

## **HB 3384 STAFF MEASURE SUMMARY**

### **House Committee On Rules**

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**Meeting Dates:** 2/3

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#### **WHAT THE MEASURE DOES:**

The measure allows local elections officials to not take certain actions on a prospective initiative or referendum petition if it is filed between the 75<sup>th</sup> day prior to and the 35<sup>th</sup> day following the May and November elections. It allows a county clerk, city elections officer, or elections officer to delay determination of whether the prospective petition filed in this period meets the requirements of the Oregon Constitution until the 40<sup>th</sup> day following the May or November election. The measure allows the local elections official to delay sending a copy of the prospective petition to the district attorney or city attorney for preparation of a ballot title until after the 35<sup>th</sup> day following the May and November elections. The measure also allows the local elections official to not accept an initiative or referendum petition for signature verification if it filed between the 75<sup>th</sup> day prior to and the 35<sup>th</sup> day following the May or November election.

Fiscal impact: May have fiscal impact, but no statement yet issued

Revenue impact: May have revenue impact, but no statement yet issued

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

The initiative and referendum processes are methods of direct democracy that allow people to propose or amend local laws and charters or to adopt or reject an ordinance or other legislative enactment passed by a local governing body. If chief petitioners gather and file the required number of signatures, the initiative or referendum is placed on the ballot for voters to adopt or reject.

Section 1 (2)(d) of Article IV of the Oregon Constitution requires an initiative petition to include the full text of the proposed law or amendment to the Constitution and for it to contain one subject only.

Section 1 (5) of Article IV provides that the initiative and referendum powers are also available to the qualified voters of each municipality and district on all local, special, and municipal legislation. It allows cities to set initiative and referendum methods and sets the percentage of qualified voters to propose legislation by initiative and order a referendum.

Section 10, Article VI of the Oregon Constitution on county home rule provides that the initiative and referendum powers are reserved to the legal voters of every county relative to the adoption, amendment, revision, or repeal of a county charter and to legislation passed by counties that have adopted such a charter. It sets the number of signatures that must be gathered as a percentage of the number of votes cast in the county for Governor during the most recent gubernatorial election: four percent to order a referendum on county legislation, six percent for a petition to propose an initiative ordinance, and eight percent for a petition to propose a charter amendment.