

Requested by Senator BURDICK

**PROPOSED AMENDMENTS TO
SENATE BILL 761**

1 On page 1 of the printed bill, line 2, after the second semicolon delete the
2 rest of the line and insert “amending ORS 250.052; and declaring an emer-
3 gency.”.

4 Delete lines 4 through 30 and delete page 2 and insert:

5 **“SECTION 1.** ORS 250.052, as amended by section 18, chapter 70, Oregon
6 Laws 2018, is amended to read:

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

15 “(b) For each prospective petition for a state measure to be initiated the
16 secretary shall prepare official templates of the cover and signature sheets.
17 The templates of signature sheets to be used by persons who are being paid
18 to obtain signatures on the prospective petition shall be a different color
19 from the sheets to be used by persons who are not being paid to obtain sig-
20 natures on the prospective petition. Each signature sheet for the prospective
21 petition shall:

1 “(A) Contain a notice describing the meaning of the color of the signature
2 sheet; and

3 “(B) If one or more persons will be paid for obtaining signatures of elec-
4 tors on the prospective petition, contain a notice stating: ‘Some Circulators
5 For This Prospective Petition Are Being Paid.’ The notice shall be in bold-
6 faced type and shall be prominently displayed on the sheet.

7 “(2) A person obtaining signatures on a state initiative, referendum or
8 recall petition or a prospective petition for a state measure to be initiated
9 may use only the cover and signature sheets contained in the official tem-
10 plates prepared for the petition or prospective petition. A person who is be-
11 ing paid to obtain signatures on the petition or prospective petition shall
12 use the signature sheet template designated for use by persons being paid to
13 obtain signatures. A person who is not being paid to obtain signatures on
14 the petition or prospective petition shall use the signature sheet template
15 designated for use by persons who are not being paid to obtain signatures.

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

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

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

24 “(a) Three business days after the deadline for filing a petition under ORS
25 250.085 relating to a ballot title certified by the Attorney General for the
26 state initiative petition or, if a petition is filed with the Supreme Court un-
27 der ORS 250.085, three business days after the Supreme Court certifies to the
28 secretary a final ballot title for the state initiative petition;

29 “(b) Three business days after a prospective petition is filed under ORS
30 249.865 or 250.045 for a state recall petition or state referendum petition; or

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

4 “(5) The secretary by rule shall establish a process by which a chief
5 petitioner of a state initiative, referendum or recall petition or a prospective
6 petition for a state measure to be initiated may request a modification of the
7 templates issued under subsection (4) of this section.

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

18 “[~~(7)~~] (6) The secretary shall adopt rules prescribing the contents and
19 method of production of official templates required under this section.

20 “**SECTION 2.** ORS 250.052, as amended by section 18, chapter 70, Oregon
21 Laws 2018, and section 1 of this 2019 Act, is amended to read:

22 “250.052. (1)(a) For each state initiative, referendum or recall petition, the
23 Secretary of State shall prepare official templates of the cover and signature
24 sheets for the petition. Except as provided in this section, templates of cover
25 and signature sheets for state initiative and referendum petitions are subject
26 to the requirements of ORS 250.045. The templates of signature sheets to be
27 used by persons who are being paid to obtain signatures on the petition shall
28 be a different color from the sheets to be used by persons who are not being
29 paid to obtain signatures on the petition.

30 “(b) For each prospective petition for a state measure to be initiated the

1 secretary shall prepare official templates of the cover and signature sheets.
2 The templates of signature sheets to be used by persons who are being paid
3 to obtain signatures on the prospective petition shall be a different color
4 from the sheets to be used by persons who are not being paid to obtain sig-
5 natures on the prospective petition. Each signature sheet for the prospective
6 petition shall:

7 “(A) Contain a notice describing the meaning of the color of the signature
8 sheet; and

9 “(B) If one or more persons will be paid for obtaining signatures of elec-
10 tors on the prospective petition, contain a notice stating: ‘Some Circulators
11 For This Prospective Petition Are Being Paid.’ The notice shall be in bold-
12 faced type and shall be prominently displayed on the sheet.

13 “(2) A person obtaining signatures on a state initiative, referendum or
14 recall petition or a prospective petition for a state measure to be initiated
15 may use only the cover and signature sheets contained in the official tem-
16 plates prepared for the petition or prospective petition. A person who is be-
17 ing paid to obtain signatures on the petition or prospective petition shall
18 use the signature sheet template designated for use by persons being paid to
19 obtain signatures. A person who is not being paid to obtain signatures on
20 the petition or prospective petition shall use the signature sheet template
21 designated for use by persons who are not being paid to obtain signatures.

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

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

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

30 “(a) Three business days after the deadline for filing a petition under ORS

1 250.085 relating to a ballot title certified by the Attorney General for the
2 state initiative petition or, if a petition is filed with the Supreme Court un-
3 der ORS 250.085, three business days after the Supreme Court certifies to the
4 secretary a final ballot title for the state initiative petition;

5 “(b) Three business days after a prospective petition is filed under ORS
6 249.865 or 250.045 for a state recall petition or state referendum petition; or

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

10 “(5) The secretary by rule shall establish a process by which a chief
11 petitioner of a state initiative, referendum or recall petition or a prospective
12 petition for a state measure to be initiated may request a modification of the
13 templates issued under subsection (4) of this section.

14 “(6) **In addition to the templates prepared under subsections (1) to**
15 **(5) of this section, for each state initiative, referendum or recall peti-**
16 **tion or prospective petition, the secretary shall prepare an official**
17 **electronic template of a signature sheet for the petition or prospective**
18 **petition. A template prepared under this subsection shall allow space**
19 **for the signature of one elector. An elector may print a copy of the**
20 **electronic signature sheet for a petition or prospective petition, sign**
21 **the sheet and deliver the signed sheet to a chief petitioner or an agent**
22 **designated by a chief petitioner. Electronic templates described in this**
23 **subsection are subject to the requirements of ORS 250.045, other than**
24 **ORS 250.045 (6), (9) and (10).**

25 “[6] (7) The secretary shall adopt rules prescribing the contents and
26 method of production of official templates required under this section.

27 “**SECTION 3. (1) The amendments to ORS 250.052 by section 1 of this**
28 **2019 Act apply to the Secretary of State’s preparation and issuance of**
29 **electronic templates for a state initiative, referendum or recall peti-**
30 **tion or prospective petition on or after the effective date of this 2019**

1 **Act.**

2 **“(2) The amendments to ORS 250.052 by section 2 of this 2019 Act**
3 **become operative on January 2, 2023.**

4 **“SECTION 4. This 2019 Act being necessary for the immediate**
5 **preservation of the public peace, health and safety, an emergency is**
6 **declared to exist, and this 2019 Act takes effect on its passage.”.**

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