

House Bill 4019

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Rules for Secretary of State LaVonne Griffin-Valade)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act sets the date, time and processes for the meeting of electors of the President and Vice President of the United States. (Flesch Readability Score: 60.7).

Provides for the date and time of the convening of electors of the President and Vice President of the United States. Requires the Secretary of State to preside over the convening of electors and to act on behalf of the electors for any duties placed on the electors under federal or state law. Requires the Governor and the Secretary of State to issue a certificate of ascertainment of appointment of electors in accordance with federal law. Establishes the time, date and process for filling any vacancy in the office of elector.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to presidential electors; amending ORS 248.370; and prescribing an effective date.

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

4 **SECTION 1.** ORS 248.370 is amended to read:

5 248.370. (1) The electors of President and Vice President shall convene at the State Capitol on
6 the *[Monday]* **first Tuesday** after the second Wednesday in December following their election **at a**
7 **time to be established by the Secretary of State by rule.**

8 (2) **Not later than six days prior to the convening of electors under subsection (1) of this**
9 **section, the Governor and the Secretary of State shall issue a certificate of ascertainment**
10 **of appointment of electors as required by 3 U.S.C. 5. The certificate of ascertainment shall**
11 **contain a security feature or features for the purpose of verifying the authenticity of the**
12 **certificate. The Secretary of State shall determine by rule the form of the security feature**
13 **or features under this subsection.**

14 (3) If there is any vacancy in the office of an elector caused by death, refusal to act, neglect
15 to attend or otherwise, the electors present *[immediately]* shall fill *[it]* **the vacancy** by plurality of
16 voice votes **at the time and place of the convening of electors under subsection (1) of this**
17 **section. The Governor and the Secretary of State shall issue an amended certificate of**
18 **ascertainment containing the name of any elector who fills a vacancy under this**
19 **subsection.**

20 (4) **Prior to the voice vote to fill a vacancy under subsection (3) of this section, a candi-**
21 **date for filling the vacancy shall sign the pledge required under ORS 248.355.**

22 (5) When all the electors have appeared *[or the]* **and any vacancies have been filled, the electors**
23 **shall take and subscribe to an oath of office administered by the Secretary of State. Fol-**
24 **lowing the taking of the oath of office under this subsection, the electors shall perform the**
25 **duties required of them by the Constitution and laws of the United States.**

26 (6) **The Secretary of State shall preside over the convening of electors under this section**

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 and shall perform any duty as an administrator on behalf of the electors in accordance with
2 the requirements placed on electors under federal law and the laws of this state.

3 SECTION 2. This 2024 Act takes effect on the 91st day after the date on which the 2024
4 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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