

House Bill 2176

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Secretary of State Kate Brown)

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 **as introduced**.

Removes requirement that person elected to county office provide county clerk with certificate of election.

Permits certain election documents to be filed electronically.

Changes certain ballot markings from "Presidential only" to "Federal only."

Alters certain filing deadlines.

Removes requirement that signature sheets for initiative or referral petition be attached to full and correct copy of measure.

Requires Secretary of State to establish process for modifying petition templates.

Requires that one copy of prospective initiative and referral petitions be sent to required officials, rather than two.

Permits district attorney to make clerical corrections to ballot title for district measure.

Requires all estimates, portraits, statements and arguments for voters' pamphlet to be filed electronically.

Makes candidate's statement for voters' pamphlet subject to prohibition on and penalties for false publication.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to elections; creating new provisions; amending ORS 204.020, 221.031, 246.021, 247.420, 248.006, 248.007, 249.031, 249.037, 249.170, 249.180, 249.830, 250.045, 250.052, 250.065, 250.067, 250.075, 250.141, 250.175, 250.185, 250.275, 250.285, 251.065, 251.085, 251.115, 251.255, 254.115, 254.135, 254.515, 254.565, 255.085, 255.145, 255.295, 260.037, 260.043, 260.054, 260.055, 260.057, 260.078, 260.232, and 260.241; repealing ORS 247.435; and declaring an emergency.

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

SECTION 1. ORS 204.020 is amended to read:

204.020. (1) The term of office of each officer elected pursuant to ORS 204.005 commences on the first Monday of January next following election to office.

(2) Before entering upon any elective office listed in ORS 204.005, the person *[elected]* **who has received a certificate of election** must qualify by filing with the county clerk of the county in which the person is elected the person's *[certificate of election, with an]* oath of office, *[indorsed thereon, and]* subscribed by the *[elected]* person, to the effect that the person will support the Constitution of the United States and of this state, and faithfully carry out the office being assumed. The person shall also give and file the undertaking provided for under subsection (3) of this section.

(3) A county governing body may require, by ordinance, for the filing by each officer under ORS 204.005, prior to that officer assuming office, of an official undertaking with such surety as the governing body determines necessary or of an irrevocable letter of credit issued by an insured institution, as defined in ORS 706.008, in either case in a reasonable amount with the county governing body.

SECTION 2. ORS 246.021 is amended to read:

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.

1 246.021. (1) Except as provided in ORS 247.012 and subsection (2) of this section, an election
2 document and an accompanying payment of fees required to be filed with the Secretary of State,
3 county clerk or other filing officer must be delivered to and actually received at the office of the
4 designated officer not later than 5 p.m. of the day the document or fee is due or, if the day due is
5 a Saturday, Sunday or holiday, on the next business day.

6 (2) If, at 5 p.m. of the day an election document is due, an individual is physically present in the
7 office of the secretary, county clerk or other filing officer and in line waiting to deliver the docu-
8 ment, the individual is considered to have begun the act of delivering the document and is permitted
9 to file it.

10 (3) Except as provided in ORS 253.690, any election document required to be filed with the filing
11 officer other than ballots, voter registration cards or petitions requiring signatures of electors may
12 also be filed by means of an electronic facsimile transmission machine **or electronic mail**. If an
13 election document is required to be filed by a specified time, the entire document must be received
14 [*in*] **at** the office of the filing officer not later than 5 p.m. of the day the document is due or, if the
15 day due is a Saturday, Sunday or holiday, on the next business day.

16 (4) Notwithstanding any provision of subsections (1) to (3) of this section, if a statement is re-
17 quired to be filed electronically under ORS 260.057:

18 (a) The statement must be received electronically at the office of the Secretary of State not later
19 than 11:59 p.m. of the day the statement is due or, if the day due is a Saturday, Sunday or holiday,
20 on the next business day; and

21 (b) The Secretary of State may not accept the filing of the statement in any form other than an
22 electronic format.

23 (5) As used in this section, “election document” includes, but is not limited to, a declaration of
24 candidacy for nomination for public or political party office, completed nominating petitions, state-
25 ments and portraits for voters’ pamphlets, statements of election campaign contributions and
26 expenditures, and initiative, referendum or recall petitions.

27 **SECTION 3.** ORS 247.420 is amended to read:

28 247.420. (1) A county clerk shall give a ballot marked “[*Presidential*] **Federal** only” to any per-
29 son eligible under ORS 247.410 who personally appears in the office of the county clerk, completes
30 a registration card and verifies eligibility to vote under ORS 247.410.

31 (2) No person shall supply any information under subsection (1) of this section, knowing it to
32 be false.

33 **SECTION 4.** ORS 254.515 is amended to read:

34 254.515. Ballots marked “[*Presidential*] **Federal** only” may be counted only for the offices for
35 which the elector is entitled to vote. Votes on the ballot for other offices may not be counted.

36 **SECTION 5.** ORS 248.007 is amended to read:

37 248.007. (1) Subject to ORS 248.005, a major political party may organize and select delegates
38 to national party conventions in any manner.

39 (2) The provisions of ORS 248.012 to 248.315 do not apply to a major political party if the party
40 has notified the Secretary of State as provided in subsection (5) of this section that the party does
41 not intend to be subject to the provisions of ORS 248.012 to 248.315. References to precinct com-
42 mitteepersons in any provisions of ORS chapters 246 to 260 do not apply to a party described in this
43 subsection.

44 (3) ORS 248.012 to 248.315 apply only to a major political party that has notified the Secretary
45 of State as provided in subsection (5) of this section that the political party intends to be subject

1 to the provisions of ORS 248.012 to 248.315. References to precinct committeepersons in any pro-
 2 visions of ORS chapters 246 to 260 shall apply to a party described in this subsection. If a major
 3 political party fails to notify the Secretary of State under this subsection, the party shall be con-
 4 sidered subject to the provisions of ORS 248.012 to 248.315.

5 (4) A major political party shall notify the Secretary of State as provided in subsection (5) of this
 6 section if the party does not intend to be subject to the provisions of ORS 248.012 to 248.315 except
 7 that the party intends to elect precinct committeepersons. If a party notifies the Secretary of State
 8 under this subsection, the party shall elect precinct committeepersons only as provided in ORS
 9 248.015 and shall elect precinct committeepersons in the same manner in all precincts in this state.

10 (5) Not later than the [274th] **271st** day before the date of the primary election, a major political
 11 party shall notify the Secretary of State in writing whether or not the party intends to be subject
 12 to the provisions of ORS 248.012 to 248.315 or whether the party intends to elect precinct com-
 13 mitteepersons under subsection (4) of this section. If the major political party does not intend to be
 14 subject to the provisions of ORS 248.012 to 248.315 or intends to elect precinct committeepersons
 15 under subsection (4) of this section, the party shall file with the Secretary of State, at the same time
 16 notice is given under this subsection, a copy of its organizational documents setting forth the man-
 17 ner in which its officers and managing committees are selected or any other manner in which it
 18 conducts its affairs.

19 (6) In each even-numbered year, a major political party shall file with the Secretary of State a
 20 statement indicating that the party is operating subject to ORS 248.012 to 248.315 or a copy of
 21 current organizational documents setting forth the manner in which its officers and managing com-
 22 mittees are selected or any other manner in which it conducts its affairs. Material described in this
 23 subsection shall be filed [on the 274th] **between the 271st and the 277th** day before the third
 24 Tuesday in May of each odd-numbered year.

25 (7) A major political party subject to the provisions of this section shall nominate candidates
 26 of the major political party, for other than political party office, at the primary election.

27 **SECTION 6.** ORS 248.006 is amended to read:

28 248.006. (1) An affiliation of electors becomes a major political party in this state and is qualified
 29 to make nominations at a primary election when a number of electors equal to at least five percent
 30 of the number of electors registered in this state are registered as members of the party not later
 31 than the 275th day before the date of a primary election. An affiliation of electors satisfying the
 32 requirements of this subsection shall be subject to the provisions of ORS 248.007 on the date the
 33 Secretary of State determines the registration requirements are satisfied.

34 (2) The number of electors described in subsection (1) of this section shall be calculated based
 35 on the number of electors registered in this state and eligible to vote, as reported on the official
 36 abstracts of the election, at the general election immediately preceding the deadline specified in
 37 subsection (1) of this section.

38 (3) After an affiliation of electors becomes a major political party under subsection (1) of this
 39 section, in order to maintain status as a major political party subject to ORS 248.007, the party must
 40 satisfy the registration requirement of subsection (1) of this section not later than the 275th day
 41 before each primary election.

42 (4) An affiliation of electors ceases to be a major political party if the registration requirements
 43 of subsection (1) of this section are not satisfied by the 275th day before each primary election. The
 44 affiliation of electors ceases to be a major political party on the date the Secretary of State deter-
 45 mines that the registration requirement is not satisfied.

1 (5) When an affiliation of electors has not satisfied the registration requirement of subsection
 2 (1) of this section for the first time, at the request of a representative of the affiliation of electors,
 3 the Secretary of State shall determine not less than once each month whether at least five percent
 4 of the number of eligible electors registered in this state are registered as members of the party.
 5 After an affiliation of electors has qualified as a major political party, the Secretary of State shall
 6 determine on the [274th] **271st** day before each primary election whether the major political party
 7 has satisfied the registration requirements described in subsection (3) of this section.

8 **SECTION 7.** ORS 249.031 is amended to read:

9 249.031. (1) Except as provided in subsection (2) of this section, a nominating petition or decla-
 10 ration of candidacy shall contain:

11 (a) The name by which the candidate is commonly known. A candidate may use a nickname in
 12 parentheses in connection with the candidate's full name.

13 (b) Address information as required by the Secretary of State by rule.

14 (c) The office and department or position number, if any, for which the candidate seeks nomi-
 15 nation.

16 (d) If the candidate is seeking the nomination of a major political party, the name of the major
 17 political party of which the candidate will have been a member, subject to the exceptions stated in
 18 ORS 249.046, during at least 180 days before the deadline for filing a nominating petition or decla-
 19 ration of candidacy.

20 (e) A statement that the candidate is willing to accept the nomination or election or, regarding
 21 a candidate for precinct committeeperson, that the candidate accepts the office if elected.

22 (f) A statement that the candidate will qualify if elected.

23 (g) If the candidate is seeking the nomination of a major political party, a statement that the
 24 candidate, if not nominated, will not accept the nomination or endorsement of any political party
 25 other than the one of which the candidate is a member on the date the petition or declaration is
 26 filed.

27 (h) The signature of the candidate.

28 (i) A statement of the candidate's occupation, educational and occupational background and
 29 prior governmental experience.

30 (2) Subsection (1)(i) of this section does not apply to a candidate for election as a precinct
 31 committeeperson.

32 (3) A declaration of candidacy shall include a statement that the required fee is included with
 33 the declaration.

34 **(4) A nominating petition or declaration of candidacy described in subsection (1) of this**
 35 **section must be filed using the electronic filing system adopted by the Secretary of State**
 36 **under ORS 251.014.**

37 [(4)] (5) If required by the national rules of the major political party, the declaration of a can-
 38 didate for election as a precinct committeeperson shall include the name of the individual the can-
 39 didate supports for President of the United States or "uncommitted" or "no preference."

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

41 249.037. (1) Except as otherwise provided in this section, a nominating petition or declaration
 42 of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the
 43 date of the primary election.

44 (2) If a vacancy occurs in a partisan elective office after the 80th day and before the 70th day
 45 before the primary election, a nominating petition or declaration of candidacy for that office may

1 be filed not later than the [65th] **64th** day before the primary election.

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

4 **SECTION 9.** ORS 249.170 is amended to read:

5 249.170. (1) A candidate who has filed a declaration of candidacy or a nominating petition may
6 withdraw not later than the [67th] **63rd** day before the date of the primary election by filing a
7 statement of withdrawal with the filing officer with whom the declaration or petition was filed. The
8 statement shall be made under oath and state the reasons for withdrawal.

9 (2) The official with whom a declaration of candidacy is filed, upon request received not later
10 than the [67th] **63rd** day before the date of the primary election, shall refund the filing fee of a
11 candidate who dies, withdraws or becomes ineligible for the nomination.

12 **SECTION 10.** ORS 249.180 is amended to read:

13 249.180. Any person who has been nominated at a primary election, or any person who has been
14 nominated to fill a vacancy as provided in ORS 188.120 or 249.190 and 249.200, may withdraw from
15 nomination by filing a written statement declining the nomination and stating the reason for with-
16 drawal. The statement shall be signed by the candidate and filed not later than the [67th] **63rd** day
17 before the general election with the officer with whom the candidate's declaration of candidacy or
18 nominating petition was filed.

19 **SECTION 11.** ORS 249.830 is amended to read:

20 249.830. (1) A person who has been nominated and has accepted the nomination under ORS
21 249.712 may withdraw from the nomination by filing with the officer with whom the certificate of
22 nomination was filed a written statement declining the nomination and stating the reason for with-
23 drawal.

24 (2) The statement must be:

25 (a) Signed by the person withdrawing from the nomination; and

26 (b) Filed not later than the [67th] **63rd** day before the general election.

27 (3) The statement may be sent to the Secretary of State through a county clerk, as provided by
28 ORS 249.850.

29 **SECTION 12.** ORS 250.045 is amended to read:

30 250.045. (1) Before circulating a petition to initiate or refer a state measure under section 1,
31 Article IV, Oregon Constitution, the petitioner shall file with the Secretary of State a prospective
32 petition. The prospective petition for a state measure to be initiated shall contain the signatures of
33 at least 1,000 electors. [*The signature sheets must be attached to a full and correct copy of the measure*
34 *to be initiated.*]

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

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

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

45 (3) The secretary by rule shall establish procedures for verifying whether a prospective petition

1 for a state measure to be initiated contains the required number of signatures of electors.

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

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

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

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

10 (6) The cover of an initiative or referendum petition shall designate the name and residence
 11 address of not more than three persons as chief petitioners and shall contain instructions for per-
 12 sons obtaining signatures of electors on the petition. The instructions shall be adopted by the sec-
 13 retary by rule. The cover of a referendum petition shall contain the final measure summary
 14 described in ORS 250.065 (1). If a petition seeking a different ballot title is not filed with the Su-
 15 preme Court by the deadline for filing a petition under ORS 250.085, the cover of an initiative peti-
 16 tion shall contain the latest ballot title certified by the Attorney General under ORS 250.067 (2).
 17 However, if the Supreme Court has reviewed the ballot title, the cover of the initiative petition shall
 18 contain the title certified by the court.

19 (7) The chief petitioners shall include with the prospective petition a statement declaring
 20 whether one or more persons will be paid money or other valuable consideration for obtaining sig-
 21 natures of electors on the initiative or referendum petition. After the prospective petition is filed,
 22 the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief
 23 petitioners first has knowledge or should have had knowledge that:

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

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

28 (8)(a) Each sheet of signatures on an initiative petition shall contain the caption of the ballot
 29 title. Each sheet of signatures on a referendum petition shall contain the subject expressed in the
 30 title of the Act to be referred.

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

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

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

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

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

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

45 (a) Witnessed the signing of the signature sheet by each individual whose signature appears on

1 the signature sheet; and

2 (b) Believes each individual is an elector.

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

6 **SECTION 13.** ORS 221.031 is amended to read:

7 221.031. (1) Before circulating a petition to incorporate unincorporated territory as a city, the
 8 petitioners shall file a petition for incorporation in a form prescribed by rule of the Secretary of
 9 State with:

10 (a) The county clerk of the county in which the proposed city lies; or

11 (b) If the proposed city lies in more than one county, the county clerk of the county in which
 12 the largest part of its territory lies.

13 (2) The county clerk shall immediately date and time stamp the prospective petition and shall
 14 authorize the circulation of the petition when the economic feasibility statement required by ORS
 15 221.035 is filed with the county clerk. The county clerk shall retain the prospective petition and
 16 economic feasibility statement and shall immediately send two copies of the prospective petition to
 17 the appropriate county court.

18 (3)(a) A petition for incorporation filed with the county clerk under subsection (1) of this section
 19 shall designate the name and residence address of not more than three persons as chief petitioners,
 20 who shall be electors registered within the boundaries of the proposed city.

21 (b) The petition shall contain the name of the proposed city.

22 (c) The petition shall include a proposed permanent rate limit for operating taxes that would
 23 generate operating tax revenues sufficient to support an adequate level of municipal services. The
 24 tax rate limit shall be expressed in dollars per thousand dollars of assessed value. The tax rate limit
 25 shall be calculated for the latest tax year for which the assessed value of the proposed city is
 26 available.

27 (d) There shall be attached to the cover sheet of the petition a map indicating the exterior
 28 boundaries of the proposed city. The map shall not exceed 14 inches by 17 inches in size and shall
 29 be used in lieu of a metes and bounds or legal description of the proposed city.

30 (e) If the territory proposed to be incorporated is within the jurisdiction of a local government
 31 boundary commission, the petition shall be accompanied by the economic feasibility analysis re-
 32 quired under ORS 199.476 (1). Notwithstanding subsection (2) of this section, unless the economic
 33 feasibility analysis is approved by the local government boundary commission as provided in ORS
 34 199.522, the county clerk shall not authorize the circulation of the petition.

35 (f) If the petitioners propose not to extinguish a special district pursuant to ORS 222.510 (2) or
 36 a county service district pursuant to ORS 451.585 (1), the petition shall include a statement of this
 37 proposal.

38 (4) *[Each sheet of signatures shall be attached to a full and correct copy of the petition for incor-*
 39 *poration.]* **The circulator shall carry at least one full and correct copy of the petition for in-**
 40 **corporation and shall allow any person to review a copy upon request of the person.** Not more
 41 than 20 signatures on each sheet of the petition for incorporation shall be counted. The circulator
 42 shall certify on each signature sheet that the circulator witnessed the signing of the signature sheet
 43 by each individual whose signature appears on the signature sheet and that the circulator believes
 44 each individual is an elector registered in the county. If the territory proposed to be incorporated
 45 is within the jurisdiction of a local government boundary commission, each signature sheet shall

1 contain a statement that the economic feasibility analysis for the proposed city was approved by the
2 boundary commission, that the analysis is available for inspection at the offices of the boundary
3 commission and that subsequent to the gathering of the petitions the boundary commission must
4 review and finally approve the proposal prior to submission at an election.

5 **SECTION 14.** ORS 250.052 is amended to read:

6 250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State
7 shall prepare official templates of the cover and signature sheets for the petition. Except as pro-
8 vided in this section, templates of cover and signature sheets for state initiative and referendum
9 petitions are subject to the requirements of ORS 250.045. The templates of signature sheets to be
10 used by persons who are being paid to obtain signatures on the petition shall be a different color
11 from the sheets to be used by persons who are not being paid to obtain signatures on the petition.

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

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

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

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

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

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

32 (a) Three business days after the deadline for filing a petition under ORS 250.085 relating to a
33 ballot title certified by the Attorney General for the state initiative petition or, if a petition is filed
34 with the Supreme Court under ORS 250.085, three business days after the Supreme Court certifies
35 to the secretary [*of State*] a ballot title for the state initiative petition;

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

38 (c) Three business days after the chief petitioner files a statement with the secretary under ORS
39 250.045 (2) for a prospective petition for a state measure to be initiated.

40 (5) **The secretary by rule shall establish a process by which** [*Not later than five business days*
41 *after the deadline for the secretary to issue templates under subsection (4) of this section,*] a chief
42 petitioner of a state initiative, referendum or recall petition or a prospective petition for a state
43 measure to be initiated [*may submit to the secretary a written*] **may** request [*for*] a modification of
44 the templates **issued under subsection (4) of this section.** [*The secretary shall approve or disap-*
45 *prove the request not later than five business days after receiving the request. If the secretary disap-*

1 *proves the request, the secretary shall advise the chief petitioner in writing of the reasons for the*
2 *disapproval.]*

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

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

12 **SECTION 15.** ORS 250.067 is amended to read:

13 250.067. (1) The Secretary of State, upon receiving a draft ballot title from the Attorney General
14 under ORS 250.065 or 250.075, shall provide reasonable statewide notice of having received the draft
15 ballot title and of the public's right to submit written comments as provided in this section. Written
16 comments concerning a draft ballot title may be submitted to the secretary not later than the 10th
17 business day after the secretary receives the draft title from the Attorney General. On the next
18 business day after the deadline for submitting comments, the secretary shall send a copy of all
19 written comments to the Attorney General. The secretary shall maintain a record of written com-
20 ments received.

21 (2)(a) If written comments are submitted to the secretary under subsection (1) of this section,
22 the Attorney General shall consider the comments and certify to the secretary either the draft ballot
23 title or a revised ballot title not later than the 10th business day after receiving the comments from
24 the secretary.

25 (b) If no written comments are submitted to the secretary, the Attorney General shall certify the
26 draft ballot title not later than the [20th] **21st** business day after the secretary receives the draft
27 title from the Attorney General. If the Attorney General determines that a draft ballot title de-
28 scribed in this paragraph contains a clerical error, the Attorney General may correct the error be-
29 fore certifying the corrected draft ballot title to the secretary.

30 (c) If the Attorney General determines that a ballot title certified under this subsection contains
31 a clerical error, the Attorney General may correct the error and certify to the secretary a corrected
32 ballot title not later than the 10th business day after the date the ballot title was certified.

33 (d) The secretary shall furnish the chief petitioner with a copy of each ballot title certified un-
34 der this subsection.

35 (3) Unless the Supreme Court certifies a different ballot title, the latest ballot title certified by
36 the Attorney General under subsection (2) of this section is the title to be printed in the voters'
37 pamphlet and on the ballot.

38 (4) If a petition is filed with the Supreme Court as provided in ORS 250.085, the Secretary of
39 State shall file with the Supreme Court a copy of the written comments received as part of the re-
40 cord on review of the ballot title.

41 (5) The secretary by rule shall specify the means for providing reasonable statewide notice for
42 submitting comments on a draft ballot title.

43 (6) As used in this section, "clerical error" means a typographical, arithmetical or grammatical
44 error or omission that is evident from the text of the draft or certified ballot title or by comparison
45 of the text of the draft or certified ballot title with a written explanation that was provided by the

1 Attorney General and issued concurrently with the draft or certified ballot title.

2 **SECTION 16.** ORS 250.065 is amended to read:

3 250.065. (1) When a prospective petition for a state measure to be referred is filed with the
 4 Secretary of State, the secretary shall authorize the circulation of the petition using the final
 5 measure summary of the latest version of the printed, engrossed measure in lieu of the ballot title.
 6 On the next business day after the referendum petition has been filed containing the required num-
 7 ber of verified signatures, the Secretary of State shall send [*two copies*] **one copy** of the prospective
 8 petition to the Attorney General.

9 (2) When an approved prospective petition for a state measure to be initiated is filed with the
 10 Secretary of State, the secretary immediately shall send [*two copies*] **one copy** of it to the Attorney
 11 General.

12 (3) Not later than the fifth business day after receiving the [*copies*] **copy** of the prospective pe-
 13 tition for a state measure to be initiated, the Attorney General shall provide a draft ballot title for
 14 the state measure to be initiated and [*return*] **send** one copy of the [*prospective petition and the*]
 15 ballot title to the Secretary of State.

16 (4) Not later than the 10th business day after receiving the [*copies*] **copy** of the prospective pe-
 17 tition for a state measure to be referred, the Attorney General shall provide a draft ballot title for
 18 the state measure to be referred and [*return*] **send** one copy of the [*prospective petition and the*] draft
 19 ballot title to the Secretary of State.

20 **SECTION 17.** ORS 250.075 is amended to read:

21 250.075. (1) When the Legislative Assembly refers a measure to the people, a ballot title for the
 22 measure may be prepared by the assembly. The ballot title shall be filed with the Secretary of State
 23 when the measure is filed with the Secretary of State.

24 (2) If the title is not prepared under subsection (1) of this section, when the measure is filed
 25 with the Secretary of State, the secretary shall send [*two copies*] **one copy** of the referred measure
 26 to the Attorney General. Not later than the 30th day after the Legislative Assembly adjourns, the
 27 Attorney General shall provide a draft ballot title for the measure. The Attorney General shall send
 28 a copy of the draft ballot title to each member of the Legislative Assembly, and file with the Sec-
 29 retary of State a copy of the [*referred measure and the*] draft ballot title and a certificate of mailing
 30 of the draft ballot title to each member.

31 **SECTION 18.** ORS 250.175 is amended to read:

32 250.175. (1) When a prospective petition for a county measure to be referred is filed with the
 33 county clerk, the clerk shall authorize the circulation of the petition containing the title of the
 34 measure as enacted by the county governing body or, if there is no title, the title supplied by the
 35 petitioner filing the prospective petition. The county clerk immediately shall send [*two copies*] **one**
 36 **copy** of the prospective petition to the district attorney.

37 (2) Not later than the sixth business day after a prospective petition for a county measure to
 38 be initiated is filed with the county clerk, the clerk shall send [*two copies*] **one copy** of it to the
 39 district attorney if the measure to be initiated has been determined to be in compliance with section
 40 1 (2)(d), Article IV, and section 10, Article VI of the Oregon Constitution, as provided in ORS
 41 250.168.

42 (3)(a) Not later than the fifth business day after receiving the [*copies*] **copy** of the prospective
 43 petition, and notwithstanding ORS 203.145 (3), the district attorney shall prepare a ballot title for
 44 the county measure to be initiated or referred and [*return one copy of the prospective petition and*]
 45 certify the ballot title to the county clerk.

1 (b) If the district attorney determines that a ballot title certified under this subsection contains
2 a clerical error, the district attorney may correct the error and certify to the county clerk a cor-
3 rected ballot title not later than the 10th business day after the date the ballot title was certified.

4 (c) A copy of the ballot title shall be furnished to the chief petitioner.

5 (4) Unless the circuit court certifies a different ballot title, the latest ballot title certified by the
6 district attorney under subsection (3) of this section is the title to be printed on the ballot.

7 (5)(a) The county clerk, upon receiving a ballot title for a county measure to be referred or in-
8 initiated from the district attorney or the county governing body, shall publish in the next available
9 edition of a newspaper of general circulation in the county a notice of receipt of the ballot title
10 including notice that an elector may file a petition for review of the ballot title not later than the
11 date referred to in ORS 250.195.

12 (b) In addition to publishing a notice as described in paragraph (a) of this subsection, the county
13 clerk may publish a notice on the county's website for a minimum of seven days.

14 (6) As used in this section, "clerical error" means a typographical, arithmetical or grammatical
15 error or omission that is evident from the text of the certified ballot title or by comparison of the
16 text of the ballot title with a written explanation that was provided by the district attorney and
17 issued concurrently with the certified ballot title.

18 **SECTION 19.** ORS 250.185 is amended to read:

19 250.185. (1) When the county governing body refers a measure to the people, a ballot title for
20 the measure may be prepared by the body. The measure and the ballot title prepared under this
21 subsection shall be filed at the same time with the county clerk.

22 (2) If the title is not prepared under subsection (1) of this section, when the measure is filed
23 with the county clerk, the clerk shall send [*two copies*] **one copy** to the district attorney. Not later
24 than the fifth business day after receiving the [*copies*] **copy**, the district attorney shall provide a
25 ballot title for the measure and send a copy of it to the county governing body and the county clerk.

26 **SECTION 20.** ORS 250.275 is amended to read:

27 250.275. (1) When a prospective petition for a city measure to be referred is filed with the city
28 elections officer, the officer shall authorize the circulation of the petition containing the title of the
29 measure as enacted by the city governing body or, if there is no title, the title supplied by the
30 petitioner filing the prospective petition. The city elections officer immediately shall send [*two*
31 *copies*] **one copy** of the prospective petition to the city attorney.

32 (2) Not later than the sixth business day after a prospective petition for a city measure to be
33 initiated is filed with the city elections officer, the officer shall send [*two copies*] **one copy** of it to
34 the city attorney if the measure to be initiated has been determined to be in compliance with section
35 1 (2)(d) and (5), Article IV of the Oregon Constitution, as provided in ORS 250.270.

36 (3)(a) Not later than the fifth business day after receiving the [*copies*] **copy** of the prospective
37 petition, the city attorney shall provide a ballot title for the city measure to be initiated or referred
38 and [*return one copy of the prospective petition and*] certify the ballot title to the city elections offi-
39 cer.

40 (b) If the city attorney determines that a ballot title certified under this subsection contains a
41 clerical error, the city attorney may correct the error and certify to the city elections officer a
42 corrected ballot title not later than the 10th business day after the date the ballot title was certified.

43 (c) A copy of the ballot title shall be furnished to the chief petitioner.

44 (4) Unless the circuit court certifies a different ballot title, the latest ballot title certified by the
45 city attorney under subsection (3) of this section is the title to be printed on the ballot.

1 (5)(a) The city elections officer, upon receiving a ballot title for a city measure to be referred
 2 or initiated from the city attorney or city governing body, shall publish in the next available edition
 3 of a newspaper of general distribution in the city a notice of receipt of the ballot title including
 4 notice that an elector may file a petition for review of the ballot title not later than the date re-
 5 ferred to in ORS 250.296.

6 (b) In addition to publishing a notice as described in paragraph (a) of this subsection, the city
 7 elections officer may publish a notice on the city’s website for a minimum of seven days.

8 (6) As used in this section, “clerical error” means a typographical, arithmetical or grammatical
 9 error or omission that is evident from the text of the certified ballot title or by comparison of the
 10 text of the ballot title with a written explanation that was provided by the city attorney and issued
 11 concurrently with the certified ballot title.

12 **SECTION 21.** ORS 250.285 is amended to read:

13 250.285. (1) When the city governing body refers a measure to the people, a ballot title for the
 14 measure may be prepared by the body. The ballot title shall be filed with the city elections officer.

15 (2) If the title is not prepared under subsection (1) of this section, when the measure is filed
 16 with the city elections officer, the officer shall send *[two copies]* **one copy** to the city attorney. Not
 17 later than the fifth business day after receiving the *[copies]* **copy**, the city attorney shall provide a
 18 ballot title for the measure[,] and send a copy of it to the city governing body and the city elections
 19 officer.

20 **SECTION 22.** ORS 255.145 is amended to read:

21 255.145. (1) When a prospective petition for a district measure to be referred is filed with the
 22 elections officer, the officer shall authorize the circulation of the petition containing the title of the
 23 measure as enacted by the district elections authority or, if there is no title, the title supplied by
 24 the petitioner filing the prospective petition. The elections officer immediately shall send *[two*
 25 *copies]* **one copy** of the prospective petition to the district attorney of the county in which the ad-
 26 ministrative office of the district is located.

27 (2) Not later than the sixth business day after a prospective petition for a district measure to
 28 be initiated is filed with the elections officer, the officer shall send *[two copies]* **one copy** of it to
 29 the district attorney of the county in which the administrative office of the district is located if the
 30 measure to be initiated has been determined to be in compliance with section 1 (2)(d) and (5), Article
 31 IV of the Oregon Constitution, as provided in ORS 255.140.

32 (3)(a) Not later than the fifth business day after receiving the *[copies]* **copy** of the prospective
 33 petition, the district attorney shall provide a ballot title for the district measure to be initiated or
 34 referred and *[return]* **send** one copy of the *[prospective petition and the]* ballot title to the elections
 35 officer. Unless the circuit court certifies a different title, **or the district attorney determines that**
 36 **a clerical correction is necessary**, this ballot title shall be the title printed on the ballot.

37 (b) **As used in this subsection, “clerical correction” means a typographical, arithmetical**
 38 **or grammatical correction that is evident from the text of the draft or certified ballot title.**

39 (4) A copy of the ballot title shall be furnished to the chief petitioner.

40 (5)(a) The elections officer, upon receiving a ballot title for a district measure to be referred or
 41 initiated from the district attorney, shall publish in the next available edition of a newspaper of
 42 general circulation in the district a notice of receipt of the ballot title including notice that an
 43 elector may file a petition for review of the ballot title not later than the date referred to in ORS
 44 255.155.

45 (b) In addition to publishing a notice as described in paragraph (a) of this subsection, the

1 elections officer may publish a notice on the county’s website for a minimum of seven days.

2 **SECTION 23.** ORS 250.141 is amended to read:

3 250.141. (1) Not later than the date set by the Secretary of State by rule, each citizen panel shall
4 prepare and file with the secretary any of the following statements of not more than 250 words each:

5 (a) A statement in favor of the measure.

6 (b) A statement opposed to the measure.

7 (c) A statement that “No panelist took this position.” if a panel is unanimous in either sup-
8 porting or opposing a measure.

9 (d) A statement of key findings that summarizes the citizen panel’s findings in an impartial
10 manner and may include a tally of how many panelists agreed with the key findings.

11 (e) A statement of additional policy considerations that describes the subject matter of or any
12 fiscal considerations related to the measure. A statement submitted under this paragraph must be
13 supported by at least three-quarters of the panelists.

14 (2)(a) Before a statement is filed with the Secretary of State under subsection (1) of this section:

15 (A) A person designated under ORS 250.139 (6)(c) shall be allowed to review the statement in
16 favor of the measure by the citizen panel and provide feedback to the panel regarding the statement.

17 (B) A person designated under ORS 250.139 (6)(d) shall be allowed to review the statement op-
18 posed to the measure by the citizen panel and provide feedback to the panel regarding the state-
19 ment.

20 (C) A person designated under ORS 250.139 (6)(c) or (d) shall be allowed to review the statement
21 of key findings by the citizen panel and provide feedback to the panel regarding the statement.

22 (b) A citizen panel may adjust any statement after receiving feedback as described in this sub-
23 section.

24 (3) The secretary shall prescribe the size and manner of placement of the statements submitted
25 by a citizen panel to be printed in the voters’ pamphlet, except that the statements shall be clearly
26 differentiated from other arguments or statements in the voters’ pamphlet and may include, but are
27 not limited to, the use of unique formatting and informative symbols.

28 (4) The secretary shall provide with any citizen panel statement a description of not more than
29 150 words of the citizen panel process described in ORS 250.137 to 250.149 and the following expla-
30 nation:

31
32
33 The opinions expressed in this statement are those of the members of a citizen panel and were
34 developed through the citizen review process. They are NOT official opinions or positions endorsed
35 by the State of Oregon or any government agency. A citizen panel is not a judge of the
36 constitutionality or legality of any ballot measure, and any statements about such matters are not
37 binding on a court of law.

38
39
40 **(5) A statement described in subsection (1) of this section must be filed using the elec-**
41 **tronic filing system adopted by the Secretary of State under ORS 251.014.**

42 [(5)] (6) The secretary, by rule, shall set a date by which statements must be filed under this
43 section. The date may not be sooner than the 70th day before the date of the election.

44 **SECTION 24.** ORS 251.115 is amended to read:

45 251.115. (1) **Not sooner than the 120th day and** not later than the 70th day before the general

1 election, the party officers as designated in the organizational documents of any statewide political
 2 party or assembly of electors having nominated candidates may file with the Secretary of State a
 3 statement of arguments for the success of its principles and election of its candidates on a statewide
 4 basis and opposing the principles and candidates of other political parties or organizations on a
 5 statewide basis.

6 (2) **Not sooner than the 120th day and** not later than the 70th day before the general election,
 7 the party officers as designated in the organizational documents of any less than statewide political
 8 party or assembly of electors having nominated candidates may file with the Secretary of State a
 9 statement of arguments for the success of its principles and election of its candidates on a county
 10 basis and opposing the principles and candidates of other political parties or organizations on a
 11 county basis.

12 (3)(a) Any statewide political party or assembly of electors having nominated candidates shall
 13 pay a fee of \$1,200 to the Secretary of State when the statement is filed or may submit a petition
 14 in a form prescribed by the secretary containing the signatures of 500 active electors.

15 (b) Any less than statewide political party or assembly of electors having nominated candidates
 16 shall pay a fee of \$600 to the Secretary of State when the statement is filed or may submit a petition
 17 in a form prescribed by the secretary containing the signatures of 300 active electors.

18 (c) The signatures on a petition submitted under this subsection shall be verified by the county
 19 clerk or the Secretary of State.

20 (d) The Secretary of State by rule shall establish procedures for verifying whether a petition
 21 submitted under this subsection contains the required number of signatures of active electors.

22 (4) A statement of arguments filed under this section must be filed using *[an]* **the** electronic
 23 filing system *[designated]* **adopted** by the Secretary of State under ORS 251.014.

24 (5) The Secretary of State by rule shall prescribe the size of the statements permitted under this
 25 section, except that any statewide political party or assembly of electors having nominated candi-
 26 dates shall be allotted more space than any less than statewide political party or assembly of elec-
 27 tors having nominated candidates.

28 (6) For purposes of this section, an “active elector” is a person whose registration is considered
 29 active as described in ORS 247.013.

30 **SECTION 25.** ORS 251.065 is amended to read:

31 251.065. (1)(a) Except as provided in paragraph (b) of this subsection, not sooner than the 120th
 32 day and not later than the 68th day before the primary election, a candidate or agent on behalf of
 33 the candidate for nomination or election at the primary election to the office of President or Vice
 34 President of the United States, United States Senator, Representative in Congress or a state office
 35 as defined in ORS 249.002 may file with the Secretary of State a portrait of the candidate and a
 36 statement of the reasons the candidate should be nominated or elected. A candidate or agent on
 37 behalf of the candidate for nomination or election to a county or city office, or to an elected office
 38 of a metropolitan service district organized under ORS chapter 268, may file a portrait and state-
 39 ment under this subsection if permitted under ORS 251.067.

40 (b) A portrait and statement may be filed not later than the 63rd day before the primary election
 41 in the event of a vacancy described in ORS 249.037 (2).

42 (2) Not sooner than the 120th day and not later than the 70th day before the general election,
 43 a candidate or agent on behalf of the candidate for election at the general election to the office of
 44 President or Vice President of the United States, United States Senator, Representative in Congress
 45 or a state office as defined in ORS 249.002 may file with the Secretary of State a portrait of the

1 candidate and a statement of the reasons the candidate should be elected. A candidate or agent on
 2 behalf of the candidate for election to a county or city office, or to an elected office of a metropol-
 3 itan service district organized under ORS chapter 268, may file a portrait and statement under this
 4 subsection if permitted under ORS 251.067.

5 (3) In the case of a special election to fill a vacancy as described in ORS 251.022, the Secretary
 6 of State by rule shall set the deadline for filing with the secretary a portrait of the candidate and
 7 a statement of the reasons the candidate should be nominated or elected.

8 (4) All portraits and statements described in this section must be filed using [*an*] **the** electronic
 9 filing system [*designated*] **adopted** by the Secretary of State under ORS 251.014.

10 (5) Subject to the requirements of this section, the Secretary of State by rule shall establish the
 11 format of the statements permitted under this section.

12 (6) A portrait or statement filed under this section must be accompanied by a telephone or
 13 electronic facsimile transmission machine number where the candidate may be contacted for pur-
 14 poses of ORS 251.087.

15 **SECTION 26.** ORS 251.255 is amended to read:

16 251.255. (1) Not **sooner than the 120th day and not** later than the 70th day before a general
 17 election or the 68th day before a special election held on the date of any primary election at which
 18 a state measure is to be voted upon, any person may file with the Secretary of State an argument
 19 supporting or opposing the measure.

20 (2)(a) A person filing an argument under this section shall pay a fee of \$1,200 to the Secretary
 21 of State when the argument is filed or may submit a petition in a form prescribed by the Secretary
 22 of State containing the signatures of 500 active electors. Each person signing the petition shall
 23 subscribe to a statement that the person has read and agrees with the argument.

24 (b) The signatures on each petition shall be verified by the county clerk or the Secretary of
 25 State.

26 (c) The Secretary of State by rule shall establish procedures for verifying whether a petition
 27 submitted under this subsection contains the required number of signatures of active electors.

28 (3) An argument filed under this section must be filed using [*an*] **the** electronic filing system
 29 [*designated*] **adopted** by the Secretary of State under ORS 251.014.

30 (4) The Secretary of State by rule shall establish the size and length of arguments permitted
 31 under ORS 251.245 and this section, except that the length of an argument may not exceed 325
 32 words. The size and length limitations shall be the same for arguments submitted under ORS 251.245
 33 or this section.

34 **SECTION 27.** ORS 251.085 is amended to read:

35 251.085. (1) The candidate's statement **submitted for inclusion in the voters' pamphlet** shall
 36 begin with a summary of the [*following*:] **candidate's** occupation, educational and occupational
 37 background, and prior governmental experience.

38 (2) **The exclusive remedy and penalties for inaccurate information submitted under this**
 39 **section are set forth in ORS 260.532.**

40 **SECTION 28.** ORS 254.115 is amended to read:

41 254.115. (1) The official primary election ballot shall be styled "Official Primary Nominating
 42 Ballot for the _____ Party." and shall state:

43 (a) The name of the county for which it is intended.

44 (b) The date of the primary election.

45 (c) The names of all candidates for nomination at the primary election whose nominating pe-

1 titions or declarations of candidacy have been made and filed, and who have not died, withdrawn
2 or become disqualified.

3 (d) The names of candidates for election as precinct committeeperson.

4 (e) The names of candidates for the party nomination for President of the United States who
5 qualified for the ballot under ORS 249.078.

6 (2) The primary election ballot may include any city, county or nonpartisan office or the number,
7 ballot title and financial estimates under ORS 250.125 of any measure.

8 (3)(a) The ballot may not contain the name of any person other than those referred to in sub-
9 sections (1) and (2) of this section.

10 (b) The name of each candidate for whom a nominating petition or declaration of candidacy has
11 been filed shall be printed on the ballot in but one place, **except in circumstances where a can-**
12 **didate may successfully hold more than one office or nomination without violating ORS**
13 **249.013.**

14 (c) In the event that two or more candidates for the same nomination or office have the same
15 or similar surnames, the location of their places of residence shall be printed with their names to
16 distinguish one from another.

17 **SECTION 29.** ORS 254.135, as amended by section 2, chapter 67, Oregon Laws 2014, and section
18 2, chapter 112, Oregon Laws 2014, is amended to read:

19 254.135. (1) The official general or special election ballot shall be styled "Official Ballot" and
20 shall state:

21 (a) The name of the county for which it is intended.

22 (b) The date of the election.

23 (c) The names of all candidates for offices to be filled at the election whose nominations have
24 been made and accepted and who have not died, withdrawn or become disqualified. The ballot may
25 not contain the name of any other person.

26 (d) The number, ballot title and financial estimates under ORS 250.125 of any measure to be
27 voted on at the election.

28 (2) The names of candidates for President and Vice President of the United States shall be
29 printed in groups together, under their political party designations. The names of the electors may
30 not be printed on the general election ballot. A vote for the candidates for President and Vice
31 President is a vote for the group of presidential electors supporting those candidates and selected
32 as provided by law. The general election ballot shall state that electors of President and Vice
33 President are being elected and that a vote for the candidates for President and Vice President shall
34 be a vote for the electors supporting those candidates.

35 (3)(a) The name of each candidate nominated shall be printed on the ballot in but one place,
36 without regard to how many times the candidate may have been nominated, **except in circum-**
37 **stances where a candidate may successfully hold more than one office or nomination without**
38 **violating ORS 249.013.** The name of a political party, or names of political parties, shall be printed
39 with the name of a candidate for other than nonpartisan office according to the following rules:

40 (A) For a candidate not affiliated with a political party who is nominated by a minor political
41 party, the name of the minor political party shall be printed with the name of the candidate;

42 (B) For a candidate not affiliated with a political party who is nominated by more than one
43 minor political party, the names of not more than three minor political parties selected by the can-
44 didate shall be printed with the name of the candidate;

45 (C) For a candidate who is a member of a political party who is nominated by a political party

1 of which the candidate is not a member, the name of the political party that nominated the candi-
 2 date shall be printed with the name of the candidate;

3 (D) For a candidate who is a member of a political party who is nominated by more than one
 4 political party of which the candidate is not a member, the names of not more than three political
 5 parties selected by the candidate shall be printed with the name of the candidate;

6 (E) For a candidate who is nominated only by a political party of which the candidate is a
 7 member, the name of the political party of which the candidate is a member shall be printed with
 8 the name of the candidate; and

9 (F) For a candidate who is nominated by a political party of which the candidate is a member
 10 and by any political party or parties of which the candidate is not a member, the name of the poli-
 11 tical party of which the candidate is a member and the names of not more than two other political
 12 parties selected by the candidate shall be printed with the name of the candidate.

13 (b) If a candidate is required to select the name of a political party to be printed on the ballot
 14 under paragraph (a) of this subsection, the candidate shall notify the filing officer of the selection
 15 not later than the 61st day before the day of the election.

16 (c) The word “incumbent” shall be printed with the name of each candidate for the Supreme
 17 Court, Court of Appeals, Oregon Tax Court or circuit court who is designated the incumbent by the
 18 Secretary of State under ORS 254.085.

19 (d) The word “nonaffiliated” shall be printed with the name of each candidate who is not affil-
 20 iated with a political party and who is nominated by an assembly of electors or individual electors.

21 (e) If two or more candidates for the same office have the same or similar surnames, the location
 22 of their places of residence shall be printed with their names to distinguish one from another.

23 (4) Notwithstanding subsection (3)(a) of this section, the name of a candidate nominated for more
 24 than one district office that is to be filled at the same election shall be separately printed upon the
 25 ballot for each district office for which the candidate is nominated.

26 **SECTION 30.** ORS 255.085 is amended to read:

27 255.085. (1) Not later than the 61st day before a district election on a measure, the district
 28 elections authority shall deliver to the elections officer a notice stating the date of the election and
 29 a ballot title. The district elections authority shall prepare the ballot title for a measure referred
 30 by the authority with the assistance of the district attorney for the county of the elections officer
 31 or an attorney employed by the district elections authority.

32 (2) If a district submits a measure to the electors of the district at an election held on the first
 33 Tuesday after the first Monday in November and the district submitted a measure on the election
 34 date in ORS 255.345 (1) immediately preceding the date of an election held on the first Tuesday after
 35 the first Monday in November, the district elections authority shall file the measure, **including the**
 36 **ballot title for the measure**, for the election held on the first Tuesday after the first Monday in
 37 November with the elections officer not later than the 47th day before an election held on the first
 38 Tuesday after the first Monday in November.

39 (3) A notice of election called to approve the issuance of bonds shall include:

- 40 (a) The purpose for which the bonds are to be used;
- 41 (b) The amount and the term of the bonds;
- 42 (c) The kind of bonds proposed to be issued; and

43 (d) If the bond election is authorized by ORS 450.900, the additional notice requirements in ORS
 44 450.905.

45 (4)(a) In the case of a measure submitted by initiative or referendum petition, the elections of-

1 ficer shall publish the notice in the next available edition of a newspaper of general circulation in
 2 the district after the deadline for filing the notice.

3 (b) In the case of a measure referred by the district elections authority, the elections officer
 4 shall publish the notice of election in the next available edition of a newspaper of general circu-
 5 lation in the district after the notice of election is filed. The notice shall also state that an elector
 6 may file a petition for review of the ballot title not later than the date referred to in ORS 255.155.
 7 If the circuit court certifies a different ballot title, the elections officer shall publish an amended
 8 notice of election in the next available edition of the newspaper referred to in this subsection after
 9 the new title is certified to the elections officer.

10 (c) In addition to publishing the notice as described in paragraphs (a) and (b) of this subsection,
 11 the elections officer may publish the notice on the county's website for a minimum of seven days.

12 **SECTION 31.** ORS 255.295, as amended by section 5, chapter 67, Oregon Laws 2014, and section
 13 5, chapter 112, Oregon Laws 2014, is amended to read:

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

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

22 **SECTION 32.** ORS 254.565 is amended to read:

23 254.565. Subject to ORS 254.548, the chief city elections officer:

24 (1) After the primary election, shall enter in a register of nominations:

- 25 (a) The name of each candidate for city office nominated at the primary election.
- 26 (b) The office for which the candidate is nominated.
- 27 (c) If applicable, the name of the major political party nominating the candidate.
- 28 (d) The date of the entry.

29 (2) After the general election, shall prepare and deliver a certificate of election to each qualified
 30 candidate having the most votes for election to a city office.

31 (3) Not later than the [30th] **40th** day after any election, shall canvass the vote on each city
 32 measure, and if two or more of the approved measures contain conflicting provisions, proclaim which
 33 is paramount.

34 **SECTION 33.** ORS 260.037 is amended to read:

35 260.037. (1) The candidate is personally responsible for the performance of the duties referred
 36 to in ORS 260.035 (2). Any default or violation by the treasurer shall be conclusively considered a
 37 default or violation by the candidate. Any default or violation by the individual designated by the
 38 candidate or treasurer under ORS 260.039[, 260.042] or 260.057 is conclusively considered a default
 39 or violation by the candidate.

40 (2) **Except as otherwise provided in subsection (1) of this section, the treasurer of a pol-**
 41 **itical committee or the treasurer of a petition committee is personally responsible for the**
 42 **performance of the duties referred to in ORS 260.035 (3) or 260.118. Any default or violation**
 43 **by the individual designated by the treasurer under ORS 260.042, 260.057 or 260.118 is con-**
 44 **clusively considered a default or violation by the treasurer.**

45 **SECTION 34.** ORS 260.043 is amended to read:

1 260.043. (1) A candidate who serves as the candidate's own treasurer and who expects neither
 2 the aggregate contributions to be received nor the aggregate expenditures to be made by or on be-
 3 half of the candidate to exceed \$750 in total amount during a calendar year is not required to:

- 4 (a) File a statement of organization under ORS 260.039;
- 5 (b) Establish a single exclusive campaign account under ORS 260.054; or
- 6 (c) File statements under ORS 260.057.

7 (2) A candidate described in subsection (1) of this section must keep contribution and expendi-
 8 ture records for the previous 24 months.

9 *[(3) If at any time following the filing of a nominating petition, declaration of candidacy or certifi-
 10 cate of nomination and during the calendar year either the aggregate contributions or aggregate
 11 expenditures exceed \$750, the candidate shall do all of the following:]*

- 12 *[(a) File a statement of organization under ORS 260.039.]*
- 13 *[(b) Establish a single exclusive campaign account as required under ORS 260.054.]*
- 14 *[(c) File a statement under ORS 260.057 showing all contributions received and expenditures made.
 15 The statement shall be filed not later than seven calendar days after aggregate contributions or ag-
 16 gregate expenditures exceed \$750 during a calendar year.]*

17 *[(d) If necessary, file additional statements under ORS 260.057.]*

18 **(3)(a) If at any time during the calendar year either the aggregate contributions or ag-
 19 gregate expenditures exceed \$750, the candidate must file a statement of organization under
 20 ORS 260.039, establish a single exclusive campaign account as required under ORS 260.054 and
 21 file statements as required in paragraph (b) of this subsection.**

22 **(b)(A) Except as provided in subparagraph (B) of this paragraph, if at any time during
 23 the calendar year either the aggregate contributions or aggregate expenditures exceed \$750,
 24 the candidate must file a statement under ORS 260.057 showing all contributions received and
 25 expenditures made. After aggregate contributions or aggregate expenditures exceed \$750
 26 during a calendar year, the statement shall be filed under the time frames established in ORS
 27 260.057 (3).**

28 **(B) If the candidate expects neither the aggregate contributions to be received nor the
 29 aggregate expenditures to be made by or on behalf of the candidate to exceed \$3,500 during
 30 the calendar year, the candidate may file a statement to that effect under ORS 260.112,
 31 rather than file statements under ORS 260.057. Notwithstanding ORS 260.112 (2), the state-
 32 ment shall be filed not later than seven calendar days after aggregate contributions or ag-
 33 gregate expenditures exceed \$750 during a calendar year.**

34 (4) This section does not apply to candidates for federal office.

35 **SECTION 35.** ORS 260.054 is amended to read:

36 260.054. (1) Each political committee shall establish a single exclusive campaign account and
 37 each petition committee organized under ORS 260.118 shall establish a single exclusive petition ac-
 38 count in a financial institution, as defined in ORS 706.008. The financial institution must be located
 39 in this state and must ordinarily conduct business with the general public in this state.

40 (2) A political committee shall maintain the campaign account in the name of the political
 41 committee. A petition committee shall maintain the petition account in the name of the petition
 42 committee.

43 (3) Except as provided in subsection (4) of this section:

44 (a) All expenditures made by the political committee shall be drawn from the campaign account
 45 and:

1 (A) Issued on a check signed by the candidate on whose behalf the account is established, by
 2 the treasurer of the political committee or by an individual designated by the candidate or treasurer;
 3 or

4 (B) Paid using a debit card or other form of electronic transaction.

5 (b) All expenditures made by the petition committee shall be drawn from the petition account
 6 and:

7 (A) Issued on a check signed by the chief petitioner or treasurer of the petition committee or
 8 by an individual designated by the chief petitioner or treasurer; or

9 (B) Paid using a debit card or other form of electronic transaction.

10 (4) Subsection (3) of this section does not prohibit a person from making a cash or other ex-
 11 penditure on behalf of the political committee or petition committee and receiving reimbursement
 12 from the campaign or petition account.

13 (5)(a) Not later than seven [*calendar*] **business** days after the date the contribution is received:

14 (A) A contribution received by a candidate or the treasurer of a political committee, directly
 15 or indirectly, shall be deposited into the campaign account.

16 (B) A contribution received by a chief petitioner or treasurer of a petition committee, directly
 17 or indirectly, shall be deposited into the petition account.

18 (b) This subsection does not apply to in-kind contributions received by a candidate, political
 19 committee or petition committee.

20 (6) This section does not prohibit the transfer of any amount deposited in a campaign or petition
 21 account into a certificate of deposit, stock fund or other investment instrument.

22 (7) A campaign or petition account may not include any private moneys, other than contribu-
 23 tions received by the political committee or petition committee.

24 (8) A political committee or petition committee shall retain a copy of each financial institution
 25 account statement from the campaign or petition account described in this section for not less than
 26 two years after the date the statement is issued by the financial institution.

27 (9) This section does not apply to candidates described in ORS 260.043.

28 (10) As used in this section, “contribution” and “expenditure” include a contribution or ex-
 29 penditure to or on behalf of an initiative, referendum or recall petition.

30 **SECTION 36.** ORS 260.055 is amended to read:

31 260.055. (1) Each candidate, other than a candidate for political party office, the treasurer of
 32 each political committee and the treasurer of each petition committee shall keep detailed accounts.
 33 The accounts shall be current as of not later than the seventh [*calendar*] **business** day after the date
 34 of receiving a contribution or making an expenditure with respect to all contributions received and
 35 all expenditures made by or on behalf of the candidate or committee that are required to be reported
 36 under ORS 260.057, 260.076 or 260.078. Subject to ORS 260.085, the accounts shall list all information
 37 required to be reported under ORS 260.083.

38 (2) Accounts kept by a candidate or the treasurer of a political committee may be inspected
 39 under reasonable circumstances at any time before the election to which the accounts refer or
 40 during the period specified for retention of the accounts under subsection (3) of this section by any
 41 opposing candidate or the treasurer of any political committee for the same electoral contest. The
 42 right of inspection may be enforced by writ of mandamus issued by any court of competent juris-
 43 diction. The treasurers of political committees supporting a candidate may be joined with the can-
 44 didate as defendants in a mandamus proceeding.

45 (3) Accounts kept by a candidate or treasurer shall be preserved by the candidate or treasurer

1 for at least two years after the date the statement of the contribution or expenditure is filed under
2 ORS 260.057.

3 **SECTION 37.** ORS 260.057 is amended to read:

4 260.057. (1) The Secretary of State by rule shall adopt an electronic filing system to be used by:

5 (a) All candidates and political committees to file with the secretary statements of contributions
6 received and expenditures made by the candidates and political committees, as described in ORS
7 260.083.

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

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

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

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

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

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

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

30 (c) If the candidate or political committee receives a contribution or makes an expenditure prior
31 to the 42nd calendar day before the date of the primary or general election and the candidate or
32 political committee has not filed a statement of the contribution or expenditure under subsection (2)
33 of this section by the 43rd calendar day before the date of the primary or general election, the
34 candidate or political committee shall file a statement described in subsection (1)(a) of this section
35 not later than the 35th calendar day before the date of the primary or general election.

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

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

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

40 (5)(a) Except as provided in paragraph (b) of this subsection, the secretary shall make all data
41 filed electronically under subsection (1)(a) of this section and all information filed with the secretary
42 under ORS 260.049 or 260.085 available on the Internet to the public free of charge according to a
43 schedule adopted by the secretary by rule. The secretary shall make the data available in a
44 searchable database that is easily accessible by the public. When the secretary makes data or in-
45 formation available on the Internet under this subsection, the secretary shall display any contribu-

tion received from a person or political committee with an out-of-state address in a different colored font than a contribution received from a person or political committee with an in-state address.

(b) The secretary may not make data that are filed electronically under subsection (1)(a) of this section available to the public under this section, unless the data are required to be listed under ORS 260.083. The secretary may not disclose under ORS 192.410 to 192.505 any data that are filed electronically under subsection (1)(a) of this section, unless the data are required to be listed under ORS 260.083.

(6)[(a)] *[Except as provided in paragraph (b) of this subsection,]* Each statement required by this section shall be signed and certified as true by the candidate *[or treasurer required to file it]*, **treasurer, designee of the candidate or treasurer or person who files a statement of independent expenditures under ORS 260.044, as appropriate.** Signatures shall be supplied in the manner specified by the secretary by rule.

[(b) A candidate or treasurer may designate an individual to sign and certify as true a statement required by this section. The designation must be filed in writing with the secretary and must be renewed for each two-year period beginning January 1 of an even-numbered year.]

(7) This section does not apply to:

(a) Candidates for federal office;

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

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

SECTION 38. ORS 260.078 is amended to read:

260.078. If the first statement filed by a candidate, a candidate's principal campaign committee, **a petition committee** or a political committee under ORS 260.057 shows an unexpended balance of contributions not previously reported on hand, the statement shall list all contributions and expenditures giving rise to the unexpended balance of contributions in accordance with ORS 260.083.

SECTION 39. ORS 260.232 is amended to read:

260.232. (1) The Secretary of State may impose a civil penalty as provided in this section, in addition to any other penalty that may be imposed, for:

(a) Failure to file a statement or certificate required to be filed under ORS 260.044, 260.057, 260.076, 260.078, 260.083, 260.112 or 260.118.

(b) Failure to include in a statement filed under ORS 260.044, 260.057, 260.076, 260.078, 260.083, 260.112 or 260.118 the information required under ORS 260.044, 260.057, 260.076, 260.083 or 260.118.

(2)(a) If a person required to file has not filed a statement or certificate complying with applicable provisions of ORS 260.044, 260.057, 260.076, 260.078, 260.083, 260.085, 260.112 or 260.118 within the time specified in ORS 260.044, 260.057, 260.076, 260.078 or 260.118, the Secretary of State by first class mail **or electronically** shall notify the person that a penalty may be imposed and that the person has 20 days from the service date on the notice to request a hearing before the Secretary of State.

(b) If the person required to file is a candidate or the principal campaign committee of a candidate, the Secretary of State shall send the notice described in paragraph (a) of this subsection by first class mail **or electronically** to the candidate. The notice shall be used for purposes of determining the deadline for requesting a hearing under subsection (3) of this section.

(3) A hearing on whether to impose a civil penalty and to consider circumstances in mitigation shall be held by the Secretary of State:

(a) Upon request of the person against whom the penalty may be assessed, if the request is made

1 not later than the 20th day after the person received the notice sent under subsection (2) of this
 2 section;

3 (b) Upon request of the filing officer with whom a statement or certificate was required to be
 4 filed but was not filed; or

5 (c) Upon the Secretary of State's own motion.

6 (4) A hearing under subsection (3) of this section shall be held not later than 45 days after the
 7 deadline for the person against whom the penalty may be assessed to request a hearing. However,
 8 if requested by the person against whom the penalty may be assessed, a hearing under subsection
 9 (3) of this section shall be held not later than 60 days after the deadline for the person against whom
 10 the penalty may be assessed to request a hearing.

11 (5) The Secretary of State shall issue an order not later than 90 days after a hearing or after
 12 the deadline for requesting a hearing if no hearing is held.

13 (6) The person against whom a penalty may be assessed need not appear in person at a hearing
 14 held under this section, but instead may submit written testimony and other evidence, subject to the
 15 penalty for false swearing, to the Secretary of State for entry in the hearing record. The testimony
 16 and other evidence must be received by the secretary not later than three business days before the
 17 day of the hearing and may be submitted electronically.

18 (7) A civil penalty imposed under this section may not be more than the following:

19 (a) For failure to file a statement or certificate required to be filed under ORS 260.044, 260.057,
 20 260.076, 260.078, 260.083, 260.112 or 260.118, 10 percent of the total amount of the contribution or
 21 expenditure required to be included in the statement or certificate; or

22 (b) For each failure to include in a statement filed under ORS 260.044, 260.057, 260.076, 260.078,
 23 260.083, 260.112 or 260.118 the information required under ORS 260.044, 260.057, 260.076, 260.083 or
 24 260.118, 10 percent of the total amount of the contribution or expenditure required to be included
 25 in the statement.

26 (8) The Secretary of State, upon a showing of mitigating circumstances, may reduce the amount
 27 of the penalty described in subsection (7) of this section.

28 (9) Except as otherwise provided by this section, civil penalties under this section shall be im-
 29 posed as provided in ORS 183.745.

30 **SECTION 40.** ORS 260.241 is amended to read:

31 260.241. (1) Despite delay in the filing of statements relating to a candidate's nomination re-
 32 quired to be filed under ORS 260.057, or in the filing of a certificate described in ORS 260.112 in lieu
 33 of a statement required under ORS 260.057, prior to the nominating election, the candidate's name
 34 shall appear on the general election ballot if those statements or the certificate is filed before the
 35 61st day before the general election.

36 (2) A candidate's name may not be placed on the general election ballot if the statements or
 37 certificate referred to in subsection (1) of this section is not filed before the 61st day before the
 38 general election.

39 (3) If the statements or certificate referred to in subsection (1) of this section is not filed by the
 40 68th day before the general election, the filing officer by mail **or electronically** shall notify the
 41 candidate that the candidate's name may not be placed on the general election ballot. The filing
 42 officer shall send the notice described in this subsection by first class mail **or electronically** to the
 43 candidate and the candidate's treasurer or the treasurer of the candidate's principal campaign
 44 committee. The filing officer is not required to send two notices if the candidate serves as the
 45 treasurer of the candidate's principal campaign committee.

1 **SECTION 41.** ORS 247.435 is repealed.

2 **SECTION 42.** The amendments to statutes by sections 1 to 40 of this 2015 Act and the
3 repeal of ORS 247.435 by section 41 of this 2015 Act become operative on January 1, 2016.

4 **SECTION 43.** This 2015 Act being necessary for the immediate preservation of the public
5 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
6 on its passage.

7
