

# House Bill 2945

Sponsored by Representatives MCLANE, WILLIAMSON, Senators FERRIOLI, BURDICK

## 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**.

Requires incumbent holder of state office who seeks to be elected to same office to file nominating petition or declaration of candidacy not later than 77 days before date of primary election.

Provides that if incumbent candidate for state office 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 three business days after date of incumbent's withdrawal, whichever is later. Extends deadline for filing voters' pamphlet portrait and statement to match candidacy deadline.

## A BILL FOR AN ACT

1  
2 Relating to filing deadlines for candidates for state office; creating new provisions; and amending  
3 ORS 249.037 and 251.065.

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

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

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

9 **(2) An incumbent holder of state office who seeks to be elected to that same office shall**  
10 **file a nominating petition or declaration of candidacy not sooner than the 250th day and not**  
11 **later than the 77th day before the date of the primary election.**

12 **(3) If an incumbent holder of state office files a nominating petition or declaration of**  
13 **candidacy under subsection (2) of this section and then withdraws the nominating petition**  
14 **or declaration of candidacy under ORS 249.170, other candidates for that office shall file a**  
15 **nominating petition or declaration of candidacy not later than the 70th day before the date**  
16 **of the primary election or three business days after the date of the incumbent's withdrawal,**  
17 **whichever is later.**

18 [(2)] **(4)** If a vacancy occurs in a partisan elective office after the 80th day and before the 70th  
19 day before the primary election, a nominating petition or declaration of candidacy for that office  
20 may be filed not later than the 65th day before the primary election.

21 [(3)] **(5)** A declaration of candidacy for the office of precinct committeeperson may not be filed  
22 before February 1 immediately preceding the primary election.

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

24 251.065. (1)(a) Except as provided in paragraph (b) of this subsection, not sooner than the 120th  
25 day and not later than the 68th day before the primary election, a candidate or agent on behalf of  
26 the candidate for nomination or election at the primary election to the office of President or Vice  
27 President of the United States, United States Senator, Representative in Congress or a state office  
28 as defined in ORS 249.002 may file with the Secretary of State a portrait of the candidate and a

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

5 (b) A portrait and statement may be filed not later than the 63rd day before the primary election  
 6 in the event of:

7 **(A) The withdrawal of a nominating petition or declaration of candidacy by an incumbent**  
 8 **holder of state office in the manner described in ORS 249.037 (3); or**

9 **(B) A vacancy described in ORS 249.037 [(2)] (4).**

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

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

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

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

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

28 **SECTION 3. The amendments to ORS 249.037 and 251.065 by sections 1 and 2 of this 2017**  
 29 **Act apply to primary elections held on or after the effective date of this 2017 Act.**