

House Bill 2429

Sponsored by Representative PARRISH (Pre-session filed.)

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**.

Provides that if incumbent state Senator or state Representative files nominating petition or declaration of candidacy and then withdraws petition or declaration, other candidates may file for office not later than 70 days before date of primary or 14 business days after date of incumbent's withdrawal, whichever is later. Extends deadline for various filings to match candidacy deadline.

A BILL FOR AN ACT

1
2 Relating to elections; creating new provisions; and amending ORS 249.037, 251.065 and 254.085.

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

4 **SECTION 1.** ORS 249.037 is amended to read:

5 249.037. (1) Except as otherwise provided in this section, a nominating petition or declaration
6 of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the
7 date of the primary election.

8 **(2) If an incumbent state Senator or state Representative files a nominating petition or**
9 **declaration of candidacy under subsection (1) of this section and then withdraws the nomi-**
10 **nating petition or declaration of candidacy under ORS 249.170, other candidates for that of-**
11 **ice shall file a nominating petition or declaration of candidacy not later than the 70th day**
12 **before the date of the primary election or 14 business days after the date of the incumbent's**
13 **withdrawal, whichever is later.**

14 [(2)] **(3)** If a vacancy occurs in a partisan elective office after the 80th day and before the 70th
15 day before the primary election, a nominating petition or declaration of candidacy for that office
16 may be filed not later than the 65th day before the primary election.

17 [(3)] **(4)** A declaration of candidacy for the office of precinct committeeperson may not be filed
18 before February 1 immediately preceding the primary election.

19 **SECTION 2.** ORS 251.065 is amended to read:

20 251.065. (1)(a) Except as provided in [*paragraph (b)*] **paragraphs (b) and (c)** of this subsection,
21 not sooner than the 120th day and not later than the 68th day before the primary election, a candi-
22 dicate or agent on behalf of the candidate for nomination or election at the primary election to the
23 office of President or Vice President of the United States, United States Senator, Representative in
24 Congress or a state office as defined in ORS 249.002 may file with the Secretary of State a portrait
25 of the candidate and a statement of the reasons the candidate should be nominated or elected. A
26 candidate or agent on behalf of the candidate for nomination or election to a county or city office,
27 or to an elected office of a metropolitan service district organized under ORS chapter 268, may file
28 a portrait and statement under this subsection if permitted under ORS 251.067.

29 (b) A portrait and statement may be filed not later than the 63rd day before the primary election
30 in the event of a vacancy described in ORS 249.037 [(2)] **(3)**.

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) In the event of an incumbent withdrawal described in ORS 249.037 (2), a portrait and**
 2 **statement may be filed not later than the date on which the candidate for state Senator or**
 3 **state Representative is required to file a nominating petition or declaration of candidacy or**
 4 **the date specified in subsection (1) of this section, whichever is later.**

5 (2) Not sooner than the 120th day and not later than the 70th day before the general election,
 6 a candidate or agent on behalf of the candidate for election at the general election to the office of
 7 President or Vice President of the United States, United States Senator, Representative in Congress
 8 or a state office as defined in ORS 249.002 may file with the Secretary of State a portrait of the
 9 candidate and a statement of the reasons the candidate should be elected. A candidate or agent on
 10 behalf of the candidate for election to a county or city office, or to an elected office of a metropol-
 11 itan service district organized under ORS chapter 268, may file a portrait and statement under this
 12 subsection if permitted under ORS 251.067.

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

16 (4) All portraits and statements described in this section must be filed using an electronic filing
 17 system designated by the Secretary of State under ORS 251.014.

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

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

23 **SECTION 3.** ORS 254.085 is amended to read:

24 254.085. (1)(a) **Except as provided in paragraph (b) of this subsection,** the Secretary of State,
 25 not later than the 61st day before the date of a primary or general election, shall file with each
 26 county clerk a statement of the federal and state offices to be filled or for which candidates are to
 27 be nominated in the county at the election, information concerning all candidates for the offices, and
 28 the state measures to be voted on.

29 **(b) In the event of an incumbent withdrawal described in ORS 249.037 (2), the secretary**
 30 **shall file a statement for which candidates are to be nominated for the affected state Senate**
 31 **or state Representative seat not later than the 61st day before the date of a primary election**
 32 **or three calendar days after the filing of the candidates' nominating petitions or declarations**
 33 **of candidacy, whichever is later.**

34 (2) The information concerning candidates for the Supreme Court, Court of Appeals, Oregon Tax
 35 Court and circuit court shall include a designation of incumbent for each candidate who is the
 36 regularly elected or appointed judge of the court to which the candidate seeks election. If a candi-
 37 date was regularly elected or appointed to a specific position or department on the court, the candi-
 38 date shall be designated as the incumbent only if the person is a candidate for that position or
 39 department.

40 (3) Included with each state measure shall be the measure number, the latest ballot title certi-
 41 fied by the Attorney General under ORS 250.067 (2) or, if the Supreme Court has reviewed the title
 42 under ORS 250.085, the title certified by the court and the financial estimates under ORS 250.125.
 43 The Secretary of State shall keep a copy of the statement.

44 **SECTION 4. The amendments to ORS 249.037, 251.065 and 254.085 by sections 1 to 3 of this**
 45 **2017 Act apply to primary elections held on or after the effective date of this 2017 Act.**

