

House Bill 2125

Sponsored by Representative MANNIX (Pre-session filed.)

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**.

Authorizes chief petitioners to use any form of signature sheet to gather signatures for potential ballot measure, provided that signatures are legible, can be verified and chief petitioner pays fee of \$5 for every sheet that is not on standard form designed by Secretary of State.

Removes requirements identifying when signature gatherer is paid for gathering signatures.

Makes Legislative Counsel, rather than Attorney General, responsible for drafting ballot titles for state measures.

Alters requirements for electronic signature sheets. Authorizes use of electronic signature sheets for county and city measures.

Removes requirement that signature gatherer certify each signature sheet.

Removes registration and training requirements for paid signature gatherers.

Removes estimate of financial impact requirements for state measures.

Eliminates Citizens' Initiative Review Commission.

A BILL FOR AN ACT

1
2 Relating to ballot measures; creating new provisions; amending ORS 182.454, 249.865, 250.015,
3 250.043, 250.045, 250.052, 250.062, 250.065, 250.067, 250.075, 250.085, 250.105, 250.165, 250.265,
4 251.170, 251.185, 254.085, 254.115, 254.135, 254.145, 260.556, 260.561, 260.563 and 260.567; and re-
5 pealing ORS 250.042, 250.048, 250.125, 250.127, 250.131, 250.137, 250.139, 250.141, 250.143, 250.147
6 and 250.149.

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

8 **SECTION 1.** ORS 250.015 is amended to read:

9 250.015. The Secretary of State by rule shall[:]

10 [(1)] design [*the*] a **standard** form of the prospective petition, and the initiative and the refer-
11 endum petition, including the signature sheets, to be used in any initiative or referendum in this
12 state. **Notwithstanding any rules adopted under this section, the secretary shall accept any**
13 **form of signature sheet used by a chief petitioner, provided that the signatures gathered by**
14 **the chief petitioner are legible, can be verified and comply with the requirements set forth**
15 **in ORS 250.052 (2).**

16 [(2)] *Designate the quality of paper to be used for signature sheets in order to ensure the legibility*
17 *of the signatures.*

18 [(3)] *Prescribe a system for numbering the signature sheets to be used in any initiative or referen-*
19 *dum in this state.*

20 **SECTION 2.** ORS 250.045 is amended to read:

21 250.045. (1)(a) Before circulating a petition to initiate or refer a state measure under Article IV,
22 section 1, of the Oregon Constitution, the petitioner shall file with the Secretary of State a pro-
23 spective petition.

24 (b) The prospective petition for a state measure to be initiated:

25 (A) Shall contain the signatures of at least 1,000 electors; and

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 (B) May not contain the signatures of more than 2,000 electors.

2 (c) The signature sheets for a state measure to be initiated must be attached to a full and cor-
 3 rect copy of the measure to be initiated.

4 [(2) *Before obtaining signatures on a prospective petition for a state measure to be initiated, the*
 5 *chief petitioners shall file with the secretary a statement declaring whether one or more persons will*
 6 *be paid money or other valuable consideration for obtaining signatures of electors on the prospective*
 7 *petition. After a statement has been filed under this subsection, the chief petitioners shall notify the*
 8 *secretary not later than the 10th day after any of the chief petitioners first has knowledge or should*
 9 *have had knowledge that:]*

10 [(a) *Any person is being paid for obtaining signatures, when the statement filed under this sub-*
 11 *section declared that no such person would be paid.]*

12 [(b) *No person is being paid for obtaining signatures, when the statement filed under this sub-*
 13 *section declared that one or more such persons would be paid.]*

14 [(3)] (2) The secretary by rule shall establish procedures for verifying whether a prospective
 15 petition for a state measure to be initiated contains the required number of signatures of electors.

16 [(4)] (3) The secretary shall date and time stamp the prospective petition and specify the form
 17 on which the initiative or referendum petition shall be printed for circulation as provided in ORS
 18 250.052. The secretary shall retain the prospective petition.

19 [(5)] (4) The chief petitioner may amend the state measure to be initiated that has been filed
 20 with the secretary without filing another prospective petition, if:

21 (a) The [Attorney General] **Legislative Counsel** certifies to the secretary that the proposed
 22 amendment will not substantially change the substance of the measure; and

23 (b) The deadline for submitting written comments on the draft title has not passed.

24 [(6)(a)] (5)(a) The cover of an initiative or referendum petition shall designate the name and city
 25 and state of residence of not more than three persons as chief petitioners and shall contain in-
 26 structions for persons obtaining signatures of electors on the petition. The instructions shall be
 27 adopted by the secretary by rule.

28 (b) The cover of a referendum petition shall contain the final measure summary described in
 29 ORS 250.065 (1).

30 (c)(A) If a petition seeking a different ballot title is not filed with the Supreme Court by the
 31 deadline for filing a petition under ORS 250.085, the cover of an initiative petition shall contain the
 32 latest ballot title certified by the [Attorney General] **Legislative Counsel** under ORS 250.067 (2).

33 (B) If a petition seeking a different ballot title is filed with the Supreme Court by the deadline
 34 for filing a petition under ORS 250.085:

35 (i) The secretary may not issue an official template of the cover and signature sheets of the in-
 36 itiative petition until the Supreme Court has certified a final ballot title; and

37 (ii) The cover of the initiative petition shall contain the final ballot title certified by the court.

38 [(7)] (6) **A person who is obtaining signatures for the prospective petition may be paid or**
 39 **unpaid for the signature gathering.** [*The chief petitioners shall include with the prospective petition*
 40 *a statement declaring whether one or more persons will be paid money or other valuable consideration*
 41 *for obtaining signatures of electors on the initiative or referendum petition. After the prospective peti-*
 42 *tion is filed, the chief petitioners shall notify the filing officer not later than the 10th day after any of*
 43 *the chief petitioners first has knowledge or should have had knowledge that:]*

44 [(a) *Any person is being paid for obtaining signatures, when the statement included with the pro-*
 45 *spective petition declared that no such person would be paid.]*

1 **(b)** *No person is being paid for obtaining signatures, when the statement included with the pro-*
 2 *spective petition declared that one or more such persons would be paid.]*

3 **(8)(a) (7)(a)** Each sheet of signatures on an initiative petition shall contain the caption of the
 4 final certified ballot title. Each sheet of signatures on a referendum petition shall contain the sub-
 5 ject expressed in the title of the Act to be referred.

6 **(b)** *Each sheet of signatures on an initiative or referendum petition shall:]*

7 **(A)** *Contain a notice describing the meaning of the color of the signature sheet in accordance with*
 8 *ORS 250.052; and]*

9 **(B)** *If one or more persons will be paid for obtaining signatures of electors on the petition, contain*
 10 *a notice stating: “Some Circulators For This Petition Are Being Paid.” The notice shall be in bold-*
 11 *facd type and shall be prominently displayed on the sheet.]*

12 **(c) (b)** The secretary by rule shall adopt a method of designation to distinguish signature
 13 sheets of referendum petitions containing the same subject reference and being circulated during the
 14 same period.

15 **(9) (8)** The reverse side of the cover of an initiative or referendum petition shall be used for
 16 obtaining signatures on the initiative or referendum petition.

17 **(10) (9)** Not more than 20 signatures on the signature sheet of the initiative or referendum
 18 petition may be counted. *[The circulator shall certify on each signature sheet of the initiative or ref-*
 19 *erendum petition that the circulator:]*

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

22 **(b)** *Believes each individual is an elector.]*

23 **(11) (10)** The person obtaining signatures on the petition shall carry at least one full and cor-
 24 rect copy of the measure to be initiated or referred and shall allow any person to review a copy
 25 upon request of the person.

26 **SECTION 3.** ORS 250.052 is amended to read:

27 250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State
 28 shall prepare official templates of the cover and signature sheets for the petition. Except as pro-
 29 vided in this section, templates of cover and signature sheets for state initiative and referendum
 30 petitions are subject to the requirements of ORS 250.045. *[The templates of signature sheets to be used*
 31 *by persons who are being paid to obtain signatures on the petition shall be a different color from the*
 32 *sheets to be used by persons who are not being paid to obtain signatures on the petition.]*

33 **(b)** For each prospective petition for a state measure to be initiated the secretary shall prepare
 34 official templates of the cover and signature sheets. *[The templates of signature sheets to be used by*
 35 *persons who are being paid to obtain signatures on the prospective petition shall be a different color*
 36 *from the sheets to be used by persons who are not being paid to obtain signatures on the prospective*
 37 *petition. Each signature sheet for the prospective petition shall:]*

38 **(A)** *Contain a notice describing the meaning of the color of the signature sheet; and]*

39 **(B)** *If one or more persons will be paid for obtaining signatures of electors on the prospective*
 40 *petition, contain a notice stating: “Some Circulators For This Prospective Petition Are Being Paid.”*
 41 *The notice shall be in boldfaced type and shall be prominently displayed on the sheet.]*

42 **(2)(a) Except as provided in paragraph (b) of this subsection,** a person obtaining signatures
 43 on a state initiative, referendum or recall petition or a prospective petition for a state measure to
 44 be initiated may use only the cover and signature sheets contained in the official templates prepared
 45 for the petition or prospective petition. *[A person who is being paid to obtain signatures on the peti-*

1 *tion or prospective petition shall use the signature sheet template designated for use by persons being*
 2 *paid to obtain signatures. A person who is not being paid to obtain signatures on the petition or pro-*
 3 *spective petition shall use the signature sheet template designated for use by persons who are not being*
 4 *paid to obtain signatures.]*

5 **(b) A person obtaining signatures on a state initiative, referendum or recall petition or**
 6 **a prospective petition for a state measure to be initiated may use cover and signature sheets**
 7 **other than those described in paragraph (a) of this subsection if:**

8 **(A) The cover and signature sheets used by the person include the caption of the final**
 9 **certified ballot title of the measure;**

10 **(B) No more than 20 signatures appear on any signature sheet; and**

11 **(C) The person pays a \$5 fee for each signature sheet that is not contained in the tem-**
 12 **plate described in paragraph (a) of this subsection.**

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

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

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

20 (a) Three business days after the deadline for filing a petition under ORS 250.085 relating to a
 21 ballot title certified by the *[Attorney General]* **Legislative Counsel** for the state initiative petition
 22 or, if a petition is filed with the Supreme Court under ORS 250.085, three business days after the
 23 Supreme Court certifies to the secretary a final ballot title for the state initiative petition; **or**

24 (b) Three business days after a prospective petition is filed under ORS 249.865 or 250.045 for a
 25 state recall petition or state referendum petition. *.; or]*

26 *[(c) Three business days after the chief petitioner files a statement with the secretary under ORS*
 27 *250.045 (2) for a prospective petition for a state measure to be initiated.]*

28 (5) The secretary by rule shall establish a process by which a chief petitioner of a state initi-
 29 ative, referendum or recall petition or a prospective petition for a state measure to be initiated may
 30 request a modification of the templates issued under subsection (4) of this section.

31 (6)(a) In addition to the templates prepared under subsections (1) to (5) of this section, for each
 32 state initiative, referendum or recall petition or prospective petition, the secretary shall prepare an
 33 official electronic template of a signature sheet for the petition or prospective petition.

34 (b)(A) [A] **An electronic** template prepared under this subsection shall provide:

35 **(i) The caption of the final certified ballot title for the state initiative, referendum or**
 36 **recall petition or prospective petition;**

37 **(ii) A statement that by signing a copy of the electronic template, the individual is con-**
 38 **firming that the individual qualifies as an elector and is registered to vote in this state;**

39 **(iii) An electronic link to a full and correct copy of the state initiative, referendum or**
 40 **recall petition or prospective petition;**

41 *[(i)]* **(iv) The statement “I sign in support of” followed by** space for the signature of one
 42 elector to signify support for the state initiative, referendum or recall petition or prospective peti-
 43 tion; and

44 **(v) The printed name and address of the elector who signs a copy of the electronic tem-**
 45 **plate.**

1 *[(ii) Space for the signature of the same elector to certify that the elector received a copy of the*
 2 *electronic signature sheet in compliance with paragraph (c)(B) of this subsection.]*

3 *[(B) The Secretary of State or county clerk may tally only electronic signature sheets that are*
 4 *signed in both spaces described in this paragraph.]*

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

8 (B) Only an elector who either has personally printed a copy of the electronic signature sheet
 9 of a petition or prospective petition or has requested that a separate person print a copy of the
 10 electronic signature sheet specifically for the elector may sign the sheet. A copy of an electronic
 11 signature sheet may not be signed by an elector who did not either print the sheet or request that
 12 the sheet be printed specifically for the elector.

13 *[(d) Electronic templates described in this subsection are subject to the requirements of ORS*
 14 *250.045, other than ORS 250.045 (9) and (10), and the template must include a full and correct copy*
 15 *of the measure to be initiated or referred.]*

16 *[(e)]* (d) Except as provided in paragraph (c)(B) of this subsection, a person who is obtaining
 17 signatures on a petition or prospective petition, *[whether paid or unpaid,]* may not provide a printed
 18 electronic signature sheet to an elector.

19 (7) The secretary shall adopt rules prescribing the contents and method of production of official
 20 templates required under this section.

21 **SECTION 4.** ORS 250.062 is amended to read:

22 250.062. If the *[Attorney General]* **Legislative Counsel** determines that the subject, purpose and
 23 major effect of two or more state initiative measures to be submitted at the same election are sub-
 24 stantially similar, the *[Attorney General]* **Legislative Counsel** shall provide identical draft ballot ti-
 25 tles for the measures.

26 **SECTION 5.** ORS 250.065 is amended to read:

27 250.065. (1) When a prospective petition for a state measure to be referred is filed with the
 28 Secretary of State, the secretary shall authorize the circulation of the petition using the final
 29 measure summary of the latest version of the printed, engrossed measure in lieu of the ballot title.
 30 On the next business day after the referendum petition has been filed containing the required num-
 31 ber of verified signatures, the Secretary of State shall send one copy of the prospective petition to
 32 the *[Attorney General]* **Legislative Counsel**.

33 (2) When an approved prospective petition for a state measure to be initiated is filed with the
 34 Secretary of State, the secretary immediately shall send one copy of it to the *[Attorney General]*
 35 **Legislative Counsel**.

36 **(3) To further the implementation of Article IV, section 1, of the Oregon Constitution,**
 37 **the Legislative Counsel shall be responsible for drafting ballot titles for prospective state**
 38 **petitions to be initiated and prospective state measures to be referred.**

39 *[(3)]* (4) Not later than the fifth business day after receiving the copy of the prospective petition
 40 for a state measure to be initiated, the *[Attorney General]* **Legislative Counsel** shall provide a draft
 41 ballot title for the state measure to be initiated and send one copy of the ballot title to the Secretary
 42 of State.

43 *[(4)]* (5) Not later than the 10th business day after receiving the copy of the prospective petition
 44 for a state measure to be referred, the *[Attorney General]* **Legislative Counsel** shall provide a draft
 45 ballot title for the state measure to be referred and send one copy of the draft ballot title to the

1 Secretary of State.

2 **SECTION 6.** ORS 250.067 is amended to read:

3 250.067. (1) The Secretary of State, upon receiving a draft ballot title from the [Attorney
4 General] **Legislative Counsel** under ORS 250.065 or 250.075, shall provide reasonable statewide no-
5 tice of having received the draft ballot title and of the public's right to submit written comments
6 as provided in this section. Written comments concerning a draft ballot title may be submitted to
7 the secretary not later than the 10th business day after the secretary receives the draft title from
8 the [Attorney General] **Legislative Counsel**. On the next business day after the deadline for sub-
9 mitting comments, the secretary shall send a copy of all written comments to the [Attorney
10 General] **Legislative Counsel**. The secretary shall maintain a record of written comments received.

11 (2)(a) If written comments are submitted to the secretary under subsection (1) of this section,
12 the [Attorney General] **Legislative Counsel** shall consider the comments and certify to the secretary
13 either the draft ballot title or a revised ballot title not later than the 10th business day after re-
14 ceiving the comments from the secretary.

15 (b) If no written comments are submitted to the secretary, the [Attorney General] **Legislative**
16 **Counsel** shall certify the draft ballot title not later than the 21st business day after the secretary
17 receives the draft title from the [Attorney General] **Legislative Counsel**. If the [Attorney General]
18 **Legislative Counsel** determines that a draft ballot title described in this paragraph contains a
19 clerical error, the [Attorney General] **Legislative Counsel** may correct the error before certifying
20 the corrected draft ballot title to the secretary.

21 (c) If the [Attorney General] **Legislative Counsel** determines that a ballot title certified under
22 this subsection contains a clerical error, the [Attorney General] **Legislative Counsel** may correct
23 the error and certify to the secretary a corrected ballot title not later than the 10th business day
24 after the date the ballot title was certified.

25 (d) The secretary shall furnish the chief petitioner with a copy of each ballot title certified un-
26 der this subsection.

27 (3) Unless the Supreme Court certifies a different ballot title, the latest ballot title certified by
28 the [Attorney General] **Legislative Counsel** under subsection (2) of this section is the title to be
29 printed in the voters' pamphlet and on the ballot.

30 (4) If a petition is filed with the Supreme Court as provided in ORS 250.085, the Secretary of
31 State shall file with the Supreme Court a copy of the written comments received as part of the re-
32 cord on review of the ballot title.

33 (5) The secretary by rule shall specify the means for providing reasonable statewide notice for
34 submitting comments on a draft ballot title.

35 (6) As used in this section, "clerical error" means a typographical, arithmetical or grammatical
36 error or omission that is evident from the text of the draft or certified ballot title or by comparison
37 of the text of the draft or certified ballot title with a written explanation that was provided by the
38 [Attorney General] **Legislative Counsel** and issued concurrently with the draft or certified ballot
39 title.

40 **SECTION 7.** ORS 250.075 is amended to read:

41 250.075. (1) When the Legislative Assembly refers a measure to the people, a ballot title for the
42 measure may be prepared by the assembly. The ballot title shall be filed with the Secretary of State
43 when the measure is filed with the Secretary of State.

44 (2) If the title is not prepared under subsection (1) of this section, when the measure is filed
45 with the Secretary of State, the secretary shall send one copy of the referred measure to the [At-

1 *torney General*] **Legislative Council**. Not later than the 30th day after the Legislative Assembly
2 adjourns, the [*Attorney General*] **Legislative Council** shall provide a draft ballot title for the
3 measure. The [*Attorney General*] **Legislative Council** shall send a copy of the draft ballot title to
4 each member of the Legislative Assembly, and file with the Secretary of State a copy of the draft
5 ballot title and a certificate of mailing of the draft ballot title to each member.

6 **SECTION 8.** ORS 250.085 is amended to read:

7 250.085. (1) Any elector dissatisfied with a ballot title prepared by the Legislative Assembly for
8 a measure referred to the people by the assembly and filed with the Secretary of State may petition
9 the Supreme Court seeking a different title. The petition shall state the reasons that the title filed
10 with the Secretary of State does not substantially comply with the requirements of ORS 250.035.

11 (2) Any elector dissatisfied with the latest ballot title for an initiated or referred measure cer-
12 tified by the [*Attorney General*] **Legislative Council** and who timely submitted written comments
13 on the draft ballot title may petition the Supreme Court seeking a different title. The petition shall
14 state the reasons that the title filed with the Secretary of State does not substantially comply with
15 the requirements of ORS 250.035.

16 (3) The petition shall name the [*Attorney General*] **State of Oregon** as the respondent and must
17 be filed:

18 (a) Not later than the 10th business day after the [*Attorney General*] **Legislative Council** cer-
19 tifies a ballot title or a corrected ballot title to the Secretary of State, whichever is later; or

20 (b) If the title is provided by the Legislative Assembly under ORS 250.075, not later than the
21 10th business day after the Legislative Assembly files the ballot title with the Secretary of State.

22 (4) An elector filing a petition under this section shall notify the Secretary of State in writing
23 that the petition has been filed. The notice must be received in the office of the Secretary of State
24 not later than 5 p.m. on the next business day following the day the petition is filed.

25 (5) The Supreme Court shall review the title for substantial compliance with the requirements
26 of ORS 250.035.

27 (6) When reviewing a title certified by the [*Attorney General*] **Legislative Council**, the Supreme
28 Court shall not consider arguments concerning the ballot title not presented in writing to the Sec-
29 retary of State unless the court determines that the argument concerns language added to or re-
30 moved from the draft title after expiration of the comment period provided in ORS 250.067.

31 (7) The review by the Supreme Court shall be conducted expeditiously to ensure the orderly and
32 timely circulation of the petition or conduct of the election at which the measure is to be submitted
33 to the electors.

34 (8) If the Supreme Court determines that the latest ballot title certified by the [*Attorney*
35 *General*] **Legislative Council** or prepared by the Legislative Assembly substantially complies with
36 the requirements of ORS 250.035, the court shall certify the title to the Secretary of State. If the
37 Supreme Court determines that the latest ballot title certified by the [*Attorney General*] **Legislative**
38 **Council** or prepared by the Legislative Assembly does not substantially comply with the require-
39 ments of ORS 250.035, the court shall modify the ballot title and certify the ballot title to the Sec-
40 retary of State or refer the ballot title to the [*Attorney General*] **Legislative Council** for
41 modification.

42 (9) Not later than five business days after the Supreme Court refers a ballot title to the [*Attor-*
43 *ney General*] **Legislative Council** under this section, the [*Attorney General*] **Legislative Council**
44 shall file a modified ballot title with the Supreme Court and serve copies of the modified ballot title
45 on all parties to the ballot title review proceeding. If no party to the ballot title review proceeding

1 files an objection to the modified ballot title within five business days after the date the modified
 2 ballot title is filed, the Supreme Court shall certify the modified ballot title to the Secretary of State
 3 and enter an appellate judgment the next judicial day. If any of the parties to the ballot title review
 4 proceeding timely files a petition objecting to the modified ballot title, the Supreme Court shall re-
 5 view the modified ballot title to determine whether the modified ballot title substantially complies
 6 with the requirements of ORS 250.035.

7 (10) Upon the filing of a petition under subsection (9) of this section objecting to a modified
 8 ballot title:

9 (a) If the Supreme Court determines that the modified ballot title substantially complies with the
 10 requirements of ORS 250.035, the court shall certify the modified ballot title to the Secretary of
 11 State; or

12 (b) If the Supreme Court determines that the modified ballot title does not substantially comply
 13 with the requirements of ORS 250.035, the court shall modify the ballot title and certify the ballot
 14 title to the Secretary of State or refer the modified ballot title to the [Attorney General] **Legislative**
 15 **Counsel** for additional modification and further proceedings under subsection (9) of this section.

16 **SECTION 9.** ORS 250.105 is amended to read:

17 250.105. (1)(a) An initiative or referendum petition relating to a state measure must be filed with
 18 the Secretary of State for the purpose of verifying whether the petition contains the required num-
 19 ber of signatures of electors.

20 (b) Signatures previously verified on a prospective petition for a state measure to be initiated
 21 shall be included in the calculation under this section for the purpose of verifying whether the ini-
 22 tiative petition contains the required number of signatures of electors.

23 (c) When filing an initiative or referendum petition, the signature sheets must be sorted on the
 24 basis of the name of the person who obtained the signatures on the sheet.

25 (d) The secretary shall adopt rules establishing procedures for verifying signatures on an initi-
 26 ative or referendum petition.

27 (e) A filed initiative or referendum petition must contain only original signatures. The secretary
 28 or county clerk shall verify each petition in the order in which the petitions are filed with the
 29 secretary.

30 *[(2)(a) Once every month, the chief petitioner, or agent on behalf of the chief petitioner, of an initi-*
 31 *ative petition relating to a state measure shall file with the secretary all signature sheets containing*
 32 *signatures of electors obtained by a person being paid to obtain signatures on the petition since the*
 33 *previous monthly filing. The secretary shall hold all signature sheets filed under this subsection unless*
 34 *the chief petitioner withdraws the petition.]*

35 *[(b) The secretary shall adopt rules prescribing the dates by which signature sheets must be filed*
 36 *each month. The secretary may not accept signature sheets containing signatures of electors obtained*
 37 *by a person being paid to obtain signatures on the petition before the previous monthly filing deadline*
 38 *prescribed under this paragraph for purposes of determining whether an initiative petition relating to*
 39 *a state measure contains the required number of signatures of electors under this section.]*

40 [(3)] (2) The secretary may not accept a referendum petition relating to a state measure for fil-
 41 ing if the petition contains less than 100 percent of the required number of signatures. The secretary
 42 may not determine whether an initiative petition contains the required number of signatures of
 43 electors unless at least 100 percent of the required number of signatures have been filed with the
 44 secretary.

45 [(4)] (3) If the total number of signatures required on an initiative petition or referendum peti-

1 tion is submitted not less than 165 days before the election at which the proposed measure is to be
 2 voted upon and if the secretary determines that insufficient signatures have been submitted but the
 3 deadline for filing signatures on the petition has not passed, the petitioners may submit additional
 4 signatures.

5 [(5)] (4) The secretary by rule shall designate a statistical sampling technique to verify whether
 6 a petition contains the required number of signatures of electors. A petition may not be rejected for
 7 the reason that it contains less than the required number of signatures unless two separate sampling
 8 processes both establish that the petition lacks the required number of signatures. The second
 9 sampling must contain a larger number of signatures than the first sampling. If two samplings are
 10 required under this subsection, the total number of signatures verified on the petition shall be not
 11 less than five percent of the total number of signatures on the petition.

12 [(6) *For purposes of estimating the number of duplicate signatures contained in a petition, the*
 13 *secretary shall apply at least an eight percent duplication rate in the first sampling of signatures on*
 14 *all petitions. If a second sampling of signatures is required under subsection (5) of this section, the*
 15 *secretary shall calculate an estimated signature duplication rate for each petition for which a second*
 16 *sampling is required. The calculation shall be based on the number of electors the secretary determines*
 17 *have signed a specific petition more than once.*]

18 [(7)] (5) When verifying signatures for a state initiative or referendum petition, the secretary
 19 or county clerk shall identify on an elector's voter registration record or other database that the
 20 elector signed the specific initiative or referendum petition.

21 [(8)] (6) The Secretary of State may employ professional assistance to determine the sampling
 22 technique to be designated under subsection [(5)] (4) of this section.

23 [(9)] (7) The Secretary of State and the county clerk, if requested, shall permit authorized per-
 24 sons to be at the office of the secretary or county clerk to watch the verification of signatures on
 25 a state initiative petition or prospective petition for a state measure to be initiated under this sec-
 26 tion. The authorization shall be in writing and shall be filed with the secretary or county clerk. The
 27 secretary or county clerk shall permit only as many persons as watchers under this subsection as
 28 will not interfere with an orderly procedure at the office of the secretary or county clerk.

29 **SECTION 10.** ORS 250.165 is amended to read:

30 250.165. (1) Before circulating a petition to initiate or refer a county measure, the petitioner
 31 shall file with the county clerk a prospective petition. The county clerk immediately shall date and
 32 time stamp the prospective petition, and specify the form on which the petition shall be printed for
 33 circulation. The clerk shall retain the prospective petition.

34 (2) The cover of an initiative or referendum petition shall designate the name and city and state
 35 of residence of not more than three persons as chief petitioners and shall contain instructions for
 36 persons obtaining signatures of electors on the petition. The instructions shall be adopted by the
 37 Secretary of State by rule. The cover of a referendum petition shall contain the title described in
 38 ORS 250.175 (1). If the circuit court has not reviewed the ballot title under ORS 250.195, the cover
 39 of an initiative petition shall contain the ballot title described in ORS 250.175 (3). If the circuit court
 40 has reviewed the ballot title, the cover of the initiative petition shall contain the title certified by
 41 the court.

42 [(3) *The chief petitioners shall include with the prospective petition a statement declaring whether*
 43 *one or more persons will be paid money or other valuable consideration for obtaining signatures of*
 44 *electors on the initiative or referendum petition. After the prospective petition is filed, the chief*
 45 *petitioners shall notify the filing officer not later than the 10th day after any of the chief petitioners first*

1 *has knowledge or should have had knowledge that:]*

2 *[(a) Any person is being paid for obtaining signatures, when the statement included with the pro-*
 3 *spective petition declared that no such person would be paid.]*

4 *[(b) No person is being paid for obtaining signatures, when the statement included with the pro-*
 5 *spective petition declared that one or more such persons would be paid.]*

6 *[(4)(a)] (3) Each sheet of signatures on an initiative petition shall contain the caption of the*
 7 *ballot title. Each sheet of signatures on a referendum petition shall contain the number of the or-*
 8 *dinance or resolution to be referred, if any, and the date it was adopted by the county governing*
 9 *body.*

10 *[(b) Each sheet of signatures on an initiative or referendum petition shall, if one or more persons*
 11 *will be paid for obtaining signatures of electors on the petition, contain a notice stating: "Some*
 12 *Circulators For This Petition Are Being Paid."]*

13 *[(5)] (4) The reverse side of the cover of an initiative or referendum petition shall be used for*
 14 *obtaining signatures on an initiative or referendum petition.*

15 *[(6)] (5) Not more than 20 signatures on the signature sheet of the initiative or referendum pe-*
 16 *tition shall be counted. [The circulator shall certify on each signature sheet that the circulator:]*

17 *[(a) Witnessed the signing of the signature sheet by each individual whose signature appears on*
 18 *the signature sheet; and]*

19 *[(b) Believes each individual is an elector registered in the county.]*

20 *[(7)] (6) Unless otherwise provided by a county ordinance, the gathering of signatures on a pe-*
 21 *tition to initiate a county measure may not exceed a period of two years from the time the petition*
 22 *is approved for circulation.*

23 *[(8)] (7) A county clerk may not accept for filing any petition which has not met the provisions*
 24 *of subsection [(7)] (6) of this section.*

25 *[(9)] (8) A petition to initiate a county measure must be filed not less than 90 days before the*
 26 *election at which the proposed law is to be voted on.*

27 *[(10)] (9) The person obtaining signatures on the petition shall carry at least one full and correct*
 28 *copy of the measure to be initiated or referred and shall allow any person to review a copy upon*
 29 *request of the person.*

30 **SECTION 11.** ORS 250.265 is amended to read:

31 250.265. (1) Before circulating a petition to initiate or refer a city measure, the petitioner shall
 32 file with the city elections officer a prospective petition. The officer immediately shall date and time
 33 stamp the prospective petition, and specify the form on which the petition shall be printed for cir-
 34 culation. The officer shall retain the prospective petition.

35 (2) The cover of an initiative or referendum petition shall designate the name and city and state
 36 of residence of not more than three persons as chief petitioners and shall contain instructions for
 37 persons obtaining signatures of electors on the petition. The instructions shall be adopted by the
 38 Secretary of State by rule. The cover of a referendum petition shall contain the title described in
 39 ORS 250.275 (1). If the circuit court has not reviewed the ballot title under ORS 250.296, the cover
 40 of an initiative petition shall contain the ballot title described in ORS 250.275 (3). If the circuit court
 41 has reviewed the ballot title, the cover of the initiative petition shall contain the title certified by
 42 the court.

43 *[(3) The chief petitioners shall include with the prospective petition a statement declaring whether*
 44 *one or more persons will be paid money or other valuable consideration for obtaining signatures of*
 45 *electors on the initiative or referendum petition. After the prospective petition is filed, the chief*

1 *petitioners shall notify the filing officer not later than the 10th day after any of the chief petitioners first*
 2 *has knowledge or should have had knowledge that:]*

3 *[(a) Any person is being paid for obtaining signatures, when the statement included with the pro-*
 4 *spective petition declared that no such person would be paid.]*

5 *[(b) No person is being paid for obtaining signatures, when the statement included with the pro-*
 6 *spective petition declared that one or more such persons would be paid.]*

7 *[(4)(a)] (3) Each sheet of signatures on an initiative petition shall contain the caption of the*
 8 *ballot title. Each sheet of signatures on a referendum petition shall contain the number of the or-*
 9 *dinance or resolution to be referred, if any, and the date it was adopted by the city governing body.*

10 *[(b) Each sheet of signatures on an initiative or referendum petition shall, if one or more persons*
 11 *will be paid for obtaining signatures of electors on the petition, contain a notice stating: "Some*
 12 *Circulators For This Petition Are Being Paid."]*

13 *[(5)] (4) The reverse side of the cover of an initiative or referendum petition shall be used for*
 14 *obtaining signatures on an initiative or referendum petition.*

15 *[(6)] (5) Not more than 20 signatures on the signature sheet of the initiative or referendum pe-*
 16 *tition shall be counted. [The circulator shall certify on each signature sheet that the circulator:]*

17 *[(a) Witnessed the signing of the signature sheet by each individual whose signature appears on*
 18 *the signature sheet; and]*

19 *[(b) Believes each individual is an elector registered in the city.]*

20 *[(7)] (6) Unless otherwise provided by a city ordinance, the gathering of signatures on a petition*
 21 *to initiate a city measure may not exceed a period of two years from the time the petition is ap-*
 22 *proved for circulation.*

23 *[(8)] (7) A city elections officer may not accept for filing any petition which has not met the*
 24 *provisions of subsection [(7)] (6) of this section.*

25 *[(9)] (8) A petition to initiate a city measure must be filed not less than 90 days before the*
 26 *election at which the proposed law is to be voted on.*

27 *[(10)] (9) The person obtaining signatures on the petition shall carry at least one full and correct*
 28 *copy of the measure to be initiated or referred and shall allow any person to review a copy upon*
 29 *request of the person.*

30 **SECTION 12. Section 13 of this 2023 Act is added to and made a part of ORS 250.165 to**
 31 **250.235.**

32 **SECTION 13. (1) For each petition to initiate or refer a county measure, the county clerk**
 33 **shall prepare an official electronic template of a signature sheet.**

34 **(2) An electronic template prepared under this section shall provide:**

35 **(a) The caption of the final certified ballot title for the county initiative or referendum**
 36 **petition;**

37 **(b) A statement that by signing a copy of the electronic template, the individual is con-**
 38 **firming that the individual qualifies as an elector, resides in the county and is registered to**
 39 **vote in this state;**

40 **(c) An electronic link to a full and correct copy of the county initiative or referendum**
 41 **petition;**

42 **(d) The statement "I sign in support of" followed by space for the signature of one elector**
 43 **to signify support for the county initiative or referendum petition; and**

44 **(e) The printed name and address of the elector who signs a copy of the electronic tem-**
 45 **plate.**

1 **(3)(a) An elector may print a copy of the electronic signature sheet for a petition, sign**
 2 **the sheet and deliver the signed sheet to a chief petitioner or an agent designated by a chief**
 3 **petitioner.**

4 **(b) Only an elector who either has personally printed a copy of the electronic signature**
 5 **sheet of a petition or has requested that a separate person print a copy of the electronic**
 6 **signature sheet specifically for the elector may sign the sheet. A copy of an electronic sig-**
 7 **nature sheet may not be signed by an elector who did not either print the sheet or request**
 8 **that the sheet be printed specifically for the elector.**

9 **(4) Except as provided in subsection (3)(b) of this section, a person who is obtaining sig-**
 10 **natures on a petition may not provide a printed electronic signature sheet to an elector.**

11 **SECTION 14. Section 15 of this 2023 Act is added to and made a part of ORS 250.265 to**
 12 **250.346.**

13 **SECTION 15. (1) For each petition to initiate or refer a city measure, the elections officer**
 14 **shall prepare an official electronic template of a signature sheet.**

15 **(2) An electronic template prepared under this section shall provide:**

16 **(a) The caption of the final certified ballot title for the city initiative or referendum pe-**
 17 **tition;**

18 **(b) A statement that by signing a copy of the electronic template, the individual is con-**
 19 **firming that the individual qualifies as an elector, resides in the city and is registered to vote**
 20 **in this state;**

21 **(c) An electronic link to a full and correct copy of the city initiative or referendum pe-**
 22 **tition;**

23 **(d) The statement “I sign in support of” followed by space for the signature of one elector**
 24 **to signify support for the city initiative or referendum petition; and**

25 **(e) The printed name and address of the elector who signs a copy of the electronic tem-**
 26 **plate.**

27 **(3)(a) An elector may print a copy of the electronic signature sheet for a petition, sign**
 28 **the sheet and deliver the signed sheet to a chief petitioner or an agent designated by a chief**
 29 **petitioner.**

30 **(b) Only an elector who either has personally printed a copy of the electronic signature**
 31 **sheet of a petition or has requested that a separate person print a copy of the electronic**
 32 **signature sheet specifically for the elector may sign the sheet. A copy of an electronic sig-**
 33 **nature sheet may not be signed by an elector who did not either print the sheet or request**
 34 **that the sheet be printed specifically for the elector.**

35 **(4) Except as provided in subsection (3)(b) of this section, a person who is obtaining sig-**
 36 **natures on a petition may not provide a printed electronic signature sheet to an elector.**

37 **SECTION 16. ORS 250.043 is amended to read:**

38 250.043. (1) Notwithstanding ORS 250.105, 250.215, 250.315 and 255.175, an initiative or referen-
 39 dum petition for which original signatures are otherwise required may be accepted by the appro-
 40 priate filing officer for signature verification with photographic copies of one or more signature
 41 sheets if[.]

42 [(a)] the signature sheets containing the original signatures were stolen or destroyed by fire, a
 43 natural disaster or other act of God.[; and]

44 [(b) *The photographic copy of each original signature sheet contains the number of the original*
 45 *signature sheets prescribed by the Secretary of State under ORS 250.015.*]

1 (2) As used in this section:

2 (a) “Act of God” means an unanticipated grave natural disaster or other natural phenomenon
3 of an exceptional, inevitable and irresistible character, the effects of which could not have been
4 prevented or avoided by the exercise of due care or foresight.

5 (b) “Filing officer” means the Secretary of State in the case of an initiative or referendum pe-
6 tition relating to a state measure, the county clerk in the case of an initiative or referendum peti-
7 tion relating to a county measure, the city elections officer in the case of an initiative or referendum
8 petition relating to a city measure and the elections officer as defined in ORS 255.005 in the case
9 of an initiative or referendum petition relating to a district measure.

10 **SECTION 17.** ORS 260.556 is amended to read:

11 260.556. The Secretary of State may not include in a count under ORS 250.045 [(3)] (2) or 250.105
12 or ORS chapter 249 for purposes of determining whether an initiative, referendum or recall petition
13 or a prospective petition for a state measure to be initiated contains the required number of signa-
14 tures of electors, any signatures obtained by a person who the secretary determines, during the
15 five-year period prior to the date the signatures were obtained:

16 (1) Has been convicted for a criminal offense involving fraud, forgery or identification theft in
17 any state;

18 (2) Has had a civil penalty imposed under ORS 260.995 for a violation of ORS [250.048 or]
19 260.262; or

20 (3) Has had a civil or criminal penalty imposed for violation of a statute subject to a criminal
21 penalty under ORS 260.993.

22 **SECTION 18.** ORS 260.567 is amended to read:

23 260.567. (1) Except as provided in subsection (2) of this section, a person other than the person
24 who signed the signature sheet of an initiative, referendum, recall or candidate nominating petition,
25 a prospective petition for a state measure to be initiated or a certificate of nomination may not
26 write, alter, correct, clarify or obscure on the signature sheet any information about the person who
27 signed the signature sheet.

28 (2) A person other than the person who signed the signature sheet may:

29 (a) Alter, correct, clarify or obscure on the signature sheet any information about the person
30 who signed the signature sheet if the line on which the signature appears is subsequently initialed
31 by the person who signed the signature sheet; or

32 (b) Write, alter, correct, clarify or obscure on the signature sheet any information about the
33 person who signed the signature sheet if the person who signed the signature sheet is a person with
34 a disability and requests assistance in writing, altering, correcting, clarifying or obscuring on the
35 signature sheet any information about the person.

36 (3) As used in this section:

37 (a) “Information about the person who signed the signature sheet” means any information re-
38 garding the person who signed the signature sheet of an initiative, referendum, recall or candidate
39 nominating petition, a prospective petition for a state measure to be initiated or a certificate of
40 nomination, in addition to the signature of the person, that is required or requested to be supplied
41 on a signature sheet of an initiative, referendum, recall or candidate nominating petition, a pro-
42 spective petition or a certificate of nomination.

43 (b) “The person who signed the signature sheet” means the person whose signature will be
44 submitted for verification under ORS chapter 249 or ORS 250.045 [(3)] (2), 250.105, 250.215, 250.315
45 or 255.175 for the purpose of determining whether the petition, prospective petition or certificate

1 contains the required number of signatures of electors.

2 **SECTION 19.** ORS 249.865 is amended to read:

3 249.865. (1) Pursuant to Article II, section 18, of the Oregon Constitution, an elector of the
 4 electoral district from which the public officer is elected may file a petition demanding the recall
 5 of the public officer. The production and circulation of the petition must conform to the require-
 6 ments governing recall petitions set forth in ORS [250.048 and] 250.052. Before the petition is cir-
 7 culated for signatures, the chief petitioner of the petition shall file with the officer authorized to
 8 order the recall election a copy of the prospective petition signed by the chief petitioner.

9 (2) The chief petitioner shall include with the prospective petition a statement declaring whether
 10 one or more persons will be paid money or other valuable consideration for obtaining signatures of
 11 electors on the recall petition. After the prospective petition is filed, the chief petitioner shall notify
 12 the filing officer not later than the 10th day after the chief petitioner first has knowledge or should
 13 have had knowledge that:

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

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

18 (3) Each sheet of the recall petition must contain:

19 (a) The words "Petition for recall of," (name and title of officer) and the date of the filing under
 20 subsection (1) of this section; and

21 (b) The name and city and state of residence of the chief petitioner.

22 (4) Not more than 20 signatures on each sheet of the recall petition shall be counted. The
 23 circulator shall certify on each signature sheet that the circulator:

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

26 (b) Believes each individual is an elector.

27 (5) Any intentional or willful violation of subsection (1) or (2) of this section by a chief petitioner
 28 of the recall petition listed on the statement of organization filed under ORS 260.118 invalidates the
 29 prospective petition before it is circulated for signatures.

30 **SECTION 20.** ORS 260.561 is amended to read:

31 260.561. (1)(a) If a chief petitioner of a statewide initiative or referendum petition has knowledge
 32 of a violation of any provision of Oregon Revised Statutes, of any rule adopted by the Secretary of
 33 State under ORS chapters 246 to 260 related to the circulation of a statewide initiative or referen-
 34 dum petition or section 1b, Article IV of the Oregon Constitution, committed by a person obtaining
 35 signatures on the chief petitioner's petition or prospective petition, the violation by the person ob-
 36 taining signatures is conclusively considered a violation by the chief petitioner.

37 (b) If a chief petitioner of a statewide initiative or referendum petition has knowledge or should
 38 have had knowledge of a violation of ORS [250.048,] 260.262, 260.555, 260.558, 260.567, 260.575,
 39 260.665, 260.715 (1) or section 1b, Article IV of the Oregon Constitution, or any rule adopted by the
 40 Secretary of State related to section 1b, Article IV of the Oregon Constitution, **or** petition sheets
 41 [or circulator training, registration or certification,] committed by a person obtaining signatures on
 42 the chief petitioner's petition or prospective petition or a contractor or subcontractor, as defined in
 43 ORS 260.563, the violation by the person obtaining signatures or the contractor or subcontractor is
 44 conclusively considered a violation by the chief petitioner.

45 (2) A chief petitioner is not liable under subsection (1) of this section if the chief petitioner no-

1 tifies the Secretary of State in writing not later than one business day after the chief petitioner
 2 obtains knowledge of a potential violation. The notice shall state:

- 3 (a) That a potential violation has occurred;
- 4 (b) The nature of the potential violation; and
- 5 (c) All specific information known to the chief petitioner regarding the potential violation.

6 (3) If a statewide initiative or referendum petition has more than one chief petitioner, each chief
 7 petitioner who has knowledge or should have had knowledge may be held liable under subsection
 8 (1) of this section.

9 (4)(a) Subsection (1)(a) of this section does not apply to a violation of law that is subject to
 10 criminal penalty.

11 (b) A chief petitioner may not be held criminally liable under subsection (1)(b) of this section
 12 solely based on a violation committed by a person obtaining signatures on the chief petitioner's pe-
 13 tition or prospective petition or by a contractor or subcontractor.

14 **SECTION 21.** ORS 260.563 is amended to read:

15 260.563. (1) As used in this section:

16 (a) "Contractor" means a person who contracts on predetermined terms with a chief petitioner,
 17 or a person acting on behalf of a chief petitioner, of an initiative or referendum petition or a pro-
 18 spective petition for a state measure to be initiated for the purpose of obtaining signatures on the
 19 petition or prospective petition.

20 (b) "Subcontractor" means a person who contracts on predetermined terms with a contractor for
 21 the purpose of obtaining signatures on an initiative or referendum petition or a prospective petition
 22 for a state measure to be initiated and who has no direct contractual relationship with a chief
 23 petitioner or other person acting on behalf of a chief petitioner.

24 (2) If a contractor has knowledge or should have had knowledge of a violation of ORS
 25 [250.048,] 260.555, 260.558, 260.567, 260.575, 260.665 or 260.715 (1) or section 1b, Article IV of the
 26 Oregon Constitution, or any rule adopted by the Secretary of State related to section 1b, Article IV
 27 of the Oregon Constitution, **or** petition sheets [*or circulator training, registration or certification,*] by
 28 a subcontractor, the violation by the subcontractor is conclusively considered a violation by the
 29 contractor.

30 (3) A contractor is not liable under subsection (2) of this section if the contractor notifies the
 31 Secretary of State in writing not later than one business day after the contractor obtains knowledge
 32 of a potential violation. The notice shall state:

- 33 (a) That a potential violation has occurred;
- 34 (b) The nature of the potential violation; and
- 35 (c) All specific information known to the contractor regarding the potential violation.

36 (4) A contractor may not be held criminally liable under this section solely based on a violation
 37 committed by a subcontractor.

38 **SECTION 22.** ORS 254.085 is amended to read:

39 254.085. (1) The Secretary of State, not later than the 61st day before the date of a primary or
 40 general election, shall file with each county clerk a statement of the federal and state offices to be
 41 filled or for which candidates are to be nominated in the county at the election, information con-
 42 cerning all candidates for the offices, and the state measures to be voted on.

43 (2) The information concerning candidates for the Supreme Court, Court of Appeals, Oregon Tax
 44 Court and circuit court shall include a designation of incumbent for each candidate who is the
 45 regularly elected or appointed judge of the court to which the candidate seeks election. If a candi-

1 date was regularly elected or appointed to a specific position or department on the court, the can-
2 didate shall be designated as the incumbent only if the person is a candidate for that position or
3 department.

4 (3) Included with each state measure shall be the measure number, the latest ballot title certi-
5 fied by the [Attorney General] **Legislative Counsel** under ORS 250.067 (2) or, if the Supreme Court
6 has reviewed the title under ORS 250.085, the title certified by the court [*and the financial estimates*
7 *under ORS 250.125*]. The Secretary of State shall keep a copy of the statement.

8 **SECTION 23.** ORS 251.170 is amended to read:

9 251.170. (1) The translation of a state voters' pamphlet or county voters' pamphlet required un-
10 der ORS 251.167 shall be made in the manner described in this section.

11 (2) For each state voters' pamphlet and county voters' pamphlet mailed to residents of a county,
12 the Secretary of State shall have the following portions of the voters' pamphlet professionally
13 translated into each language for which a translation is required under ORS 251.167:

14 (a) Any official statement or communication made by the Secretary of State, county clerk, filing
15 office or other public elections official, including any information described in ORS 251.026 or
16 251.315 (1)(a) to (d) and (g) and any other information regarding services offered by elections offices,
17 how to cast a ballot and key dates for the election;

18 (b) The ballot title for each measure;

19 (c) The explanatory statement for each measure;

20 [(d) *The financial estimate for each measure and any statement prepared for a measure under ORS*
21 *250.125;*]

22 [(e)] (d) Any racial and ethnic impact statement prepared for a measure under ORS 137.685; **and**

23 [(f) *Any statement submitted for a measure by a citizen panel under ORS 250.141; and*]

24 [(g)] (e) Except an argument for a measure prepared by the Legislative Assembly under ORS
25 251.245, any other statement for a measure created by a public body as defined in ORS 174.109.

26 (3) In addition to the materials that the Secretary of State is required to have professionally
27 translated under subsection (2) of this section, the Secretary of State shall allow to be included in
28 the translated version of each state voters' pamphlet that is made available on the website of the
29 Secretary of State or of a county under ORS 251.167:

30 (a) Translations of a candidate statement submitted under ORS 251.065, provided that:

31 (A) The candidate is a candidate for federal or statewide office;

32 (B) The translation is filed by a candidate or the principal campaign committee of a candidate
33 described in subparagraph (A) of this paragraph;

34 (C) Neither the translation nor the candidate statement submitted under ORS 251.065 is rejected
35 under ORS 251.055;

36 (D) The candidate statement meets the requirements of a candidate statement set forth in this
37 chapter; and

38 (E) Any translation filed under this paragraph is in one of the five most commonly spoken lan-
39 guages in this state, other than English, as listed by the Secretary of State under ORS 251.167.

40 (b) Translations of an argument in support of or in opposition to a state measure filed under
41 ORS 251.255, provided that:

42 (A) The translation is filed by the person who filed the argument in support of or in opposition
43 to a state measure under ORS 251.255;

44 (B) Neither the translation nor the argument in support of or in opposition to a state measure
45 filed under ORS 251.255 is rejected under ORS 251.055;

1 (C) The statement in support of or in opposition to a state measure meets the requirements of
 2 a statement in support of or in opposition to a state measure set forth in this chapter; and

3 (D) Any translation filed under this paragraph is in one of the five most commonly spoken lan-
 4 guages in this state, other than English, as listed by the Secretary of State under ORS 251.167.

5 (c) Translations of any argument for a measure prepared by the Legislative Assembly under ORS
 6 251.245 submitted by the Legislative Assembly, provided that any translation filed under this para-
 7 graph is in one of the five most commonly spoken languages in this state, other than English, as
 8 listed by the Secretary of State under ORS 251.167.

9 (4)(a) A translation that is permitted or required under this section is not required to be iden-
 10 tical in words to the original version but must be consistent with the meaning of the original ver-
 11 sion.

12 (b) A translation is not subject to any limitations on the number of words allowed set forth in
 13 this chapter.

14 (5) A county may at its own expense make or accept for publication on the county’s website,
 15 as part of a translated voters’ pamphlet required under ORS 251.167, any portion of a state or
 16 county voters’ pamphlet that is not described in this section.

17 (6) The Secretary of State:

18 (a) May adopt any rules necessary to implement this section; and

19 (b) Except as provided in subsection (5) of this section, is responsible for all costs necessary to
 20 comply with this section.

21 (7) As used in this section, “statewide office” means Governor, Secretary of State, State Treas-
 22 urer, Attorney General, Commissioner of the Bureau of Labor and Industries, or judge on the
 23 Oregon Supreme Court, the Oregon Court of Appeals or the Oregon Tax Court.

24 **SECTION 24.** ORS 251.185 is amended to read:

25 251.185. (1) The Secretary of State shall have printed in the voters’ pamphlet for a general
 26 election or any special election a copy of the title and text of each state measure to be submitted
 27 to the people at the election for which the pamphlet was prepared. The pamphlet must include the
 28 procedures for filing a complaint under ORS 260.345. Each measure shall be printed in the pamphlet
 29 with:

30 (a) The number and ballot title of the measure;

31 *[(b) The financial estimates and any statement prepared for the measure under ORS 250.125;]*

32 (c) The explanatory statement prepared for the measure;

33 (d) Arguments relating to the measure and filed with the Secretary of State; **and**

34 (e) Any racial and ethnic impact statement prepared for the measure under ORS 137.685.];
 35 *and]*

36 *[(f) Any statement submitted for the measure by a citizen panel under ORS 250.141.]*

37 (2) A community college district measure relating to bonding, a county measure or a measure
 38 of a metropolitan service district organized under ORS chapter 268, and the ballot title, explanatory
 39 statement and arguments relating to the measure, filed by the county, metropolitan service district
 40 or community college district under ORS 251.285 shall be included in the voters’ pamphlet described
 41 in subsection (1) of this section if required under ORS 251.067.

42 (3) As used in this section, “community college district” has the meaning given that term in ORS
 43 341.005.

44 **SECTION 25.** ORS 254.115 is amended to read:

45 254.115. (1) The official primary election ballot shall be styled “Official Primary Nominating

1 Ballot for the _____ Party.” and shall state:

2 (a) The name of the county for which it is intended.

3 (b) The date of the primary election.

4 (c) The names of all candidates for nomination at the primary election whose nominating pe-
5 titions or declarations of candidacy have been made and filed, and who have not died, withdrawn
6 or become disqualified.

7 (d) The names of candidates for election as precinct committeeperson.

8 (e) The names of candidates for the party nomination for President of the United States who
9 qualified for the ballot under ORS 249.078.

10 (2) The primary election ballot may include any city, county or nonpartisan office or the
11 number[,] **and** ballot title [*and financial estimates under ORS 250.125*] of any measure.

12 (3)(a) The ballot may not contain the name of any person other than those referred to in sub-
13 sections (1) and (2) of this section.

14 (b) The name of each candidate for whom a nominating petition or declaration of candidacy has
15 been filed shall be printed on the ballot in but one place, except in circumstances where a candidate
16 may hold more than one office or nomination without violating ORS 249.013.

17 (c) In the event that two or more candidates for the same nomination or office have the same
18 or similar surnames, the location of their places of residence shall be printed with their names to
19 distinguish one from another.

20 **SECTION 26.** ORS 254.135 is amended to read:

21 254.135. (1) The official general or special election ballot shall be styled “Official Ballot” and
22 shall state:

23 (a) The name of the county for which it is intended.

24 (b) The date of the election.

25 (c) The names of all candidates for offices to be filled at the election whose nominations have
26 been made and accepted and who have not died, withdrawn or become disqualified. The ballot may
27 not contain the name of any other person.

28 (d) The number[,] **and** ballot title [*and financial estimates under ORS 250.125*] of any measure to
29 be voted on at the election.

30 (2) The names of candidates for President and Vice President of the United States shall be
31 printed in groups together, with their political party designations. The names of the electors may
32 not be printed on the general election ballot. A vote for the candidates for President and Vice
33 President is a vote for the group of presidential electors supporting those candidates and selected
34 as provided by law. The general election ballot shall state that electors of President and Vice
35 President are being elected and that a vote for the candidates for President and Vice President shall
36 be a vote for the electors supporting those candidates.

37 (3)(a) The name of each candidate nominated shall be printed on the ballot in but one place,
38 without regard to how many times the candidate may have been nominated, except in circumstances
39 where a candidate may hold more than one office or nomination without violating ORS 249.013. The
40 name of a political party, or names of political parties, shall be printed with the name of a candidate
41 for other than nonpartisan office according to the following rules:

42 (A) For a candidate not affiliated with a political party who is nominated by a minor political
43 party, the name of the minor political party shall be printed with the name of the candidate;

44 (B) For a candidate not affiliated with a political party who is nominated by more than one
45 minor political party, the names of not more than three minor political parties selected by the can-

1 didate shall be printed with the name of the candidate;

2 (C) For a candidate who is a member of a political party who is nominated by a political party
3 of which the candidate is not a member, the name of the political party that nominated the candi-
4 date shall be printed with the name of the candidate;

5 (D) For a candidate who is a member of a political party who is nominated by more than one
6 political party of which the candidate is not a member, the names of not more than three political
7 parties selected by the candidate shall be printed with the name of the candidate;

8 (E) For a candidate who is nominated only by a political party of which the candidate is a
9 member, the name of the political party of which the candidate is a member shall be printed with
10 the name of the candidate; and

11 (F) For a candidate who is nominated by a political party of which the candidate is a member
12 and by any political party or parties of which the candidate is not a member, the name of the poli-
13 tical party of which the candidate is a member and the names of not more than two other political
14 parties selected by the candidate shall be printed with the name of the candidate.

15 (b) If a candidate is required to select the name of a political party to be printed on the ballot
16 under paragraph (a) of this subsection, the candidate shall notify the filing officer of the selection
17 not later than the 61st day before the day of the election.

18 (c) The word "incumbent" shall be printed with the name of each candidate for the Supreme
19 Court, Court of Appeals, Oregon Tax Court or circuit court who is designated the incumbent by the
20 Secretary of State under ORS 254.085.

21 (d) The word "nonaffiliated" shall be printed with the name of each candidate who is not affil-
22 iated with a political party and who is nominated by an assembly of electors or individual electors.

23 (e) If two or more candidates for the same office have the same or similar surnames, the location
24 of their places of residence shall be printed with their names to distinguish one from another.

25 (4) Notwithstanding subsection (3)(a) of this section, the name of a candidate nominated for more
26 than one district office that is to be filled at the same election shall be separately printed upon the
27 ballot for each district office for which the candidate is nominated.

28 **SECTION 27.** ORS 254.145 is amended to read:

29 254.145. (1)(a) Except as provided in paragraph (b) of this subsection, the names of candidates
30 for nomination for or election to each office shall be arranged on the ballot in the order determined
31 under ORS 254.155.

32 (b) The names of candidates for the offices of President and Vice President of the United States
33 shall be arranged in groups.

34 (2) Except as provided in ORS 254.125 and 254.135 and this section, no information about the
35 candidate, including any title or designation, other than the candidate's name, may appear on the
36 ballot.

37 (3) Spaces shall be provided for any offices appearing on the ballot in which the elector may
38 write the name of any person not printed on the ballot. If a voting machine is used, spaces shall be
39 provided on the ballot, or on separate material delivered to the elector with the ballot, in which the
40 elector may write or enter the names of persons for any offices appearing on the ballot.

41 (4) On the left margin of the ballot, the name of each group or candidate may be numbered. The
42 blank spaces may not be numbered. A particular number may not be used to designate more than
43 one candidate at any election.

44 (5) The names of all candidates for the same office shall be listed in the same column on the
45 ballot. If more than one column is needed to list names of all candidates for that office, the names

1 may be arranged in one or more columns in block form. The block shall be set apart by rulings
 2 under the title of the office. If a blank space follows the list of candidates, the space shall be in the
 3 same column as the names of candidates for that office. If blocks of columns are used, blank spaces
 4 shall be included within the ruled block.

5 (6) The ballot shall be clearly marked to indicate when names of candidates for the office are
 6 continued on the following page.

7 (7) When a measure is submitted to the people, the number[,] **and** ballot title [*and financial es-*
 8 *timates under ORS 250.125*] of each measure shall be printed after the list of candidates. A measure
 9 referred by the Legislative Assembly shall be designated “Referred to the People by the Legislative
 10 Assembly.” A state measure referred by petition shall be designated “Referendum Order by Petition
 11 of the People.” A state measure proposed by initiative petition shall be designated “Proposed by
 12 Initiative Petition.”

13 (8) The ballot shall be printed to give the elector a clear opportunity to designate the elector’s
 14 choice for candidates and approval or rejection of measures submitted. If a voting machine is not
 15 used, the elector shall indicate a preference by making a cross or check mark inside a voting square
 16 corresponding to the candidate or answer for which the elector wishes to vote. A voting square may
 17 be printed on the blank, write-in vote spaces. However, the elector is not required to place a mark
 18 in the voting square corresponding to a name written in a blank space. Words shall be printed on
 19 the ballot to aid the elector, such as “Vote for one,” “Vote for three,” and regarding measures,
 20 “Yes” and “No.”

21 **SECTION 28.** ORS 182.454 is amended to read:

22 182.454. The following semi-independent state agencies are subject to ORS 182.456 to 182.472:

- 23 (1) The Appraiser Certification and Licensure Board.
- 24 (2) The State Board of Architect Examiners.
- 25 (3) The State Board of Examiners for Engineering and Land Surveying.
- 26 (4) The State Board of Geologist Examiners.
- 27 (5) The State Landscape Architect Board.
- 28 (6) The Oregon Board of Optometry.
- 29 (7) The Oregon Patient Safety Commission.
- 30 (8) The Oregon Wine Board.
- 31 (9) The State Board of Massage Therapists.
- 32 (10) The Oregon Board of Physical Therapy.
- 33 (11) The State Landscape Contractors Board.
- 34 [(12) *The Citizens’ Initiative Review Commission.*]

35 **SECTION 29.** ORS 250.042, 250.048, 250.125, 250.127, 250.131, 250.137, 250.139, 250.141,
 36 250.143, 250.147 and 250.149 are repealed.

37 **SECTION 30.** Sections 13, 15 and 29 of this 2023 Act and the amendments to ORS 182.454,
 38 249.865, 250.015, 250.043, 250.045, 250.052, 250.062, 250.065, 250.067, 250.075, 250.085, 250.105,
 39 250.165, 250.265, 251.170, 251.185, 254.085, 254.115, 254.135, 254.145, 260.556, 260.561, 260.563 and
 40 260.567 by sections 1 to 11 and 16 to 28 of this 2023 Act first apply to petitions and prospective
 41 petitions for ballot measures seeking to qualify for the 2026 general election ballot.