

Requested by HOUSE COMMITTEE ON RULES (at the request of Working Families Party)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4044**

1 On page 1 of the printed bill, line 2, after “248.008” insert “; and declaring
2 an emergency”.

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

4 **“SECTION 1.** ORS 248.008 is amended to read:

5 “248.008. (1) An affiliation of electors becomes a minor political party in
6 the state, a county or other electoral district, qualified to make nominations
7 for public office in that electoral district and in any other electoral district
8 wholly contained within the electoral district, when the affiliation of elec-
9 tors has acted as described in either paragraph (a) or (b) of this subsection:

10 “(a)(A) When the affiliation of electors has filed with the Secretary of
11 State a petition with the signatures of at least a number of electors equal
12 to one and one-half percent of the total votes cast in the electoral district
13 for all candidates for Governor at the most recent election at which a can-
14 didate for Governor was elected to a full term.

15 “(B) The petition must contain only original signatures and must be filed
16 not later than two years following the date the prospective petition is filed.
17 The petition must state the intention to form a new political party and des-
18 ignate a name for the political party.

19 “(C) Before circulating the petition, the chief sponsor of the petition must
20 file with the Secretary of State a signed copy of the prospective petition. The
21 chief sponsor must include with the prospective petition a statement declar-

1 ing whether one or more persons will be paid money or other valuable con-
2 sideration for obtaining signatures of electors on the petition. After the
3 prospective petition is filed, the chief sponsor must notify the filing officer
4 not later than the 10th day after the chief sponsor first has knowledge or
5 should have had knowledge that:

6 “(i) Any person is being paid for obtaining signatures, when the statement
7 included with the prospective petition declared that no person would be paid
8 for obtaining signatures of electors.

9 “(ii) No person is being paid for obtaining signatures, when the statement
10 included with the prospective petition declared that one or more persons
11 would be paid for obtaining signatures of electors.

12 “(D) The circulator shall certify on each signature sheet that the
13 circulator witnessed the signing of the signature sheet by each individual
14 whose signature appears on the signature sheet and that the circulator be-
15 lieves each individual is an elector registered in the electoral district.

16 “(E) The Secretary of State shall verify whether the petition contains the
17 required number of signatures of electors. The Secretary of State may not
18 accept a petition for filing if it contains less than 100 percent of the required
19 number of signatures. The Secretary of State by rule shall designate a sta-
20 tistical sampling technique to verify whether a petition contains the required
21 number of signatures of electors. A petition may not be rejected for the
22 reason that it contains less than the required number of signatures unless
23 two separate sampling processes both establish that the petition lacks the
24 required number of signatures. The second sampling must contain a larger
25 number of signatures than the first sampling. The Secretary of State may
26 employ professional assistance to determine the sampling technique. The
27 statistical sampling technique may be the same as that adopted under ORS
28 250.105.

29 “(b) When the affiliation of electors has polled for any one of its candi-
30 dates for any public office in the electoral district at least one percent of the

1 total votes cast in the electoral district for all candidates for:

2 “(A) Presidential elector at the last general election at which candidates
3 for President and Vice President of the United States were listed on the
4 ballot; or

5 “(B) Any single state office to be voted upon in the state at large for
6 which nominations by political parties are permitted by law at the most re-
7 cent election at which a candidate for the office was elected to a full term.

8 “(2) After satisfying either subsection (1)(a) or (b) of this section, the
9 minor political party may nominate candidates for election at the next gen-
10 eral election.

11 “(3) A filing officer may not accept a certificate of nomination of a can-
12 didate nominated by a minor political party for a subsequent general election
13 unless the minor political party has maintained status as a minor political
14 party as described in subsection (4) of this section.

15 “(4) In order to maintain status as a minor political party for a subse-
16 quent general election:

17 “(a) Following each general election, at any time during the period be-
18 ginning on the date of the next primary election and ending on the 90th day
19 before the next general election, a number of electors equal to at least
20 [*one-half*] **one-quarter** of one percent of the total number of registered
21 electors in this state must be registered as members of the party; or

22 “(b)(A) Following each general election, at any time during the period
23 beginning on the date of the next primary election and ending on the 90th
24 day before the next general election, a number of electors equal to at least
25 one-tenth of one percent of the total votes cast in the state or electoral dis-
26 trict for all candidates for Governor at the most recent election at which a
27 candidate for Governor was elected to a full term must be registered as
28 members of the party; and

29 “(B) At least once in a four-year period, a candidate or candidates of the
30 party must poll at least one percent of the total votes cast in the electoral

1 district for all candidates for:

2 “(i) Presidential elector at the last general election at which candidates
3 for President and Vice President of the United States were listed on the
4 ballot; or

5 “(ii) Any single state office to be voted upon in the state at large for
6 which nominations by political parties are permitted by law at the most re-
7 cent election at which a candidate for the office was elected to a full term.

8 “(5) An affiliation of electors that fails to maintain status as a minor
9 political party ceases to be a minor political party on the 90th day before the
10 date of the next general election.

11 “(6) During the period beginning on the date of the primary election and
12 ending on the 90th day before the date of the general election, the Secretary
13 of State shall determine at least once each month whether registration re-
14 quirements to maintain status as a minor political party have been satisfied.

15 “(7) If a minor political party changes its name, only those electors who
16 register on or after the effective date of the name change as members of the
17 party under the new party name shall be counted as members of the party.

18 “(8) An affiliation of electors or a minor political party may not nominate
19 a candidate who is the nominee of another political party at the same
20 election in order to satisfy the one percent requirement referred to in sub-
21 section (1)(b) or (4)(b)(B) of this section.

22 “(9) For purposes of this section, ‘subsequent general election’ means any
23 general election that is held after the first general election following quali-
24 fication as a minor political party under subsection (1) of this section.

25 **“SECTION 2. This 2022 Act being necessary for the immediate**
26 **preservation of the public peace, health and safety, an emergency is**
27 **declared to exist, and this 2022 Act takes effect on its passage.”.**

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