

SB 761-1
(LC 426)
5/8/19 (DRG/ps)

Requested by Senator BURDICK

**PROPOSED AMENDMENTS TO
SENATE BILL 761**

1 On page 1 of the printed bill, line 2, delete “creating new provisions;
2 and”.

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

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

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

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

21 “(A) Contain a notice describing the meaning of the color of the signature

1 sheet; and

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

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

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

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

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

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

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

30 “(c) Three business days after the chief petitioner files a statement with

1 the secretary under ORS 250.045 (2) for a prospective petition for a state
2 measure to be initiated.

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

7 “(6)(a) In addition to the templates prepared under subsections (1) to (5)
8 of this section, for each state initiative, referendum or recall petition or
9 prospective petition, the secretary shall prepare an official electronic tem-
10 plate of a signature sheet for the petition or prospective petition.

11 “(b)(A) A template prepared under this subsection shall [*allow*] **provide:**

12 “(i) Space for the signature of one elector **to signify support for the**
13 **state initiative, referendum or recall petition or prospective petition;**
14 **and**

15 “(ii) **Space for the signature of the same elector to certify that the**
16 **elector received a copy of the electronic signature sheet in compliance**
17 **with paragraph (c)(B) of this subsection.**

18 “(B) **The Secretary of State or county clerk may tally only elec-**
19 **tronic signature sheets that are signed in both spaces described in this**
20 **paragraph.**

21 “(c)(A) An elector may print a copy of the electronic signature sheet for
22 a petition or prospective petition, sign the sheet and deliver the signed sheet
23 to a chief petitioner or an agent designated by a chief petitioner.

24 “(B) **Only an elector who either has personally printed a copy of the**
25 **electronic signature sheet of a petition or prospective petition or has**
26 **requested that a separate person print a copy of the electronic signa-**
27 **ture sheet specifically for the elector may sign the sheet. A copy of**
28 **an electronic signature sheet may not be signed by an elector who did**
29 **not either print the sheet or request that the sheet be printed specif-**
30 **ically for the elector.**

1 **“(d) Electronic templates described in this subsection are subject to the**
2 **requirements of ORS 250.045, other than ORS 250.045 [(6),] (9) and (10), and**
3 **the template must include a full and correct copy of the measure to**
4 **be initiated or referred.**

5 **“(e) Except as provided in paragraph (c)(B) of this subsection, a**
6 **person who is obtaining signatures on a petition or prospective peti-**
7 **tion, whether paid or unpaid, may not provide a printed electronic**
8 **signature sheet to an elector.**

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

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