

# House Bill 3401

Sponsored by Representatives CATE, PRUSAK; Representatives BOSHART DAVIS, BREESE-IVERSON, LEIF, MORGAN, OWENS, RESCHKE, RUIZ, SOLLMAN, STARK, WEBER, WILLIAMS, WRIGHT

## 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 Secretary of State to establish electronic filing system to allow candidates for nomination or election to county or city office held at primary or general election to file portrait and statement electronically with secretary if candidate cannot have portrait and statement printed in county voters' pamphlet.

Requires Secretary of State to post candidate portrait and statements on website.

Requires applicable state voters' pamphlets and county voters' pamphlets to include list of all offices whose candidates may post portraits and statements on Secretary of State's website and website address where portraits and statements will be posted.

## A BILL FOR AN ACT

1  
2 Relating to candidate filings.

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

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 251.305 to**  
5 **251.435.**

6 **SECTION 2. (1)(a) The Secretary of State by rule shall adopt an electronic filing system**  
7 **to allow a candidate for nomination or election to county or city office to file a portrait and**  
8 **statement electronically using the Internet. This paragraph applies only to nominations or**  
9 **elections to a county or city office that will be held on the date of the primary election or**  
10 **the general election.**

11 **(b) A candidate described in paragraph (a) of this subsection may file a portrait and**  
12 **statement under this section only if the candidate has been informed by the relevant county**  
13 **clerk that the candidate cannot file a portrait and statement for inclusion in a county voters'**  
14 **pamphlet under ORS 251.335.**

15 **(2) A portrait and statement that is filed under this section must be:**

16 **(a) Filed no later than the date for filing a portrait and statement set forth in ORS**  
17 **251.065;**

18 **(b) In a format that complies with applicable rules of the Secretary of State under ORS**  
19 **251.335; and**

20 **(c) Accompanied by the appropriate fee described in ORS 251.325.**

21 **(3) Except as provided in ORS 251.055, the Secretary of State shall post on the secretary's**  
22 **website any portrait and statement that is filed in accordance with the requirements of this**  
23 **section. The portraits and statements:**

24 **(a) Shall be published on the website of the Secretary of State no later than the 20th day**  
25 **before the date of the election that is held on the date of the primary election or general**  
26 **election at which candidates for county or city offices will be nominated or elected; and**

27 **(b) Notwithstanding ORS 192.311 to 192.478, and in accordance with ORS 251.145, are ex-**

**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 **empt from public inspection until the fourth business day after the final date for filing the**  
2 **materials.**

3 **(4) The portraits and statements that are posted on the website of the Secretary of State**  
4 **shall be organized by county and office in a manner determined by the secretary by rule.**  
5 **Below each portrait and statement filed by a candidate, the secretary shall include:**

- 6 **(a) A statement identifying the person who furnished the portrait and statement; and**
- 7 **(b) A disclaimer in boldfaced type in substantially the following form:**

8 \_\_\_\_\_  
9  
10 **The above information has not been verified for accuracy by the Secretary of State.**  
11 \_\_\_\_\_

12  
13 **(5) Each county voters' pamphlet and state voters' pamphlet that is distributed in a**  
14 **county for which a county voters' pamphlet is not prepared shall include:**

15 **(a) A list of each county or city office whose candidates both reside in the county and**  
16 **are eligible to submit a portrait and statement under this section; and**

17 **(b) If one or more offices are listed under paragraph (a) of this subsection, the website**  
18 **address where the Secretary of State is posting candidate portraits and statements filed**  
19 **under this section.**

20 **(6) As used in this section, and notwithstanding ORS 251.005, "city office" means the of-**  
21 **fice of mayor, city auditor, city councillor or municipal judge of any city in this state.**  
22 \_\_\_\_\_