

# House Bill 3593

Sponsored by Representative GOMBERG

## 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**.

Permits candidates to have name listed in more than one place on general election ballot if nominated for same office by multiple political parties.

Allows minor political parties to use votes cast for pairing of candidate with minor political party to be used to maintain status as minor political party.

## A BILL FOR AN ACT

1  
2 Relating to political parties; amending ORS 254.135 and 254.145.

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

4 **SECTION 1.** ORS 254.135 is amended to read:

5 254.135. (1) The official general or special election ballot shall be styled "Official Ballot" and  
6 shall state:

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

8 (b) The date of the election.

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10 been made and accepted and who have not died, withdrawn or become disqualified.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

12 (d) The number, ballot title and financial estimates under ORS 250.125 of any measure to be  
13 voted on at the election.

14 (2) The names of candidates for President and Vice President of the United States shall be  
15 printed in groups together, with their political party designations. The names of the electors may  
16 not be printed on the general election ballot. A vote for the candidates for President and Vice  
17 President is a vote for the group of presidential electors supporting those candidates and selected  
18 as provided by law. The general election ballot shall state that electors of President and Vice  
19 President are being elected and that a vote for the candidates for President and Vice President shall  
20 be a vote for the electors supporting those candidates.

21 [(3)(a)] **(3)** The name of each candidate nominated shall be printed on the ballot **for a single**  
22 **office only** [*in but one place, without regard to how many times the candidate may have been nomi-*  
23 *nated*], except in circumstances where a candidate may hold more than one office or nomination  
24 without violating ORS 249.013.

25 **(4)(a)** [*The name of a political party, or names of political parties, shall be printed with the name*  
26 *of a candidate for other than nonpartisan office*] **The name of a candidate for other than non-**  
27 **partisan office shall be separately printed with the name of each political party that nomi-**  
28 **nated the candidate** according to the following rules:

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

**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) For a candidate not affiliated with a political party who is nominated by more than one  
 2 minor political party, **the name of the candidate shall be separately printed with** the names of  
 3 not more than three minor political parties selected by the candidate [*shall be printed with the name*  
 4 *of the candidate*];

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

8 (D) For a candidate who is a member of a political party who is nominated by more than one  
 9 political party of which the candidate is not a member, **the name of the candidate shall be sep-**  
 10 **arately printed with** the names of not more than three political parties selected by the candidate  
 11 [*shall be printed with the name of the candidate*];

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

15 (F) For a candidate who is nominated by a political party of which the candidate is a member  
 16 and by any political party or parties of which the candidate is not a member, the **name of the**  
 17 **candidate shall be separately printed with the** name of the political party of which the candidate  
 18 is a member and the names of not more than two other political parties selected by the candidate  
 19 [*shall be printed with the name of the candidate*].

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

23 (c) The word “incumbent” shall be printed with the name of each candidate for the Supreme  
 24 Court, Court of Appeals, Oregon Tax Court or circuit court who is designated the incumbent by the  
 25 Secretary of State under ORS 254.085.

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

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

30 [(4)] (5) Notwithstanding subsection [(3)(a)] (3) of this section, the name of a candidate nomi-  
 31 nated for more than one district office that is to be filled at the same election shall be separately  
 32 printed upon the ballot for each district office for which the candidate is nominated.

33 **SECTION 2.** ORS 254.145 is amended to read:

34 254.145. (1)(a) Except as provided in paragraph (b) of this subsection, the names of candidates  
 35 for nomination for or election to each office shall be arranged on the ballot in the order determined  
 36 under ORS 254.155.

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

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

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

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

4 (5) The names of all candidates for the same office shall be listed in the same column on the  
 5 ballot. If more than one column is needed to list names of all candidates for that office, the names  
 6 may be arranged in one or more columns in block form. The block shall be set apart by rulings  
 7 under the title of the office. If a blank space follows the list of candidates, the space shall be in the  
 8 same column as the names of candidates for that office. If blocks of columns are used, blank spaces  
 9 shall be included within the ruled block.

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

12 (7) When a measure is submitted to the people, the number, ballot title and financial estimates  
 13 under ORS 250.125 of each measure shall be printed after the list of candidates. A measure referred  
 14 by the Legislative Assembly shall be designated "Referred to the People by the Legislative Assem-  
 15 bly." A state measure referred by petition shall be designated "Referendum Order by Petition of the  
 16 People." A state measure proposed by initiative petition shall be designated "Proposed by Initiative  
 17 Petition."

18 (8)(a)(A) The ballot shall be printed to give the elector a clear opportunity to designate the  
 19 elector's choice for candidates and approval or rejection of measures submitted. **If an elector  
 20 chooses to vote for a candidate who has been nominated for a single office by multiple poli-  
 21 tical parties, the elector shall indicate a single preference for the pairing of candidate and  
 22 political party that the elector chooses. If the elector marks the ballot in a manner that in-  
 23 dicates a preference for a single candidate, but with multiple pairings of political parties, the  
 24 ballot shall be considered cast:**

25 (i) **For the indicated candidate; and**

26 (ii) **For the indicated political party that has the smallest number of members.**

27 **(B) Votes that are cast in the manner described in this paragraph and ORS 254.135 for  
 28 the pairing of a candidate and a minor political party that nominated the candidate may be  
 29 used to maintain the status of the minor political party under ORS 248.008 (4)(b)(B).**

30 (b) If a voting machine is not used, the elector shall indicate a preference by making a cross  
 31 or check mark inside a voting square corresponding to the candidate or answer for which the elec-  
 32 tor wishes to vote. A voting square may be printed on the blank, write-in vote spaces. However, the  
 33 elector is not required to place a mark in the voting square corresponding to a name written in a  
 34 blank space.

35 (c) Words shall be printed on the ballot to aid the elector, such as "Vote for one," "Vote for  
 36 three," and regarding measures, "Yes" and "No."

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