

A-Engrossed
Senate Bill 1509

Ordered by the Senate February 25
Including Senate Amendments dated February 25

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Rules and Executive Appointments for Oregon Association of County Clerks)

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.

Explicitly authorizes county clerk and personnel employed by county clerk to remove contents from return identification and secrecy envelopes of ballots delivered to county clerk.

Clarifies that for purposes of calculating required number of signatures for certificate of nomination, "total votes" refers to votes cast at most recent presidential election.

[Takes effect on 91st day following adjournment sine die.]

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to elections; creating new provisions; amending ORS 249.740, 254.476 and 254.478; and de-
3 claring an emergency.

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

5 **SECTION 1.** ORS 254.476 is amended to read:

6 254.476. The county clerk may employ personnel as necessary to *[open]* **remove contents from**
7 envelopes, prepare ballots for counting and count ballots. The personnel may not all be members of
8 the same political party. A candidate on the ballot at an election, other than an incumbent candidate
9 for county clerk, or a person who is the spouse, child, son-in-law, daughter-in-law, parent, mother-
10 in-law, father-in-law, sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent or
11 stepchild of any candidate on the ballot may not be employed and may not serve as a volunteer in
12 the capacity described in this section.

13 **SECTION 2.** ORS 254.478 is amended to read:

14 254.478. (1) Subject to ORS 260.705 and not sooner than the seventh day before the date of an
15 election, the county clerk may:

16 (a) Begin *[opening]* **to remove contents from the** return identification and secrecy envelopes
17 of ballots delivered *[by mail and received by]* **to** the county clerk; and

18 (b) In accordance with a security plan approved by the Secretary of State under ORS 254.074,
19 begin scanning ballots into a vote tally system.

20 (2) The county clerk may take any other actions that are necessary to count ballots delivered
21 by mail.

22 **SECTION 3.** **The amendments to ORS 254.476 and 254.478 by sections 1 and 2 of this 2020**
23 **Act apply to return identification and secrecy envelopes of ballots received by the county**
24 **clerk on or after the effective date of this 2020 Act.**

25 **SECTION 4.** ORS 249.740 is amended to read:

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.

1 249.740. (1) A certificate of nomination made by individual electors shall contain a number of
2 signatures of electors in the electoral district equal to not less than one percent of the total votes
3 cast in the electoral district for which the nomination is intended to be made, for all candidates for
4 presidential electors at the [*last general election*] **most recent presidential election.**

5 (2) Each elector signing a certificate of nomination made by individual electors shall include the
6 residence or mailing address of the elector. Except for a certificate of nomination of candidates for
7 electors of President and Vice President of the United States, a certificate of nomination made by
8 individual electors shall contain the name of only one candidate.

9 (3) Before beginning to circulate the certificate of nomination, the chief sponsor of the certifi-
10 cate shall file a signed copy of the prospective certificate with the filing officer referred to in ORS
11 249.722. The chief sponsor of the certificate shall include with the prospective certificate a state-
12 ment declaring whether one or more persons will be paid money or other valuable consideration for
13 obtaining signatures of electors on the certificate. After the prospective certificate is filed, the chief
14 sponsor shall notify the filing officer not later than the 10th day after the chief sponsor first has
15 knowledge or should have had knowledge that:

16 (a) Any person is being paid for obtaining signatures, when the statement included with the
17 prospective certificate declared that no such person would be paid.

18 (b) No person is being paid for obtaining signatures, when the statement included with the pro-
19 spective certificate declared that one or more such persons would be paid.

20 (4) The circulator shall certify on each signature sheet that the circulator:

21 (a) Witnessed the signing of the signature sheet by each individual whose signature appears on
22 the signature sheet; and

23 (b) Believes each individual is an elector registered in the electoral district.

24 (5) The signatures contained in each certificate of nomination made by individual electors shall
25 be certified for genuineness by the county clerk or the Secretary of State under ORS 249.008.

26 (6) As used in this section, "prospective certificate" means the information, except signatures
27 and other identification of certificate signers, required to be contained in a completed certificate
28 of nomination.

29 **SECTION 5. This 2020 Act being necessary for the immediate preservation of the public**
30 **peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect**
31 **on its passage.**

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