

HOUSE AMENDMENTS TO HOUSE BILL 4124

By COMMITTEE ON RULES

February 20

1 On page 2 of the printed bill, delete lines 40 through 45 and delete page 3 and insert:

2 **“SECTION 3. Notwithstanding sections 9 (f) and 11, chapter 3, Oregon Laws 2007 (Ballot**
3 **Measure 47 (2006)), the provisions set forth in chapter 3, Oregon Laws 2007 (Ballot Measure**
4 **47 (2006)), become operative on July 1, 2021.**

5 **“SECTION 4. (1) The Secretary of State shall adopt rules, before the operative date**
6 **specified in section 3 of this 2020 Act, that are necessary to enable the secretary to imple-**
7 **ment chapter 3, Oregon Laws 2007 (Ballot Measure 47 (2006)), on and after the operative date**
8 **specified in section 3 of this 2020 Act.**

9 **“(2) The secretary shall issue proposed rules under this section no later than December**
10 **31, 2020.**

11 **“SECTION 5. (1) Original jurisdiction to determine whether the provisions of chapter 3,**
12 **Oregon Laws 2007 (Ballot Measure 47 (2006)), are constitutional under the state or federal**
13 **constitutions is conferred on the Supreme Court.**

14 **“(2)(a) Any person interested in or affected or aggrieved by chapter 3, Oregon Laws 2007**
15 **(Ballot Measure 47 (2006)), may petition for judicial review under this section. A petition for**
16 **review must be filed no sooner than January 1, 2021, and no later than March 31, 2021.**

17 **“(b) The petition must state facts showing how the petitioner is interested, affected or**
18 **aggrieved and the grounds upon which the petition is based.**

19 **“(3) In the event the Supreme Court determines that there are factual issues in the pe-**
20 **tition, the Supreme Court may appoint a special master to hear evidence and to prepare re-**
21 **commended findings of fact.**

22 **“(4) Proceedings for review under this section shall be given priority over all other mat-**
23 **ters before the Supreme Court.**

24 **“(5) If the Supreme Court determines that a provision of chapter 3, Oregon Laws 2007**
25 **(Ballot Measure 47 (2006)), is unconstitutional under either the state or federal constitution,**
26 **the provision is repealed in accordance with section 11, chapter 3, Oregon Laws 2007 (Ballot**
27 **Measure 47 (2006)).**

28 **“SECTION 6. If the Supreme Court issues a final decision in the case Multnomah County**
29 **v. Elizabeth Trojan, SC number S066445, that would not render chapter 3, Oregon Laws 2007**
30 **(Ballot Measure 47 (2006)), operative under section 9 (f), chapter 3, Oregon Laws 2007 (Ballot**
31 **Measure 47 (2006)), sections 3 to 5 of this 2020 Act are repealed on the day following the date**
32 **on which the Supreme Court’s decision is issued.**

33 **“SECTION 7. This 2020 Act being necessary for the immediate preservation of the public**
34 **peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect**
35 **on its passage.”.**

