the color of the signature sheet in accordance  
12 with ORS 250.052; and

13 (B) If one or more persons will be paid for obtaining signatures of electors on the petition,  
14 contain a notice stating: "Some Circulators For This Petition Are Being Paid." The notice shall be  
15 in boldfaced type and shall be prominently displayed on the sheet.

16 (c) The secretary by rule shall adopt a method of designation to distinguish signature sheets of  
17 referendum petitions containing the same subject reference and being circulated during the same  
18 period.

19 (9) The reverse side of the cover of an initiative or referendum petition shall be used for ob-  
20 taining signatures on the initiative or referendum petition.

21 (10) Not more than 20 signatures on the signature sheet of the initiative or referendum petition  
22 may be counted. The circulator shall certify on each signature sheet of the initiative or referendum  
23 petition that the circulator:

24 (a) Witnessed the signing of the signature sheet by each individual whose signature appears on  
25 the signature sheet; and

26 (b) Believes each individual is an elector.

27 (11) The person obtaining signatures on the petition shall carry at least one full and correct  
28 copy of the measure to be initiated or referred and shall allow any person to review a copy upon  
29 request of the person.

30 **SECTION 18.** ORS 250.052 is amended to read:

31 250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State  
32 shall prepare official templates of the cover and signature sheets for the petition. Except as pro-  
33 vided in this section, templates of cover and signature sheets for state initiative and referendum  
34 petitions are subject to the requirements of ORS 250.045. The templates of signature sheets to be  
35 used by persons who are being paid to obtain signatures on the petition shall be a different color  
36 from the sheets to be used by persons who are not being paid to obtain signatures on the petition.

37 (b) For each prospective petition for a state measure to be initiated the secretary shall prepare  
38 official templates of the cover and signature sheets. The templates of signature sheets to be used  
39 by persons who are being paid to obtain signatures on the prospective petition shall be a different  
40 color from the sheets to be used by persons who are not being paid to obtain signatures on the  
41 prospective petition. Each signature sheet for the prospective petition shall:

42 (A) Contain a notice describing the meaning of the color of the signature sheet; and

43 (B) If one or more persons will be paid for obtaining signatures of electors on the prospective  
44 petition, contain a notice stating: "Some Circulators For This Prospective Petition Are Being  
45 Paid." The notice shall be in boldfaced type and shall be prominently displayed on the sheet.

1 (2) A person obtaining signatures on a state initiative, referendum or recall petition or a pro-  
2 spective petition for a state measure to be initiated may use only the cover and signature sheets  
3 contained in the official templates prepared for the petition or prospective petition. A person who  
4 is being paid to obtain signatures on the petition or prospective petition shall use the signature  
5 sheet template designated for use by persons being paid to obtain signatures. A person who is not  
6 being paid to obtain signatures on the petition or prospective petition shall use the signature sheet  
7 template designated for use by persons who are not being paid to obtain signatures.

8 (3)(a) The secretary shall issue templates for a petition or prospective petition only to a chief  
9 petitioner of the petition or prospective petition or to an agent designated by a chief petitioner.

10 **(b) If the ballot title for a state initiative petition has been challenged under ORS 250.085,**  
11 **the secretary may not issue an official template for the initiative petition until the Supreme**  
12 **Court has certified a final ballot title.**

13 (4) The secretary shall issue official templates to a chief petitioner or designated agent not later  
14 than:

15 (a) Three business days after the deadline for filing a petition under ORS 250.085 relating to a  
16 ballot title certified by the Attorney General for the state initiative petition or, if a petition is filed  
17 with the Supreme Court under ORS 250.085, three business days after the Supreme Court certifies  
18 to the secretary a **final** ballot title for the state initiative petition;

19 (b) Three business days after a prospective petition is filed under ORS 249.865 or 250.045 for a  
20 state recall petition or state referendum petition; or

21 (c) Three business days after the chief petitioner files a statement with the secretary under ORS  
22 250.045 (2) for a prospective petition for a state measure to be initiated.

23 (5) The secretary by rule shall establish a process by which a chief petitioner of a state initi-  
24 ative, referendum or recall petition or a prospective petition for a state measure to be initiated may  
25 request a modification of the templates issued under subsection (4) of this section.

26 (6) In addition to the templates prepared under subsections (1) to (5) of this section, for each  
27 state initiative, referendum or recall petition or prospective petition, the secretary shall prepare an  
28 official electronic template of a signature sheet for the petition or prospective petition. A template  
29 prepared under this subsection shall allow space for the signature of one elector. An elector may  
30 print a copy of the electronic signature sheet for a petition or prospective petition, sign the sheet  
31 and deliver the signed sheet to a chief petitioner or an agent designated by a chief petitioner.  
32 Electronic templates described in this subsection are subject to the requirements of ORS 250.045,  
33 other than ORS 250.045 (6), (9) and (10).

34 (7) The secretary shall adopt rules prescribing the contents and method of production of official  
35 templates required under this section.

36 **SECTION 19. The amendments to ORS 250.045 and 250.052 by sections 17 and 18 of this**  
37 **2018 Act apply to initiative, referendum or recall petitions or prospective petitions that are**  
38 **filed with the Secretary of State on or after the effective date of this 2018 Act.**

39 **SECTION 20. Section 21 of this 2018 Act is added to and made a part of ORS chapter 247.**

40 **SECTION 21. (1)(a) Except as set forth in ORS 247.965 or 247.967, or as otherwise pro-**  
41 **hibited by law, the following information about an elector contained within an elector's reg-**  
42 **istration file is subject to inspection as a public record under ORS 192.311 to 192.478 and shall**  
43 **be included in lists delivered under ORS 247.940 and 247.945:**

44 **(A) The major political party or minor political party, if any, with which an elector is**  
45 **affiliated;**

- 1       **(B) The residence address of an elector;**  
2       **(C) The address where an elector receives a ballot;**  
3       **(D) The year in which an elector was born;**  
4       **(E) The name or number of the precinct in which the elector resides;**  
5       **(F) The precinct split of an elector;**  
6       **(G) The administrative number for an elector that is used by the Secretary of State to**  
7 **determine which elections an elector may vote in;**  
8       **(H) The telephone number of an elector;**  
9       **(I) Whether or not an elector voted in previous elections; and**  
10       **(J) During an election period, the ballot status of an elector. In order to comply with this**  
11 **subparagraph, during the election period, the secretary shall maintain a list of the ballot**  
12 **status of electors. The secretary shall update the list, and make available an updated version**  
13 **of the list, on each business day of the election period.**
- 14       **(b) As used in this subsection:**  
15       **(A) “Ballot status” means whether or not an elector has cast a ballot in the election;**  
16       **(B) “Election period” means the period of time beginning on the date that ballots for an**  
17 **election are first mailed to electors and ending on the date of the election; and**  
18       **(C) “Precinct split” means the enhanced precinct name or number used to determine the**  
19 **specific ballot configuration that will be received by an elector who resides in a precinct that:**  
20       **(i) Has more than one election district subdivision; and**  
21       **(ii) Requires more than one ballot configuration for electors in the precinct.**  
22       **(2) Except as set forth in ORS 247.973 or as otherwise required by law, the following in-**  
23 **formation about an elector contained within an elector’s registration file is not subject to**  
24 **inspection as a public record under ORS 192.311 to 192.478 and may not be disclosed by the**  
25 **Secretary of State or a county clerk:**  
26       **(a) The birth month of an elector;**  
27       **(b) The day of the month on which an elector was born;**  
28       **(c) The Social Security number of an elector;**  
29       **(d) The driver license number of an elector; and**  
30       **(e) The signature of an elector.**  
31       **(3) Nothing in this section is intended to limit or restrict the disclosure of information**  
32 **that is otherwise subject to inspection as a public record under ORS 192.311 to 192.478.**
- 33       **SECTION 22.** ORS 247.973 is amended to read:  
34       247.973. (1) Subject to subsection (2) of this section, an individual’s signature submitted under  
35 this chapter for purposes of registering to vote is subject to inspection as a public record under ORS  
36 192.311 to 192.478. The signature may be inspected in the Office of the **Secretary of State or the**  
37 **office of the** county clerk.  
38       (2) A person may not make a copy of or provide to another person a copy of an individual’s  
39 signature submitted under this chapter for purposes of registering to vote.  
40       (3) Subsection (2) of this section does not apply to copies made by any elections official acting  
41 in an official capacity for purposes of administering the provisions of ORS chapters 246 to 260 or  
42 any rules adopted thereunder.  
43       (4) Identifying information or documents submitted by an individual for purposes of registering  
44 to vote as required under the Help America Vote Act of 2002 (P.L. 107-252) are exempt from dis-  
45 closure under ORS 192.311 to 192.478.

1 (5) Identifying information relating to a disability of an elector that is entered into official voter  
2 registration records by an elections official is exempt from disclosure under ORS 192.311 to 192.478.

3 **SECTION 23. This 2018 Act being necessary for the immediate preservation of the public**  
4 **peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect**  
5 **on its passage.**

6

---